

UNIVERSITY PROCEDURES
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

17.02.02.C1.01 Procedures for Technology-Mediated Instructional Material

Approved December 22, 2003

*Supplements System Policy 17.02, System Regulation 17.02.02,
and University Rule 17.02.02.C1*

1. GENERAL

This document provides procedural guidelines for faculty and staff who are creating technology-mediated materials. This procedure should be read in conjunction with University Rule 17.02.02.C1, Technology-Mediated Materials and Instruction.

2. INITIATION OF INSTRUCTIONAL MATERIAL PROJECTS

2.1 Once development of the technology-mediated materials has begun, the creator(s) should contact the head of his or her unit to initiate official recognition of the effort and to determine the existence, if any, of substantial support by Texas A&M University-Corpus Christi.

2.2 The creator and the department head shall determine if the technology-mediated material to be developed (or already developed) involves substantial support from the University. (See University Rule 17.02.02.C1 for a definition of substantial support.)
If it is determined that there is no substantial support, the creator and the department head shall sign a memorandum stating such agreement. The memorandum will be sent to the dean or other appropriate administrator for initial approval. Following initial approval, a copy of the memorandum will be forwarded to the Associate Vice President for Research and Scholarly Activity for final approval.

2.3 If it is determined that there is substantial support from the University, then it will be the responsibility of the creator(s) to complete an instructional material development proposal. This document will include the following information:

- (1) Names of creators;
- (2) Description of the technology-mediated materials to be created;
- (3) Purpose of the technology-mediated materials; anticipated use of the product by the author or institution;
- (4) Description of resources to be used in development of material;
- (5) Ownership rights, such as in works-for-hire;

UNIVERSITY PROCEDURES
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

- (6) Allocation of income between the University and the creator(s) derived from the work products;
 - (7) Handling of revisions to the original work;
 - (8) Consideration given to the creator of the courseware if the institution assigns another faculty or staff member teaching responsibilities using the courseware; and
 - (9) Terms specifying which parties have rights to prepare derivative works.
- 2.4 The proposal will be routed to the appropriate officials for approval before development starts. Appropriate officials should include but are not limited to:
- (1) Department head;
 - (2) The person controlling the account that will support development of the proposed technology-mediated materials;
 - (3) Dean or other appropriate administrator; and
 - (4) Associate Vice President for Research and Scholarly Activity.

3. PRODUCT ESTABLISHMENT

- 3.1 The creator(s) of technology-mediated materials should first meet with his/her department head or dean, his/her director, and the Associate Vice President for Research and Scholarly Activity to determine the category to which the materials will be assigned. (The creator and department head or dean, etc., will hereafter be referred to as “parties.”) The parties shall disclose and discuss any existing and potential conflicts of interest and disagreements and incorporate the resolution or means to resolution into a technology-mediated materials agreement form.
- 3.2 If the creator(s) of the technology-mediated materials have opportunities for commercial ventures with the materials, the creator(s) will disclose these opportunities to their academic department and college. Division of income earned will reflect whether substantial use of University facilities and resources were used in developing the materials.
- 3.3 The creator(s)’ department head is responsible for contacting the University units providing the substantial support so that those units may establish documentation of such support. A memorandum of agreement stating expectations should accompany any support provided by the University for the technology-mediated materials.

UNIVERSITY PROCEDURES
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

4. SUBSTANTIAL SUPPORT DETERMINATION

- 4.1 If it is determined that no substantial University support exists, then Texas A&M University-Corpus Christi relinquishes all rights of ownership and all rights to income from the technology-mediated products developed.
- 4.2 If it is determined that substantial University support exists, then the University and the creator(s) must establish the level of ownership and income distribution from the use of this product outside of the University.

5. APPEALS PROCESS

- 5.1 If the parties are unable to agree to the terms of the project, they shall collectively notify in writing the Provost and Vice President for Academic Affairs or designee of the proposed project and issues of disagreement. The Provost will then forward the issue to a three-person standing or ad hoc committee whose charge will be to review the project proposal and make recommendations for reasonable resolution to the parties.
- 5.2 Upon agreement with the committee's recommendation, the parties will modify the agreement and provide a copy of the modified agreement to the committee chair and to the Provost.
- 5.3 If the parties cannot agree with the committee's recommendations or a derivation thereof, any member of the party may appeal the committee's recommendations to the Provost. The Provost shall have the final authority to approve the terms of the agreement if the proposed project is to go forward.

Contact for Interpretation: Provost and Vice President for Academic Affairs