

The Senate of Michigan Technological University

PROPOSAL 7-74

AUDIO-VISUAL MATERIALS POLICY

PREAMBLE

The University recognizes the importance of developing audio-visual materials in teaching. Development of a policy on these materials is a complex matter. It involves the ability of the faculty member to get access to these materials, his need of time and facilities for developing them, and recognition and evaluation of his scholarly and pedagogic contribution to the University. It involves the duties of the University to act as custodian of materials and facilities, to regulate their use, and to assist the faculty member in their development and use.

The aim of this statement is to establish conditions that will encourage creativity on the part of the faculty members and at the same time prevent misuse of University resources. Recognizing that the relationship of a faculty member to the University in the use of audio-visual facilities for instruction is not established, this statement attempts to set forth basic rights and obligations, avoids detailed regulations, and does not attempt to provide for every contingency. Rather there is provided a mechanism for the continuing interpretation, guidance, and adjudication of disputes.

RIGHTS AND OBLIGATIONS

As a general statement of policy, it is recognized that faculty who are "creators" of instructional audio-visual programs have proprietary rights to any copyright materials employed therein, and that production staff, performers per se, and sponsoring institutions are not considered "creators."

It is recognized that programs which utilize audio-visual materials may at times involve extraordinary expenses for the institution. Hence, it is agreed that the said "creators" shall be asked to announce the birth of their progeny and simultaneously to list the University resources employed in developing the program or materials.

Should the University determine for itself that extraordinary expense was involved to the point that the University should share in any income to be derived from the material, it would be entitled to enter a claim to the creator.

In the event that the creator and the University do not agree on a settlement, the matter must be submitted for mediation to the Commission on Audio-Visual Materials Policy.

COMMISSION

Organization: An Audio-Visual Materials Policy Commission shall be a standing committee of the Faculty Senate. Its members shall be appointed by the President of the Senate with the

approval of the Senate. The Commission shall consist of three members, serving staggered three-year terms, with no restrictions on reappointment.

Activities. The Commission shall:

1. Act as a continuing body to advise individual faculty and to interpret existing University policy.
2. Recommend to the Senate such changes and additions to existing policy as may be necessary and proper.
3. Act as a mediatory agency for any disputes that may arise. Nothing in this statement shall be interpreted to deny to either party recourse to legal action, after remedies within the University are exhausted.
4. Pursuant to any of the foregoing, The Commission may seek such legal aid as may be deemed necessary.
5. Present to the Senate an annual report of its activities and recommendations.
6. Keep a public record of its proceedings, a copy of which shall be available at the University library.

Procedures. Because of the variety of circumstances and conditions, no attempt to detail procedures for initiating or developing audio-visual materials or methods is included. In general, traditional patterns of relations between faculty and department heads should suffice. It should be recognized that procedures may vary from department to department and from school to school.

Proposal Adopted by Senate: 24 April 1974