SLASIAC Standing Subcommittee on Copyright Policy
Thursday, April 30, 10:00 – 12:00

Agenda:
1. Review of Recommendations for UC Policy on Copyright Ownership
    Review new definitions, changes suggested by this group (See background item #2, below)
    Prepare for discussion at May 18th SLASIAC meeting
2. Update on UC Policy on Copyright and Fair Use
    CoUL wording change suggestions
    [Any other comments that arrive before the call]

Background documents:
1. Meeting notes from the 8/28/2014 Standing Subcommittee on Copyright Policy in-person meeting.
2. Follow-up actions from the 8/28/2014 Standing Subcommittee on Copyright Policy meeting
3. For reference: Final Report of the SLASIAC UC Copyright Ownership Policy Working Group, Oct. 2014
4. For reference: Recommendation Summary (from Oct., 2014, Working Group report)
5. Final Review draft of UC Policy on Copyright and Fair Use
6. CoUL feedback - Final Review - Draft UC Policy on Copyright & Fair Use (email message from Lorelei Tanji to Joanne Miller)

[Documents are available here:
https://drive.google.com/folderview?id=0B0NikOCcMCq3T2VGd0ZGSk1kRzg&usp=sharing.]

Conference Call

Participants: Mario Biagioli, Karen Butter, Katie Fortney, Jim Frew, Robin Garrell, Rita Hao, Dan Hare, Angus MacDonald, Joanne Miller, Jane Moores for Sandy Brown, Jim Phillips, Wendy Streitz

Meeting Notes

1. Review of Recommendations for UC Policy on Copyright Ownership

1. Draft wording to describe who's included in the class of UC employees that own their own copyright

There was general agreement that copyright ownership should be extended to all faculty, as well as postdocs (they are considered "staff" but title codes are in academic series) and all graduate students. Students already retain copyright ownership in UC policy, so the policy applies to "academic employees and academic-types of employees." In the case of joint staff-faculty positions, the copyright ownership question would apply to work done in an academic capacity (because staff work is considered "work made for hire" which is owned by the employer).

Staff needs to look into how to properly designate the included job positions/titles, and whether it's permissible to include them in Presidential Policy. Can it be written in a very broad way? Categories of

title codes may be in the APM, but there was not unanimous agreement on tying the policy to the APM. There are academic title codes on the UCOP website, but someone will need to make sure these can be included (if the committee chooses to go this route).

Students, regardless of whether they receive a fellowship or are employed by the university retain copyright (barring written agreement otherwise).

Action: For SLASIAC, Joanne will get lists of title series' from academic personnel.

2. Draft a working definition of a scholarly/aesthetic work
Keep software on the list. Will have to rely on use of university resources over and above "incidental" to assert university ownership. Instead of adding "non-patentable" to the list, state that Patent Policy takes precedent if a work is patentable (it's in the "Scope" statement at the beginning of the policy).

3. Draft a definition of incidental university resources
Looks good.

4. Include something about an "automatic grant-back" to the author for "traditional scholarly works"
May not be necessary… hold in reserve.

5. "Return on investment" clause
The group does not recommend including this, although it acknowledged that issues can arise where the university is perceived to be "letting money go out the door." The policy does not need to cover something that happens so infrequently, and that seems to disregard its own stated policy about ownership.

Next steps:
- See how the edits and changes fit into the existing policy.
- Bring to SLASIAC - Report of discussion & marked-up version (emphasize that it's a first pass and we are looking for preliminary feedback). Don't expect SLASIAC members to edit.

Action: Joanne will circulate edited policy draft to the Subcommittee ASAP.
Subcommittee members will consider whether there are ramifications for these changes on other policies and work?

2. Copyright and Fair Use Policy

There were minor wording changes to the Copyright and Fair Use Policy from the Final Draft review. The Final Draft went to the Academic Planning Council (APC) on May 7. Provost Dorr will then recommend approval to President. Meanwhile, the UCOP Policy Advisory Committee (PAC) will review the Final Draft on May 20.