Extra Support for New Course Development–General Rules and Intellectual Property Rights

Dear [faculty member],

As we have discussed, [department name] has offered to grant you extra support so that you can [develop a syllabus and formal proposal for new course name] [thoroughly revise the syllabus and materials for course name]. This extra support will take the form of, [additional financial compensation (Service in Excess) at the rate of [rate], [a release from regular teaching duties equivalent to [number] regular course[s] , [receiving other course development support, specifically [a graduate assistant] [staff support], [the use of a university-funded technical resources, or licensed software specifically purchased for a specific course), beyond that which is customarily provided].

Such extra support constitutes what the University of Illinois *General Rules* call “resources over and above those usually and customarily provided.” “Usual and customary” is an evolving standard that can change over time (for example, technological support), and what is “usual and customary” can even vary from campus unit to unit at a given point in time. It is important to note this designation because the *General Rules* specify that course materials developed under these circumstances will be jointly licensed to the U of I system, including this university. That is, although you hold intellectual property copyright over the materials you develop, and you may continue to use them even if you leave the university, the university may also re-use these materials.

You can find the detailed policy in Article III, Section 4 (b)(2) of the University of Illinois[General Rules Concerning University Organization and Procedure:](https://www.bot.uillinois.edu/governance/general_rules)

## Article III, Section 4 (b)(2):

Traditional academic copyrightable works created with use of system resources over and above those usually and customarily provided shall be owned by the creators but licensed to the system. The minimum terms of such license shall grant the system the right to use the original work and to make and use derivative works in its internally administered programs of teaching, research, and public service on a perpetual, royalty-free, non-exclusive basis. The system may retain more than the minimum license rights when justified by the circumstances of development.

## Also see Section 2 (d):

When determining ownership and license rights in copyrightable works, "University of Illinois System resources usually and customarily provided" includes office space, library facilities, ordinary access to computers and networks, or salary. In general, it does not include the use of students or employees as support staff to develop the work, or substantial use of specialized or unique facilities and equipment, or other special subventions provided by the system unless approved as an exception.

If these conditions are not acceptable to you, then you should not accept the extra support. Also note that these provisions do not distinguish between the development/revision of on-campus or online courses. The same rules pertain to each.