

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Proposal of a Statement on Copyright Procedures
Date: May 6, 2002

Recommended Action:

Approve the proposed statement.

Executive Summary:

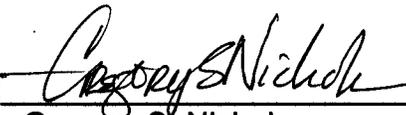
ICEC Recommendation	The Interinstitutional Committee on Educational Cooperation (ICEC) has received from its Task Force on Scholarly Communication a statement on copyright procedures. The ICEC recommends that the Board approve the proposed statement, which leaves implementation of the recommended statement to each Regent institution.
General Statement	<p>The Task Force on Scholarly Communication and the ICEC recommend that the Board of Regents adopt the following general statement:</p> <p style="padding-left: 40px;">The Board strongly encourages faculty, students, and employees of Regent institutions to seek to retain intellectual property rights to the articles and reports that they publish in scholarly journals and equivalent types of publications where feasible and appropriate without detriment to publishing agreements. Doing so on a systematic basis will ensure the widest possible dissemination at the lowest cost. Each institution is responsible for providing information, advice, and assistance to faculty, students, and employees to achieve this aim.</p>
Implementation	<p>How the general statement is implemented remains the responsibility of individual institutions. Specifically, the ICEC and Task Force on Scholarly Communications recommend:</p> <ol style="list-style-type: none"> 1. It would be the responsibility of the individual campuses to work with faculty to develop appropriate policies and support. These should include discussion of rights management, strategies for faculty in working with publishers, and provision of model agreement language for faculty use. Implementation methods and strategies may vary based on the needs of each campus.

2. We encourage the Regent universities to work together to develop shared model agreement language, through work of the Task Force on Scholarly Communication, the ICEC, and the legal services offices of the three universities.

Background and Analysis:

Background	The ICEC formed the Task Force on Scholarly Communications in 1999, with the charge that it was to “explore ways that the libraries of the three Regent universities can more effectively use professional journals, in light of escalating costs and such developments as electronic publication.” Membership on the Task Force included representatives of the faculty senates of each university, personnel from the three libraries, as well as Board Office staff.
Outcome of study	In FY2000, the Task Force developed a brochure on the factors contributing to the rapidly increasing costs of academic journals. One of the related findings was that faculty members were either forced to or encouraged to give up their right to use articles prepared for academic journals and professional books and monographs, even in their own classrooms. Several studies on this growing practice led to national faculty and library groups urging faculty and staff members to retain control of their intellectual creations.
Board policy	The proposed general statement is consistent with current Board policy, Patents and Copyrights, based on Iowa Code 262.9 (11). See <i>Policy Manual</i> , § 6.15.


Charles R. Kniker

Approved: 
Gregory S. Nichols