# WCU Administrator Request Form for Access/Transfer of Online Course Content for Educational or Research Use

| SECTION A: Administrator Information | |
|---|---|
| Name: | Position:<br>☐ Program Director<br>☐ Department Head<br>☐ Dean or Associate/Assistant Dean<br>☐ Provost |
| College/School/Program: | |
| Identify the name/title of the person(s) for whom you seek access/transfer (exp: John Doe, Adjunct Instructor, Economics): | |

| SECTION B: Course/Content |
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| Term, Course, Section: |

Content Requested:

☐ All Course Material   ☐ Exclude Discussion Posts.

☐ Exclude Exams/quizzes   ☐ Exclude Grade Center

☐ Exclude Publisher Test Banks/Pools   ☐ Other (please specify)

☐ Exclude Announcements

| SECTION C: Educational or Research Purpose |
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| Please explain how you intend to use the material for educational or research purposes. |

| SECTION D: Prior Notice |
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| I notified the course creator on _____ (MM/DD/YY) that the university intends to exercise its right to utilize the content for educational or research purposes.<br><br>**Please attach a copy of the written notice to this form.** |

| SECTION E: Certification |
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| I certify that I have read the University Copyright Policy (Policy 84) and agree to abide by, and ensure that the person(s) identified above abide by, the provisions related to educational and research use of copyrighted works. Additionally, I understand that I am responsible for ensuring that the applicable course materials designate the course creator's name as the owner and creator of the work. |

| *By initialing, this certifies understanding of and agreement with the above information.*<br><br>*Administrator's Initial* _____ | Date |

# Access to Course Content without Explicit Consent of Original Faculty Creator

Per WCU Policy 84 (Copyright Policy), this process was developed to assist department administrators in exercising the right to use online course content created by University employees and/or students for educational and research purposes. Examples include situations where the Instructor of Record (IoR) has left WCU or is deceased, or in cases where obtaining signed consent from the IoR is otherwise impractical.

Upon notification to the IoR, a WCU administrator may exercise a "shop right" to use the IoR's online course content/materials.

The person(s) using the content must clearly designate on the content the IoR/creator's name as the owner and creator. It will be up to the administrator who submits the form to ensure that the appropriate designation occurs.

These requests must be initiated by a Department Head or higher. The Department Head will complete the **Administrator Request for Access/Transfer of Online Course Content for Educational or Research Use form** with appropriate signatures. The form will be stored in digital and physical form with the Coulter Faculty Commons.

Process Summary for Requestor

When access/transfer of course content is requested, and the IoR of that course no longer works at WCU or is deceased, or signed consent is otherwise impractical, please send the administrator the **Administrator Request Form for Access/Transfer of Online Course Content for Educational or Research Use form** along with the following excerpt from policy 84.

Pertinent Text from Policy 84

> ### C. Educational Uses of Copyrighted Work
> *1. For purposes of this policy, "educational use" is defined as university use of a copyrighted work created by University employees and/or students, but owned by the University, in a for-credit course offered by the University.*
> *2. When the university exercises its right to utilize copyrighted work for educational or research purposes (See the shop right provision under Section V.V.1), it will notify the Creator and where practical and appropriate offer the Creator the opportunity to be involved in its use.*
> *3. Specific conditions to on-line courses appear below:*
> > *1. When the university schedules an on-line course created by a WCU employee who continues to be employed by WCU, the university, where practical, will ask the course Creators to teach any on-line course they have created. This request will be balanced by the department head's need to schedule the course Creator's expertise to teach other courses.*

2. *If the course is not taught by the course Creator, the course materials will clearly designate the course Creator's name as the owner and Creator of the work as appropriate. Similarly, the course Creator will have the option of removing the Creator's name from the work.*
3. *The course Creator may refresh the course at any point during the offering of the course, whether or not the Creator is teaching it. Reciprocally, WCU expects the course Creator to incorporate new ideas/knowledge of the discipline into course. Should the instructor of record be unable to accommodate the Creator's revisions, the Creator may exercise the Creator's right to remove the Creator's name from the work as stated in VI.C.3.b. above.*

1. Before you proceed, an electronic copy of the form must be returned to the Blackboard Administrator with the electronic signature completed and a copy of the notification should be sent to the IoR and/or the copyright holder.
2. After the electronically signed form is received, the Blackboard team will perform the following tasks:
   a. Add the completed form as an attachment to the Cherwell record
   b. Create a Development course for the new IoR.
   c. Copy (Export/Import or Course Copy) the prior course content as indicated on the form into the new Development course.
   d. Provide access as an "Instructor" to the new IoR.
   e. In the prior course, create an "Item" to Welcome/Course Information area. Add the following to that Item.
      i. Title the Item "Legal Notice – Course Copy"
      ii. In the Textbox of the Item, add the Department head name, Development Course name/ID, and who will have access to the development Course.
      iii. Attach a PDF of the signed form, the written notification to the course creator, and the requesting email.

As an alternative, the copyright holder can send an email granting blanket usage to the materials for later WCU courses.  The Blackboard team will retain these permissions electronically.