

SENATE STATEMENT ON COURSE MATERIALS:  
INTELLECTUAL PROPERTY RIGHTS AND PROFESSIONAL RESPONSIBILITY

Co-Sponsored  
General University Policy Committee  
Educational Policy Committee

Copyright of Course Materials

As the University of Illinois *General Rules* specify, instructors own the copyright to course materials, including syllabi, that they create independently at their own initiative, and without University resources over and above “what is usually and customarily provided.”<sup>1</sup> As the intellectual property of the creator, these materials may not be used by the University without his or her permission.

It is important to distinguish between copyright, on the one hand; and privacy rights, on the other. While the creators of syllabi usually hold the copyright to those syllabi, these documents are not private. Under certain circumstances, faculty members may be required to preserve copies of their syllabi or to submit them for review.<sup>2</sup>

Course Syllabi

It is essential to maintain a balance between instructors' copyright over the instructional materials they create, on the one hand; and the University's responsibility to ensure the consistency and quality of the education it provides, on the other. The following are intended to achieve that balance:

1) Regarding syllabi:

- a) Instructors are required to provide enrollees with a course syllabus. Guidelines for syllabus creation can be found here: <https://citl.illinois.edu/citl-101/teaching-learning/resources/teaching-strategies/creating-a-syllabus>
- b) Instructors who create their own syllabi are required to submit a copy of their syllabus to their unit for each course taught. Units are responsible for collecting syllabi on a regular basis. (Note: A syllabus is required to revise or establish a new course and is also required when a course is reviewed for General Education.)
- c) Instructors are encouraged to protect their copyright by including a copyright notice on each copy of their syllabus. This provides some protection from students or others distributing one's syllabus or posting it online without one's permission.

2) Instructors may be required to modify the format of course materials, or to share them with other than enrolled students, under certain circumstances, including the following:

- a) So that departments may maintain consistency of instruction across sections of multi-section courses;
- b) For purposes of tenure, promotion, or annual performance evaluations;
- c) In response to a request for reasonable accommodation of a person with a disability issued by the Division of Disability Resources and Educational Services, the Counseling Center, or the Office for Access and Equity;

- d) In cases of emergency in which the instructor is unable to meet his or her teaching responsibilities; and
- e) When required for accreditation or for regulatory approval. For these purposes, an instructor may submit only the minimum content outlined in 1(a) and may withhold additional content as their own intellectual property.<sup>3</sup>

3. Instructors may be required or requested to add specific information to their syllabus. For instance:

- a) The inclusion of some syllabus content might be required in order to comply with laws such as the Americans with Disabilities Amendment Act.<sup>4</sup> Compliance with the ADA might require instructors to include an explicit statement about accommodation in their syllabus, to modify the format of their course materials, or to provide them to the Division of Disability Resources and Educational Services in order to provide a reasonable accommodation to a student with a documented disability. In addition, the Higher Learning Commission requires evidence that syllabi specify projected learning outcomes.
- b) Additional syllabus content can be recommended in order to provide students with general information not bearing directly on the content and requirements of the course – such as advice on student safety, or information on resources such as the Student Services Center or the Counseling Center. Such recommendations are optional. Creators of syllabi are encouraged to consult the wording recommended by the General Education Board, including the requirement for a stated attendance policy.<sup>5</sup>

---

<sup>1</sup> In situations where faculty believe their intellectual property rights have been infringed, they have a right to appeal these under: [https://www.bot.uillinois.edu/governance/general\\_rules#sec34](https://www.bot.uillinois.edu/governance/general_rules#sec34)

<sup>2</sup> UI System and State of Illinois policies on retention of University documents can be found here: [https://www.uillinois.edu/cio/services/rims/policy\\_and\\_recommendations/](https://www.uillinois.edu/cio/services/rims/policy_and_recommendations/)

<sup>3</sup> <http://www.hlcommission.org/Policies/criteria-and-core-components.html>

<sup>4</sup> [https://www.eeoc.gov/eeoc/internal/reasonable\\_accommodation.cfm#A](https://www.eeoc.gov/eeoc/internal/reasonable_accommodation.cfm#A)

<sup>5</sup> [http://provost.illinois.edu/files/2018/05/GEB\\_gen-ed-syllabi-requirements.pdf](http://provost.illinois.edu/files/2018/05/GEB_gen-ed-syllabi-requirements.pdf)