

## Proposal for Revision of Faculty Handbook Chapter 8

### Rationale

The Faculty Handbook Chapter 8 *University Community Policies* aims to make faculty aware of institutional policies that impact faculty. Nearly all of the Faculty Handbook Chapter 8 policies are now reflected in the *ISU Policy Library* which is the institutional repository of policy that governs all employees, including faculty.

While the Faculty Handbook Chapter 8 does, in many of its sections, link to the current ISU Policy Library, the narrative text and summaries included in Chapter 8 are frequently outdated creating a conflict between what is stated in the Faculty Handbook (e.g., Smoking Policy, Trademark Management Policy) and the official statements in the ISU Policy Library. The ISU Policy Library is the official statement of university policy, “[s]tatements of university policy published elsewhere are not official as they may not reflect recent changes.” Because university policies are created and updated frequently, and the process to review and update the Faculty Handbook is lengthy, faculty consulting the Faculty Handbook Chapter 8 as a current source of policy may be misdirected and misinformed if they rely on the summaries they find in the Handbook.

Instead of restating institutional policies codified in the ISU Policy Library, it has been suggested that the Faculty Handbook Chapter 8 be amended to include:

- (1) a description of what the ISU Policy Library is;
- (2) an explanation of how the Faculty Handbook is different from the ISU Policy Library;
- (3) a statement that when the Faculty Handbook disagrees with the ISU Policy Library the latter takes precedence.

This information will be extremely valuable to faculty who are searching for updated policies that apply to all employees but who are unaware of the ISU Policy Library.

The current Section 8.3.6 Policy on Educational Material and Intellectual Property is being moved to Chapter 10.

Based on a review of the structure and content of Chapter 8, we propose the following changes:

### Faculty Handbook Chapter 8. University Community Policies

Changes to this section were approved by the Faculty Senate, November 14, 2006.

## **8.1 Introduction**

The *Faculty Handbook* is the official statement of ISU policy governing the rights, responsibilities, and performance of faculty. Faculty (and other university employees) are also subject to policies contained in the *ISU Policy Library*. Policies in the *Policy Library* are the current official statements of university policy of general applicability from across ISU and present non-discretionary expectations that describe accepted standards of conduct, criteria for granting privileges or benefits, or the means of conducting university-related activities. The policies listed in Chapter Eight are found in their entirety in the *Policy Library* or the *Iowa Code* and take precedence over the *Faculty Handbook*.

### **8.18.2 Board of Regents Policies**

The Board of Regents, State of Iowa, is charged by law with the responsibility for the governance of the public universities of Iowa. In line with this responsibility, the Board adopts rules and policies of personal conduct for faculty, staff, students and visitors. Those rules and policies can be found in the [Board of Regents Policy Manual on the Board of Regents website](#) and [the Iowa Administrative Code on the Iowa Legislature website](#). Violation of these policies, may be considered faculty misconduct and will be dealt with following the procedures in the faculty conduct policy.

### **8.2-8.3 Policies on Personal Conduct**

Changes to this section were approved by the Faculty Senate, November 14, 2006.

#### **8.2.18.3.1 Policy on Discrimination and Harassment**

Iowa State University's [Discrimination and Harassment Policy](#) in the [Policy Library](#) prohibits all members of the University community to engage in actions defined as harassment. [The complete policy is located at https://www.policy.iastate.edu/policy/discrimination](#)

#### **8.2.28.3.2 Policy on Conflict of Interest and Commitment**

Iowa State University requires the disclosure, review/approval, and management of external activities or financial interests with the potential to interfere with one or more of the following: [\(1\) performance of duties, \(2\) objectivity, and \(3\) appropriate use of state resources](#).

- ~~• **Performance of Duties:** University employees are expected to devote sufficient time and attention to their university duties to perform them conscientiously. An external activity with the potential to interfere with the employee's university duties is known as a conflict of commitment.~~
- ~~• **Objectivity:** University employees are expected to be objective in the decisions they make while performing their university responsibilities. Financial or other personal considerations with the potential to compromise an employee's objectivity are known as conflicts of interest.~~

- ~~Appropriate Use of State Resources: State law prohibits the use of state resources, including the university name and trademarks, for personal benefit when such use is detrimental to the state or university.~~

All university employees are required to comply with the Conflicts of Interest and Commitment Policy in the Policy Library ~~and the Procedures, Applications, and Guidance established for disclosure, approval, and management of conflicts of interest and commitment. The COIC Policy complies with federal and state law and Board of Regent policies and rules regarding all forms of conflicts. The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>~~

Violations of the COIC Policy may be considered faculty misconduct, see [FH Section 7.2.2.1](#).

Section 8.2.2 was approved by the Faculty Senate on 11/07/95.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **~~8.2.2.18.3.2.1~~ Special Cases: Employee Owned Companies**

When the university engages in activities with university-employee-owned companies, a potential conflict of interest is possible in these relationships. Board of Regents policy requires prior approval from the Regents before the university can make purchases from a company owned by an employee or an employee's immediate family. Oversight of research relationships with such companies comes under the Conflict of Interest and Commitment Policy ~~in the Policy Library. (see Policy Library) and requires special considerations. The university encourages interested employees to engage in entrepreneurial activities as a way of contributing to the economic development of Iowa. Occasionally, an employee-owned company will wish to establish a research relationship with the university and its employees. The university is willing to work with such companies on the same basis as work done with companies not owned by university employees. To ensure that such relationships do not harm either the university or its employees, special oversight is required.~~

~~Research relationships with ISU employee-owned companies usually take one of the following three forms:~~

- ~~University Research is sponsored by the Company. A committee of technically knowledgeable but disinterested faculty or staff is established by an administrator at or above the level of dean. The committee will oversee the integrity of the research and assure the university that the work being done is that to which the university agreed.~~
- ~~The Company, in exchange for a fee, uses university facilities and/or equipment. Appropriate fees must be established by the department (unit) head responsible for the facility and/or equipment and must be approved by the vice president for university services. Fees should be reasonable and in line with those charged for use by companies not involving ISU employees. A record of amount of use shall be maintained.~~
- ~~The Company employs individuals who are simultaneously university graduate students. The program of study committee and/or a committee named to oversee research~~

~~shall be notified of the potential conflict and the student's work for the dissertation or thesis shall be monitored to assure that the quality of the student's research and graduate experience is not compromised by the connection to the company. Generally, it is inadvisable for the student's advisor to be the student's employer or supervisor in the employee-owned company, but exceptions can be sought from the chair.~~

~~The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>~~

~~Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.~~

### **~~8.2.2.28.3.2.2 Remedies~~**

~~It is the responsibility of every university employee covered by the [Conflict of Interest and Commitment Policy](#) to fully disclose the nature and degree of any conflicts of interest and conflicts of commitment, as defined in the policy. The disclosures must be made prior to initiating the activity, annually, and whenever the employee's situation changes. The appropriate method of disclosure varies with the type of activity as described in the [Procedures, Applications, and Guidance](#).~~

~~Management plans are required for external activities, significant financial interests and/or management roles with the potential to impair an employee's ability to perform their university duties responsibly and with integrity. The form and content of management plans vary depending on the nature of the financial interest or management role and the presumed risks. For some activities, disclosure and approval by the supervisor may be sufficient. Other activities require a written plan that describes the conflict; specifies the actions to be taken to manage, reduce, or eliminate the conflict; and defines the effective period of the plan.~~

~~Specific guidelines for when and how to develop management plans are described in the [Procedures, Applications, and Guidance](#). All written plans must be reviewed in discussion with the faculty member's supervisor and updated no less than annually for as long as the conflict exists.~~

~~The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>~~

~~Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.~~

### **~~8.2.2.38.3.2.3 Sanctions~~**

~~As noted above, disclosure is the responsibility of the faculty or staff member who becomes involved in activities that may be in conflict. Failure to disclose those relationships is a serious matter that may, in certain instances, be considered an act of academic misconduct. ([FH Section 7.2.3](#)).~~

~~The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>~~

~~Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.~~

### **8-2-38.3.3 Acceptable Use of Information Technology Resources**

Iowa State University endorses the following statement of Software and Intellectual Rights that was developed through EDUCOM, a non-profit consortium of colleges and universities committed to the use and management of information technology in higher education.

"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution."

Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations may be grounds or sanctions against members of the academic community.

Extensive guidelines that govern ethical computer use at Iowa State University are also part of the Acceptable Use of Information Technology Resources Policy in the Policy Library (<https://www.policy.iastate.edu.itacceptableuse>).

Violators of the code may be billed for illegal use of the computer systems and may be prosecuted for statutory violations, including Iowa Code Chapter 716A, "Computer Crime."

Section 8.2.3 was endorsed by the Faculty Senate on 5/05/92.

## **8-38.4 Policies on Professional Activity**

### **8.3-18.4.1 Sponsored Funding of Projects**

It is the policy of Iowa State University to review all proposals for sponsored funding of projects and to accept them only if they meet the University's standards.

The complete policy is located at <https://www.policy.iastate.edu/policy/research/authority>.

Approved by the Faculty Senate on April 15, 2008, by the provost and president on January 27, 2009, and reviewed by the Faculty Senate Executive Board on March 31, 2009.

#### **8.3.1-18.4.1.1 Introduction**

Iowa State University receives financial support from a variety of federal, state, and private sponsors of projects. Grants, contracts, or gifts will be accepted only when the project is believed to benefit the University, the State of Iowa, and/or the public in general. ISU is not obligated to accept all sponsorship conditions nor is it obligated to accept projects it deems at odds with its fundamental principles. The availability of funds cannot be the sole justification for undertaking projects. The University has enacted specific policies and

procedures for the review of proposed projects and has established conditions under which it will accept sponsored funding of a project to protect the integrity of its programs, to ensure that projects adhere to appropriate legal, quality, and ethical standards of conduct, to ensure adherence to all applicable federal and state laws, and to ensure adherence to appropriate standards of safety. ISU will review the terms of all proposed projects to determine whether the project conforms to the usual University policies and business procedures, permits the University to exercise administrative control and accountability for the proposed project, and adheres to appropriate legal, quality and ethical standards of conduct and safety.

As a public university ISU is dedicated to the principle of free and open dissemination of scholarship and all projects must be reviewed to ensure that they protect the publication rights for faculty, staff, and students. Publication restrictions may place a faculty, staff, or student's academic career in jeopardy. Publication restrictions in a project may place the results and related technical information within the requirements of export control laws. If a project is determined to be subject to export control restrictions, the project must comply with the [University's Export Control Policy in the Policy Library](#).

These policies apply to all university activities except for projects administered by the Ames Laboratory. The Ames Laboratory has its own policies and procedures for reviewing and approving projects and is also subject to additional Department of Energy regulations. ISU Faculty and/or staff conducting projects administered by the Ames Laboratory will be governed by the Ames Laboratory policies and procedures.

### **8.3.1.28.4.1.2 Review of Proposals for Sponsored Funding**

The purpose of this policy statement is to outline the conditions under which ISU will accept sponsored funding of projects and to describe the process whereby proposed sponsored projects are reviewed and approved. All proposed projects are assigned to a review category depending on the nature of the proposed project and/or on the restrictions on publication and/or dissemination proposed by the sponsor either at the time the proposal is submitted (if known at that time) or during the acceptance or negotiation of the award. Projects in each category must go through a specific review and approval process before ISU will agree to accept the project.

#### **8.3.1.2.18.4.1.2.1 Standard Projects**

Projects in this category are projects for which the sponsor does not seek or require a restriction on the rights of publication or dissemination beyond a 120-day review period of a publication or of dissemination of results. This review period is for the purpose of determining whether the findings of the project may lead to the filing of a patent application or to ensure that none of the sponsor's proprietary information is inadvertently disclosed. The sponsor does not seek or require the right to permanently block or restrict publication beyond the review period.

Additional information can be found at the following sites:

- [Gift or Sponsored Project? on the Office of Sponsored Programs Administration](#)
- [Research Objectives and Responsibilities in the Policy Library](#)

- [Sponsored Programs Authority in the Policy Library](#)

### **8.3.1.2.28.4.1.2.2 Proprietary Projects**

Proprietary projects involve proprietary information and/or materials provided by the sponsor. A project involving proprietary materials for which the sponsor does not seek or require a restriction on the rights of publication or dissemination beyond a 120-day review period of a publication or of dissemination shall be reviewed in the same manner as a standard project. It is the policy of ISU not to accept awards for proprietary projects for which the sponsor seeks or requires a delay in publication or dissemination of more than 120 days or seeks an absolute right to block or prohibit publication. A request for an exception to this policy must be approved by the Vice President for Research and by the Senior Vice President and Provost of the University. Such requests must have a compelling reason for approval. The simple existence of funds to support the project is not of itself a compelling reason. ~~Additional information is found in the~~ [ISU Policy Library](#).

[The complete policy may be found at https://www.policy.iastate.edu/policy/restrictions/researchresult.](#)

### **8.3.1.2.38.4.1.2.3 Classified Projects**

Classified projects involve a subject or materials that have been classified by the federal government as top secret, secret, classified, or which have been placed in a category restricting their import or export. Classified projects entail restrictions on the personnel who can be involved in the project, on the operations of the group, on the procedures used, on the facilities used, and on the dissemination of the results and/or products of the project. It is the policy of ISU not to accept proposals for classified projects with such restrictions. A request for an exception to this policy must be approved by the Vice President for Research, by the Senior Vice President and Provost, and by the President of the University. Such requests must have an overwhelming reason for approval. The simple existence of funds to support the project is not an overwhelming reason. These and other restrictions may place the project results and related technical information within the requirements of federal export control laws. If a classified project is determined to be subject to export control restrictions, the project must comply with the University's Export Control Policy. Additional information can be found at the following sites:

- [Restrictions on Reporting Research Results in the Policy Library](#)
- [Export Controls in the Policy Library](#)

### **8.3.1.2.48.4.1.2.4 Weapons Research**

Iowa State University regularly accepts projects funded by agencies such as the Department of Defense that have a wide variety of military purposes as well as applications in the civilian economy. However, the policy of Iowa State University is to not accept any project whose stated goal is the construction of nuclear weapons, or of agents for chemical or biological warfare.

### **8.3.1.2.58.4.1.2.5 Fee for Service Projects**

Fee for service projects are projects in which ISU personnel carry out specific tasks for external sponsors that are of a service nature. These projects are not considered research projects and the generation of new knowledge or new intellectual property is not the primary goal. These projects are considered service activities and are a valuable part of the ISU Land Grant Mission. Fee for service activities must meet the guidelines set out by the [Office of Sponsored Programs Administration](#) and must be reviewed and approved by the [controller's office](#) following standard procedures. [See Fee-For-Service Account website under the controller's office.](#)

[The complete policy may be found at https://www.controller.iastate.edu/far/feeforservice.htm.](#)

### **8.3.1.2.68.4.1.2.6 Other Types of Projects**

For some proposed projects it may not be apparent which category of review is appropriate. Such proposed projects may be referred to the Faculty Senate's Committee on Research Planning and Policy, which will make a recommendation to the Vice President for Research as to what category the proposed project should be placed in for review. The committee will not make a recommendation as to whether or not the project should be accepted.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.28.4.2 Review of Projects/Courses - Live Vertebrate Animals**

The Committee on Animal Care (COAC) evaluates for compliance with federal law and university policy all proposed teaching and research involving the use of live vertebrate animals to be conducted by faculty, staff or students, [Animal Subjects Policy in the Policy Library](#).

~~To initiate review of research projects a Protocol Review Form Use of Animals in Research must be submitted to the Laboratory Animal Resources (LAR) office. This form must be submitted and approved by COAC before any animals are used. The COAC must be informed in writing of any changes in a previously approved protocol. COAC approval must be renewed annually for ongoing projects.~~

~~A Protocol Review Form - Use of Animals in Teaching must be approved by the COAC prior to the use of live animals in a course. COAC approval must be renewed annually. Instructors are expected to be familiar with the Guidelines for the Use of Live Vertebrate Animals in Teaching in the Policy Library. COAC approval of all procedures involving live vertebrate animals must be obtained before any animals are used. About three weeks should be allowed for approval. Questions regarding the Protocol Review Forms and the review process may be directed to the LAR office.~~

~~The complete policy may be found at~~

<https://www.policy.iastate.edu/policy/animalsubjects>.

### **8.3.38.4.3 Grants and Contracts**

The university regularly receives funds (gifts, grants and contracts) from industry, private sources, governmental agencies, and foundations to support various university activities. Such funds are frequently designated for scholarships, equipment, research, or training. Gift and grant funds are accepted only when they may be used in fields authorized by the laws of Iowa and by the regulations of the Board of Regents.

Funds to support contractual research will be accepted when the work involves an area where there are qualified staff members and adequate facilities, and when the research contemplated will be of benefit to the university, the State of Iowa, and/or the public in general. ~~All awards offered must be reported to the~~ [Office of Sponsored Programs Administration](#).

The complete policy is available at <https://www.ospa.iastate.edu/>.

### **8.3.48.4.4 Classified Research**

The university discourages classified research. Any grant or contract that would restrict disclosure of research results must be approved by the vice provost for research before it is accepted. Faculty or staff members acting as principal investigators are responsible for calling to the attention of the administration any restrictions that would limit the use and distribution of information resulting from research for which they are responsible.

[The complete policy is available at](#)  
<https://www.policy.iastate.edu/policy/restrictions/researchresults>.

### **8.3.58.4.5 Consulting**

ISU endorses and encourages faculty and staff to participate in consulting activities. Such consulting is a way to provide service to ISU's community and to enhance the expertise of the faculty and staff.

Members of the staff are often asked to give advice or counsel to private agencies or individuals, and sometimes they are invited to do so on a continuing basis for pay under arrangements commonly referred to as consulting. Iowa State University endorses consulting by faculty members in areas related to their academic fields of expertise, with the understanding that all members of the professional staff render full-time professional service to the university during the periods of their appointment. The decision of staff members to engage in outside work for pay depends upon the nature of their responsibility to the university and the conditions of their appointment, whether the outside work contributes to a better understanding of their professional field, whether the university's standing is enhanced by their outside contacts and services, and most important, whether the consulting work can be done without interfering with their regular university duties.

A staff member may undertake consulting work only after the proposed work has been mutually agreed to by both the staff member and their department chair. Consulting

projects undergo a separate review process to ensure the proposed activity does not impede or interfere with the faculty or staff member's assigned duties, and that use of campus resources is consistent with ISU policies. Faculty and staff must follow the ISU rules for reporting consulting activity.

Employees who do consulting or otherwise have outside business interests should take care that their actions do not result in use of state funds, facilities, equipment or time subsidizing these outside interests. Failure to properly separate these activities can result in violation of Iowa Code 68B.2A and 721.2.

Additional information can be found at the following sites:

- [Conflict of Interest and Commitment in the Policy Library](#)
- COIC Policy and the [Procedures, Applications, and Guidance document](#)
- [Faculty Handbook, Section 7.2.2.1](#)
- [Office of Intellectual Property and Transfer Policies and FH 8.3.6.5](#)

Employees are also not permitted to receive compensation from persons for performing those duties which the employee is obligated to perform for the University or the state. Iowa Code 68B.2A(1).

Staff members are required to report annually, through their department chair, to the dean of their college the amount of time they have spent on consulting or other professional work for which compensation has been received from other than university sources. The nature of the service performed and the source of the outside remuneration should be indicated. Staff members are not permitted to receive additional compensation for time spent on a university-administered grant or contract, except with prior approval of the senior vice president and provost.

If consulting projects are to involve students, the project must have a plan showing how the academic advancement of the students will not be harmed. If the proposed work is part of the student's academic work, the plan must show how publication and/or dissemination of the results of the project will be permitted. This plan must be approved by the student's department chair and a copy must be given to the student.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

## **8.3.78.4.6 Purchases of Goods or Services from Employees**

### **8.3.7.18.4.6.1 Conflict of Interest Vendors**

Iowa State University promotes ethical business practices, professional integrity and objectivity in all procurement transactions conducted by its employees. The university is committed to complying with applicable procurement laws and regulations, including requirements that apply to conflicts of interest, as provided by the following:

- Iowa Code
- Iowa Administrative Code
- Board of Regents, State of Iowa
- Federal Office of Management and Budget (OMB) Circular A-110
- Federal Acquisitions Regulations, when applicable

Any "employee" (see definitions in policy statement), seeking to sell goods or services to any Regent institution, either directly or indirectly, shall request and receive authorization for such activity. For the specific policy that governs this activity, see the [Policy Library for the policy on Conflict of Interest Vendors/Employees, Procurement Policy](#).

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.88.4.7 Trademark Management Policy**

Iowa State University benefits from public recognition of its name, symbols, logos and other identifying marks (Marks). If properly used and managed, these Marks give a unifying look which is critical to establishing a visual presence within the world of university communities. This look becomes identified with the quality of Iowa State's programs, products and services and distinguishes its programs from other universities.

~~With students, alumni, and friends of Iowa State residing around the world, a demand exists for the use of the university's Marks. Although a desire to associate with the university may come from a genuine spirit of support, it is in the university's best interest to protect and control the use of the Marks. The university's rights to its Marks are governed by federal, state, and common laws. These laws place an obligation on the university to control its Marks to avoid misrepresentation of the university's relationship to a product or service. Without proper control, the university risks losing its exclusive rights to its Marks. Licensing others to use the Marks and monitoring their use provides the needed control.~~

~~The university has delegated the management of its Marks to the Iowa State University Research Foundation, Inc. (ISURF, Office of Intellectual Property & Technology Transfer, Trademark Licensing Program.) This policy sets forth the basis of ISURF's management of the university's Marks. The term university includes the university, its affiliated organizations, and organizations formally registered with the university. See the Trademark Management Policy in the Policy Library.~~

### **8.3.8.1 Goals**

The five main goals of this management policy are as follows:

- ~~• to promote and protect Iowa State University through implementation of a management system which establishes the means for consistent, favorable, and professional use of the Marks~~
- ~~• to fulfill the legal obligation to protect the Marks~~

- to protect the consumer from deception or from faulty or inferior products and services bearing the university's Marks
- to provide fair and equitable treatment of all licensees
- to realize and distribute earned royalties and other revenues for the benefit of the university

### 8.3.8.2 Management

Legal protection and enforcement of the university's rights in the Marks is under ISURF's management. External use of the Marks by external entities is managed by ISURF with the following principles:

#### 1. Licensing is required for all non-university users.

- the Marks must be licensed to the user and the use approved by ISURF, except when the use:
  - is by the news media for news reporting
  - is by an artist in an original work of art which will not be reproduced
  - is a congratulatory or supportive advertising message using the university's names but not its logos or symbols. For example, "Go Cyclones" or "Welcome Back ISU Students" are supportive types of messages.
  - suppliers of products to the university bearing any Mark must be licensed except when Marks are used on the following products:
    - printed publications and advertising for purposes of institutional and event promotion
    - printed supplies, not for resale
- a product purchased by the university or a university recognized support group such as professional associations, employee organizations, athletic, cultural, and other interest groups for internal consumption or for sale at cost to other members. Promotional products given away by these groups are considered products for internal consumption. If the group has excess product after consumption or sale within its group, it cannot be sold to non-members, but can be given away to non-members.
- selected school supplies which would be considered products purchased by students for course work
- advertising rights to use the Marks as granted in corporate sponsor agreements
- fundraising activities by nonprofit or charitable organizations
- Use of the Marks by entities internal to the university is managed by the university executive officers including the president, the senior vice president and provost, vice provosts, vice presidents, deans, directors, and affiliated organization directors.
- Internal uses which fall within the ordinary business of the university do not require licensing. Products created by a university unit for resale, and bearing the Marks must be licensed, except for educational and scholarly materials owned by the

~~university and printed publications and advertising for purposes of institutional and event promotion.~~

- ~~• Royalties are not payable on internal uses which do not require licensing. The Guidelines for the Internal Use of Iowa State University's Marks provides the management details.~~
- ~~• The university president appoints a Trademark Advisory Committee to assist ISURF in addressing issues related to the management of the university Marks. The advisory committee consists of representatives from university units which may provide a unique perspective and which are key stakeholders in the use of the Marks.~~
- ~~• Net revenues are distributed to university units under a policy determined by the university president. Distribution is approved by the ISURF Board of Directors.~~

## **8.48.5 Basic Operating Policies and Procedures**

University employees should be aware of the many laws and rules that affect them as employees of one of the state's public universities. A few of those laws and rules are summarized in this section. If an employee has a question about a particular situation and the employee is acting on behalf of the university, the employee should read the actual language of the statute or rule or direct the question to the Office of University Counsel. The *United States Code*, *Iowa Code*, *Iowa Administrative Code*, and *Board of Regents Policy Manual* can be found online.

All university employees are responsible for abiding by the university's official policies presented in the University Policy Library. In some cases, suggested procedures that have been approved by the Faculty Senate are provided to assist faculty. Each section begins with an introductory statement followed by a policy statement and ends with sources of relevant information.

Caution: The following sections describe provisions of law affecting employees by using non-legalistic terminology. It is not intended, nor would it be possible, to make university policy less stringent than the applicable law. Legislative action may amend or add provisions prior to the next update of the *Faculty Handbook*.

### **8.4.18.5.1 Non-Discrimination/Affirmative Action Policy**

[The complete policy regarding non-discrimination is available at https://www.policy.iastate.edu/policy/personnol-conduct-human-relations.](https://www.policy.iastate.edu/policy/personnol-conduct-human-relations)  
[The complete policy regarding affirmative action is available at https://ww.policy.iastate.edu/policy/aa.](https://ww.policy.iastate.edu/policy/aa)

#### **8.4.1.1 Policy and Guidelines**

~~All administrators and personnel providing input into administrative decisions must ensure that all decisions relative to employment, conditions of employment, and access to programs and services will be made without regard to race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status,~~

~~sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or other protected class.~~

~~Exceptions to this directive may be made in matters involving bona fide occupational qualifications, business necessity, actions designed to eliminate workforce underutilization, and/or where this policy conflicts with federal and state laws, rules, regulations, or orders.~~

~~Iowa State University does not and will not tolerate unlawful discrimination. Iowa State will recruit, hire, train and promote persons without regard to race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or other protected class. Iowa State University will make employment decisions to further the principle of equal employment opportunity and diversity.~~

~~No otherwise qualified person will be denied access to, or participation in, any program, activity, service, or the use of facilities on the basis of factors previously enumerated. Reasonable accommodation will be made to facilitate the participation of persons with disabilities in all such activities consistent with applicable federal and state laws, orders and policies.~~

~~All supervisory personnel will be responsible for maintaining an environment that is free of discrimination and/or harassment. Acts by anyone that adversely affect another person's employment, conditions of employment, academic standing, receipt of services, and/or participation in, or enjoyment of, any other activity, will be regarded as a violation of university policy and thereby subject to appropriate disciplinary action. Retaliation against persons filing complaints for bringing the violation of this policy forward for review or for assisting in a review pursuant to a filed complaint or grievance is prohibited.~~

~~Iowa State University's commitment to nondiscrimination and affirmative action is of the highest priority and must be adhered to as such. It applies to all university-sponsored programs and activities as well as those that are conducted in cooperation with the university.~~

~~Additional information regarding Non-Discrimination/Affirmative Action Policy can be found at the following links: [Discrimination and Harassment in the Policy Library](#) and [University Non-discrimination Statement on the Office of Equal Opportunity website](#).~~

~~Approved by the Faculty Senate on October 9, 2007, and by the president and provost on October 26, 2007. Reaffirmation 6/1/98 and 11/14/06.~~

### **8.4.1.28.5.1.2 Sources of Support**

~~[Discrimination and Harassment Policy in the Policy Library](#)~~

~~[University Non-discrimination Statement on the Office of Equal Opportunity website](#)~~

The Office of Equal Opportunity is responsible for handling complaints of discrimination based on race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or other protected class. Questions regarding complaints and/or issues involving affirmative action or equal opportunity should be directed to the [Office of Equal Opportunity](#).

The Margaret Sloss Center for Women and Gender Equity is responsible for promoting the development of all individuals to their fullest potential and for enhancing the university's learning environment by fostering intellectual growth and providing a supportive environment for students, faculty, and staff.

Three university-wide committees with representation of faculty, staff, and students have been established to assist the administration in its efforts toward continual improvement of equal opportunity.

- The University Committee on Disabilities is responsible for sharing knowledge concerning disabilities with the university community, for fostering awareness of the needs of persons with disabilities, and for advocating ways to meet those needs.
- The University Vice President for Diversity and Inclusion (VPDI) Council is responsible for assessing campus climate and making recommendations for improvement.
- The University Committee on Women and Gender Equity is responsible for studying the impact of university procedures and policies upon women faculty members, staff members, and students and for making appropriate recommendations to the administration.

### **8.4.28.5.2 Inclusive Language Policy**

Iowa State University encourages the use of language and illustrations that create an environment of respect for human diversity, individual rights, and the equal dignity and worth of all human beings. It also discourages the use of language and illustrations that reinforce demeaning attitudes, assumptions, and stereotypes, or overlook certain populations. See [Inclusive Language Policy in the Policy Library](#).

Section 8.4.2 was approved by the Faculty Senate on 4/14/92.

### **8.4.2.18.5.2.1 Policy and Guidelines**

All university publications and communication, whether oral or written, shall use inclusive language and illustrations. Inclusive language refers to language that makes every attempt to include comprehensively all groups in the community. Whenever possible, selection of academic materials will also reflect efforts to uphold this university policy. Compliance with this policy shall be the responsibility of all faculty and staff.

### **8.4.2.28.5.2.2 Sources of Information**

The Office of Equal Opportunity, the Margaret Sloss Center for Women and Gender Equity, the Multicultural Student Affairs Office, the Dean of Students Office, the Office of the Senior Vice President and Provost, and the Office of the President shall address concerns and supply guidance as requested and appropriate.

### **8.4.38.5.3 Drug Free Workplace**

Iowa State University is committed to providing a drug free workplace. Consistent with this commitment, Iowa State University will comply with all federal and state laws, regulations, and orders, including the policies of the Board of Regents, which pertain to providing a drug free workplace. [Drug Free Workplace Policy in the Policy Library](#).

### **8.4.3.1 Policy and Guidelines**

~~In keeping with the appropriate laws, regulations, and orders, it is unlawful for employees to manufacture, distribute, dispense, possess, or use illegal drugs in the workplace. Violation of this policy will result in appropriate disciplinary action, up to and including dismissal. In addition, an employee who violates this policy may be required to participate in a drug abuse assistance or rehabilitation program.~~

~~Each employee is responsible for abiding by the terms of this policy and for notifying the university of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction. The university will notify the contract or granting agency within 10 days after receiving notice of the criminal drug statute conviction as stated above.~~

~~All employees are expected and required to report to work in an appropriate mental and physical condition to carry out their responsibilities safely and effectively, absent any impairment because of use of controlled substances or alcohol. Failure to comply by the employee with this expectation may result in serious disciplinary sanctions, up to and including the termination of an individual's employment. In cases in which the university has probable cause to believe an employee's ability to perform duties is impaired due to the use of alcohol or controlled substances, the employee will be confronted and required to undergo testing and/or treatment. Failure to comply by the employee will be the basis for serious disciplinary action.~~

### **8.4.3.2 Sources of Information**

~~The university has established a drug free awareness program to inform employees about the dangers of drug and alcohol abuse in the workplace. Employees are advised as to available substance abuse counseling, rehabilitation programs, and the Employee Assistance Program.~~

### **8.4.48.5.4 Occupational Safety Policy**

Within available resources, it is the policy of Iowa State University to provide and ensure a safe and healthy environment for employees, students, and visiting public and to maintain at all times an effective safety program. It is the intent of this policy to prevent accidents

and injuries and to help each member of the Iowa State University community maintain a high standard of safety and health.

The complete policy is available at <https://www.policy.iastate.edu/policy/accident>.

#### **8.4.4.1 Policy and Guidelines**

~~Each person in a supervisory or management capacity is responsible for the provision and maintenance of safe working conditions in their respective area and for proper enforcement of all authorized and applicable safety rules and regulations. Each employee and student is personally responsible for complying with safety rules and for using any safety equipment that is provided or required. All safety hazards, accidents, and failures to comply with safety rules shall be reported to supervisory personnel and referred to the appropriate health and safety organization if additional action is necessary. Safety and Health policies in the Policy Library.~~

#### **8.4.4.2 Sources of Information**

~~The Office of Environmental Health and Safety at Iowa State University, will answer specific questions regarding guidelines and compliance issues.~~

#### **8.4.58.5.5 Policy on Smoking**

The faculty recognizes the importance of an environment that promotes health and well being. The University policy on smoking is located in the [Policy Library - Smoking Policy](#).

Approved as amended by the Faculty Senate April 24, 2007

#### **8.4.6-8.5.6 Travel Regulations**

Travel is an essential requirement of all faculty as the mission of the university is addressed.

The complete policy is available at <https://www.policy.iastate.edu/policy/travel/authorization>.

#### **8.4.6.1 Policy and Guidelines**

~~All absences from the campus during periods of regular employment, whether at university or private expense, require administrative approval. For those whose regular duties normally require in-state travel, the usual procedures requiring a department chair's approval on travel vouchers will ordinarily constitute evidence of necessary administrative approval. For those whose regular duties do not normally require in-state travel, requests must be approved by the department chair and the dean and/or director.~~

~~University travel is a matter of agreement between the traveler and the departmental chair. Travel expenses may be paid entirely by the university, the traveler, an outside source, or a combination of the three. University related travel does not include personal vacation travel, leaves of absence, private consulting, or other activities that are not university responsibilities.~~

~~Staff members who expect to engage in projects in another country for more than two weeks should secure approval from the senior vice president and provost before they make their plans. Travel authorization then should be secured at least 30 days before departure is planned.~~

~~Staff members who plan to leave the campus during a period of regular employment should study the travel regulations on file in each departmental office. These regulations indicate the specific procedures to be followed.~~

~~The practice of paying expenses for attendance at professional meetings varies among the colleges and departments according to needs and available funds. Staff members should consult the chair of their department.~~

### **8.4.6.2 Sources of Information**

~~Detailed information explaining university travel policies and procedures can be found in the [University Policy Library's travel policies](#).~~

### **8.4.78.5.7 Gifts to Faculty**

Acceptance of gifts by state employees is regulated by Iowa Code 68B.22. Employees may not receive any non-cash gifts worth more than three dollars or cash gifts of any amount from "restricted donors." Restricted donors are those persons or firms that have or are seeking a contract with the university or otherwise will be affected financially by the performance of the state employee's duties. [Gifts Policy in the Policy Library](#).

~~Exceptions: The following are the major exceptions to the gift law:~~

- ~~• informational material relevant to the employee's duties~~
- ~~• gifts that are donated within 30 days to charity, to a public body (including the university), or to the Department of General Services~~
- ~~• gifts that are available generally to members of the public and are given regardless of the status of the recipient as a state employee~~
- ~~• the cost of travel, lodging and meals for that portion of a conference to which the employee is invited as an active participant. Remuneration is accepted only for the portion of the time the employee is in travel status because of that active participation~~
- ~~• inheritances and gifts from relatives~~

### **8.4.88.5.8 Policy Regarding Open Meetings at Iowa State**

Although the University promotes the principle of open meetings, state law does not require that university committee meetings be open to the public, except for the Athletic Council, the Leopold Center Advisory Board and other specific bodies listed in the open meetings law. [Information on the open meetings law is available at <https://ifoic.org/open-meetings-open-records-handbook/>](#)

Approved by the Faculty Senate (February 16, 2010); by the president and provost (February 22, 2010).

### **8.4.98.5.9 Employment Related Liability**

As a general rule, university employees need not purchase liability insurance to cover those situations where they might be sued in their capacity as an employee. As long as a university employee is acting within the scope of their employment and the employee's acts or omissions are not willful or malicious, the state will defend and pay resulting liabilities on behalf of the employee. [Iowa Code 669.21](#)

[The complete policy is available at https://www.policy.iastate.edu/policy/insurance/liability.](https://www.policy.iastate.edu/policy/insurance/liability)

### **8.4.108.5.10 Policy and Information References**

The [Iowa State University Catalog](#), revised every year, is the university's official source of information concerning curriculum requirements and course offerings as well as information concerning admissions policies, financial aid, and other facts for prospective students. It also contains a listing of all university faculty.

The [University Catalog](#) contains a section that is referenced as the 'Graduate College' that is relevant to Graduate College policies and procedures. The Graduate Catalog is not printed separately.

The [Faculty Handbook](#) provides a description of university structure, function, policies, and procedures. It is revised every year under the supervision of the senior vice president and provost. It is available online and is furnished to each department and to each member of the faculty who requests it.

The [University Policy Library](#) Policies in the Policy Library are the current official statements of university policy of general applicability from across Iowa State University.

The [Iowa State University Budget](#) for the current fiscal year is available in the Reserve Room of the Parks Library. It lists all university employees and their salaries by budget unit.

The [Financial Report](#), required by law, is a yearly record of the university's receipts and expenditures, prepared under the supervision of the chief financial officer and filed in that office.

The [Iowa Code](#), a current collection of the laws of the State of Iowa and published under the direction of the state legislature, is available in the university library and in the office of the senior vice president for university services. See Iowa Legislature – Statutory Law.

## **8.3.6.10.9 Policy on Educational Material and Intellectual Property**

### **8.3.6.110.9.1 University-sponsored Educational Materials**

Authors of educational materials, such as books or audiovisual materials produced under university sponsorship or with substantial university assistance, are expected to assign the rights to the university, with the author receiving an appropriate share of the income as defined by prior agreement.

Section 8.3.6.1 was approved by the Board of Regents, State of Iowa on 3/12/76.

Note: Sections of this document refer to procedures, university offices and documents that have changed or been renamed. This does not affect the intent or status of the policy. The complete text of this document is on the [ISURF web page](#).

### **8.3.6.210.9.2 Preamble**

The development of educational materials is a natural and desirable output of intellectual activity. The creation of educational materials, such as textbooks, by the faculty, staff, and students at Iowa State University has always been encouraged and has resulted in the availability, through commercial channels, of numerous books, laboratory manuals, and other printed materials of real value to the educational process, teaching, and research on a worldwide basis.

Creation of such works has come about through the extra effort expended by faculty and staff members who concurrently have satisfied their normal employment commitments with the university to teach, do research, or carry out administrative functions. The works created have been due to the efforts of one individual (or a small informal group), with the university providing encouragement and support through the unrestricted use of the employee's office, library facilities, assistance in the preparation of graphs and charts, minor secretarial assistance and other similar services to assist in the production of the work. Professional Development Assignments have been, and continue to be, granted to faculty where the desire of the grantee has been to create a written work.

Such expressions of ideas through the written word result in manuscripts which are, under Iowa law, the sole property of the author to dispose of as they may wish. The only exception to this has been those works created by individuals employed for the specific purpose of writing such works. Through years of development and trial, the freedom to create such works and the encouragement by the university for faculty and staff members to do so, has resulted in the desirable practice described above.

This practice has come to be known as the traditional textbook policy at Iowa State University. No change from this policy is anticipated by this document. Because of advancing technology, and the recognition of the value of audio and visual aids in education, new forms of educational materials have come into existence at Iowa State University. Motion pictures, slides, and videotapes are examples of such valuable educational materials. While most often developed for internal use at Iowa State

University, these educational materials are often in a form that directly meets educational needs at other universities or educational facilities elsewhere in the United States and in other countries. On the other hand, these new forms of educational materials, due to their nature, require a more substantial level of direct support by the university to allow their creation.

The new technologies involved require not only the initial creative effort of an author, but often the additional services of a variety of specialists, equipment, and production facilities. The cost of such services and facilities to adapt the author's creative effort into a desired medium may be substantial, and requires the expenditure of significant university funds by a college or department. It is also true that the author must spend extra time and effort, and even learn new skills, to assure that a high-quality final educational product will result.

In the production of these new forms of educational materials, the proportional investment of time and money by the author and the university varies substantially from that involved under the traditional textbook policy. Accordingly, one purpose of this document is to set forth an equitable basis for voluntary agreement between the university and prospective authors (faculty and staff members employed in the variety of departments and colleges at the university) when educational materials are to be developed for internal and external use. It is a further purpose of this document to structure a practical mechanism for the implementation of such agreements, to the benefit of all parties involved.

It is possible that textbooks could be developed under this policy, but in a manner different from the traditional textbook policy. In such a situation, and with the expressed and voluntary written agreement of the faculty or staff member, the university might desire to have a textbook written to meet an educational need, employing the faculty member on a release-time basis to write the needed text. In such a situation, this policy would be used to provide a mechanism for the equitable distribution of income from the sale of the text to others.

This policy is not intended to be retrospective, or to lay any claim to works developed in the past under traditional or nontraditional ways. This policy is prospective. It is somewhat flexible and open to interpretation purposely in some aspects, since not all situations can be anticipated. But above all, it is a basis for voluntary agreement on an equitable basis for meeting new and changing demands for superior education materials - a common goal of every employee of Iowa State University.

### **8.3.6.310.9.3 Policies**

- Iowa State University encourages the development of educational materials to assist in meeting its responsibilities for academic instruction, extension, and research.
- The university encouragement is provided by assistance in the preparation of such materials (through salary support, stenographic services, materials and supplies, art work, filming, and other services) as authorized by the appropriate administrative officer(s).

- The university recognizes the vested rights of an author under the Iowa Code. However, if the educational materials are to be developed with university sponsorship, the author is expected to assign these rights for the benefit of the university. It is not intended that this policy affect the traditional university relationship to faculty members' ownership of books or other instructional materials whose preparation was not supported or assisted in a substantial way by the university.
- Individuals preparing or planning to prepare educational materials are encouraged to clarify whether the materials are covered by this policy through consultation with the appropriate department chair and dean.
- In cases in which a prospective author wishes to receive support from the university in a proposed development of educational materials covered by this document, the university will enter into an agreement with the prospective author prior to the development of the university-sponsored educational materials setting forth the extent of support, if any, associated with their development and providing for payment to the author and/or the distribution of earnings, if any should accrue from the use, rental royalties, or sale of the educational materials.
- Monies in excess of costs and appropriate reserves that are received from use, rental royalties, or sale of the university-sponsored educational materials shall accrue to the benefit of the university, with the author receiving by prior agreement a specified portion of the net income. However, the author may receive a share of first receipts.
- Operational responsibility for university-sponsored educational materials is vested in the appropriate deans or their designated representatives.

#### **8.3.6.410.9.4 Ownership of Course-related Presentations**

Course-related presentations are owned by the presenter. Individuals may take written notes or make other recordings of the presentations for educational purposes, but specific written permission to sell the notes or recordings must be obtained from the presenter.

[The complete policy is available at http://catalog.iastate.edu/academic\\_conduct/#classesrecordingtext.](http://catalog.iastate.edu/academic_conduct/#classesrecordingtext)

Section 8.3.6.4 was approved by the Faculty Senate on 5/02/95.

#### **8.3.6.510.9.5 Intellectual Property: Policies and Procedures**

The Policy on University-Sponsored Education Materials, as approved by the Board of Regents (above), recognizes certain traditional exemptions to the university's ownership. Ownership and licensing of other materials is often reserved to the university. [The Office of Intellectual Property and Technology Transfer \(OIPTT\) or the Iowa State University Research Foundation, Inc. \(ISURF\).](#) ~~[OIPTT maintain current records on the following subjects as listed on their web page.](#)~~

- ~~[Policy Statement of ISU Concerning University Sponsored Educational Materials](#)~~
- ~~[Patent and Licensing Procedures](#)~~
- ~~[Patent Policy](#)~~

- ~~Patent Royalty Distribution Policy~~
- ~~Plant Germplasm Release Policy~~
- ~~Trademark Management Policy~~

~~OIPTT provides educational services on issues related to intellectual property. ISURF owns and manages all Iowa State University intellectual property.~~

~~When members of the university community apply for sponsored funding, they sign the following statement on the Gold Sheet: "I agree to be bound by the terms and conditions of the outside grant or contract which supports this proposed activity and, in consideration of the information and facilities made available to me by the university or the outside sponsor, to assign copyright and patent rights to the Iowa State University Research Foundation, Inc. in accordance with terms and conditions stated in the *Faculty Handbook*. I certify that I have not been debarred, suspended or declared ineligible to receive federal agency funds." In signing such a statement, the faculty member agrees that any intellectual property arising from sponsored funding will be assigned to ISURF. ISURF has the responsibility for managing all legal aspects of obtaining protection for intellectual property. The Office of Intellectual Property and Technology Transfer works closely with ISURF and with faculty and administrators within the university to obtain and evaluate disclosures, to determine the appropriate means of protection of intellectual property, and to aid in the marketing of that property. Individuals are reminded that the legal doctrine of fair use governs the use of copyrighted materials. If there is doubt whether material may be copied, inquiries should be directed to Office of University Counsel. ISURF also manages all aspects of protection and use of university trademarks.~~

### **8.3.6.6 10.9.6 Royalties for Instructional Materials**

The writing of textbooks and the preparation of other materials for use in university classes are commendable activities frequently engaged in by Iowa State University faculty members. The university encourages such work and supports the principle that the faculty should be free to select such texts and materials for use in their classrooms. It is recognized, however, that a faculty member who receives royalties or other direct remuneration for such a scholarly product may be faced with a conflict of interest when they are a participant in the decision to adopt the material for local use.

Therefore, it is university policy that a faculty member of Iowa State University may use, in university classes, textbooks or other instructional materials for which they receive royalties or remuneration provided that, for any materials so used at Iowa State, the payments that could normally accrue to the faculty member are assigned to the university or to a body mutually agreed upon by the university and the faculty member. The faculty member may, however, be allowed to retain the royalties under either of the following circumstances:

- the use of such textbooks or instructional materials is in accordance with departmental procedures for selecting such materials and the faculty member/author does not participate in the selection process

- because of exceptional circumstances the faculty member's department chair recommends that the faculty member be allowed to retain the normal royalties, and the recommendation is approved by the appropriate dean and the senior vice president and provost.

### **8.3.6.710.9.7 Required Readings/Textbook Selection**

Prior to the beginning of each term, departments are asked to provide local bookstores with lists of required textbooks for their courses. Although the selection of textbooks is basically the responsibility of individual faculty members, each department is expected to have a procedure for reviewing the selection of required textbooks and other resource materials for the following:

- multi-section courses
- courses in which an unusually large number of textbooks is required
- instances in which the instructor of the course is author of a book required for that course
- instances in which questions are raised by students or other faculty members concerning selection of any text. For more information on policies governing instances for which the instructor of the course is the author of the book required for the course, ([FH Section 8.3.6.610.9.6](#)).

## Clean Copy:

### Faculty Handbook Chapter 8. University Community Policies

Changes to this section were approved by the Faculty Senate, November 14, 2006.

#### 8.1 Introduction

The *Faculty Handbook* is the official statement of ISU policy governing the rights, responsibilities, and performance of faculty. Faculty (and other university employees) are also subject to policies contained in the *ISU Policy Library*. Policies in the *Policy Library* are the current official statements of university policy of general applicability from across ISU and present non-discretionary expectations that describe accepted standards of conduct, criteria for granting privileges or benefits, or the means of conducting university-related activities. The policies listed in Chapter Eight are found in their entirety in the *Policy Library* or the *Iowa Code* and take precedence over the *Faculty Handbook*.

#### 8.2 Board of Regents Policies

The Board of Regents, State of Iowa, is charged by law with the responsibility for the governance of the public universities of Iowa. In line with this responsibility, the Board adopts rules and policies of personal conduct for faculty, staff, students and visitors. Those rules and policies can be found in the [Board of Regents Policy Manual on the Board of Regents website](#) and [the Iowa Administrative Code on the Iowa Legislature website](#). Violation of these policies, may be considered faculty misconduct and will be dealt with following the procedures in the faculty conduct policy.

#### 8.3 Policies on Personal Conduct

Changes to this section were approved by the Faculty Senate, November 14, 2006.

##### 8.3.1 Policy on Discrimination and Harassment

Iowa State University's [Discrimination and Harassment Policy in the Policy Library](#) prohibits all members of the University community to engage in actions defined as harassment. The complete policy is located at <https://www.policy.iastate.edu/policy/discrimination>

##### 8.3.2 Policy on Conflict of Interest and Commitment

Iowa State University requires the disclosure, review/approval, and management of external activities or financial interests with the potential to interfere with one or more of the following: (1) performance of duties, (2) objectivity, and (3) appropriate use of state resources.

All university employees are required to comply with the Conflicts of Interest and Commitment Policy in the Policy Library The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>

Violations of the COIC Policy may be considered faculty misconduct, see [FH Section 7.2.2.1](#).

Section 8.2.2 was approved by the Faculty Senate on 11/07/95.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.2.1 Special Cases: Employee-Owned Companies**

When the university engages in activities with university-employee-owned companies, a potential conflict of interest is possible in these relationships. Board of Regents policy requires prior approval from the Regents before the university can make purchases from a company owned by an employee or an employee's immediate family. Oversight of research relationships with such companies comes under the Conflict of Interest and Commitment Policy in the Policy Library. The complete policy is located at

<https://www.policy.iastate.edu/policy/conflict>

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.2.2 Remedies**

It is the responsibility of every university employee covered by the [Conflict of Interest and Commitment Policy](#) to fully disclose the nature and degree of any conflicts of interest and conflicts of commitment, as defined in the policy. The disclosures must be made prior to initiating the activity, annually, and whenever the employee's situation changes. The appropriate method of disclosure varies with the type of activity as described in the [Procedures, Applications, and Guidance](#). The complete policy is located at

<https://www.policy.iastate.edu/policy/conflict>

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.2.3 Sanctions**

Disclosure is the responsibility of the faculty or staff member who becomes involved in activities that may be in conflict. Failure to disclose those relationships is a serious matter that may, in certain instances, be considered an act of academic misconduct. ([FH Section 7.2.3](#)). The complete policy is located at <https://www.policy.iastate.edu/policy/conflict>.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.3.3 Acceptable Use of Information Technology Resources**

Iowa State University endorses the following statement of Software and Intellectual Rights that was developed through EDUCOM, a non-profit consortium of colleges and universities committed to the use and management of information technology in higher education.

"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution."

Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations may be grounds or sanctions against members of the academic community.

Extensive guidelines that govern ethical computer use at Iowa State University are also part of the Acceptable Use of Information Technology Resources Policy in the Policy Library (<https://www.policy.iastate.edu.itacceptableuse>).

Violators of the code may be billed for illegal use of the computer systems and may be prosecuted for statutory violations, including Iowa Code Chapter 716A, "Computer Crime."

Section 8.2.3 was endorsed by the Faculty Senate on 5/05/92.

## **8.4 Policies on Professional Activity**

### **8.4.1 Sponsored Funding of Projects**

It is the policy of Iowa State University to review all proposals for sponsored funding of projects and to accept them only if they meet the University's standards. The complete policy is located at <https://www.policy.iastate.edu/policy/research/authority>.

Approved by the Faculty Senate on April 15, 2008, by the provost and president on January 27, 2009, and reviewed by the Faculty Senate Executive Board on March 31, 2009.

#### **8.4.1.1 Introduction**

Iowa State University receives financial support from a variety of federal, state, and private sponsors of projects. Grants, contracts, or gifts will be accepted only when the project is believed to benefit the University, the State of Iowa, and/or the public in general. ISU is not obligated to accept all sponsorship conditions nor is it obligated to accept projects it deems at odds with its fundamental principles. The availability of funds cannot be the sole justification for undertaking projects. The University has enacted specific policies and procedures for the review of proposed projects and has established conditions under which it will accept sponsored funding of a project to protect the integrity of its programs, to ensure that projects adhere to appropriate legal, quality, and ethical standards of conduct, to ensure adherence to all applicable federal and state laws, and to ensure adherence to appropriate standards of safety. ISU will review the terms of all proposed projects to determine whether the project conforms to the usual University policies and business procedures, permits the University to exercise administrative control and accountability for the proposed project, and adheres to appropriate legal, quality and ethical standards of conduct and safety.

As a public university ISU is dedicated to the principle of free and open dissemination of scholarship and all projects must be reviewed to ensure that they protect the publication rights for faculty, staff, and students. Publication restrictions may place a faculty, staff, or student's academic career in jeopardy. Publication restrictions in a project may place the

results and related technical information within the requirements of export control laws. If a project is determined to be subject to export control restrictions, the project must comply with the [University's Export Control Policy in the Policy Library](#).

These policies apply to all university activities except for projects administered by the Ames Laboratory. The Ames Laboratory has its own policies and procedures for reviewing and approving projects and is also subject to additional Department of Energy regulations. ISU Faculty and/or staff conducting projects administered by the Ames Laboratory will be governed by the Ames Laboratory policies and procedures.

#### **8.4.1.2 Review of Proposals for Sponsored Funding**

The purpose of this policy statement is to outline the conditions under which ISU will accept sponsored funding of projects and to describe the process whereby proposed sponsored projects are reviewed and approved. All proposed projects are assigned to a review category depending on the nature of the proposed project and/or on the restrictions on publication and/or dissemination proposed by the sponsor either at the time the proposal is submitted (if known at that time) or during the acceptance or negotiation of the award. Projects in each category must go through a specific review and approval process before ISU will agree to accept the project.

##### **8.4.1.2.1 Standard Projects**

Projects in this category are projects for which the sponsor does not seek or require a restriction on the rights of publication or dissemination beyond a 120-day review period of a publication or of dissemination of results. This review period is for the purpose of determining whether the findings of the project may lead to the filing of a patent application or to ensure that none of the sponsor's proprietary information is inadvertently disclosed. The sponsor does not seek or require the right to permanently block or restrict publication beyond the review period.

Additional information can be found at the following sites:

- [Gift or Sponsored Project? on the Office of Sponsored Programs Administration](#)
- [Research Objectives and Responsibilities in the Policy Library](#)
- [Sponsored Programs Authority in the Policy Library](#)

##### **8.4.1.2.2 Proprietary Projects**

Proprietary projects involve proprietary information and/or materials provided by the sponsor. A project involving proprietary materials for which the sponsor does not seek or require a restriction on the rights of publication or dissemination beyond a 120-day review period of a publication or of dissemination shall be reviewed in the same manner as a standard project. It is the policy of ISU not to accept awards for proprietary projects for which the sponsor seeks or requires a delay in publication or dissemination of more than 120 days or seeks an absolute right to block or prohibit publication. A request for an exception to this policy must be approved by the Vice President for Research and by the Senior Vice President and Provost of the University. Such requests must have a compelling reason for approval. The simple existence of funds to support the project is not of itself a

compelling reason. The complete policy may be found at <https://www.policy.iastate.edu/policy/restrictions/researchresult>.

#### **8.4.1.2.3 Classified Projects**

Classified projects involve a subject or materials that have been classified by the federal government as top secret, secret, classified, or which have been placed in a category restricting their import or export. Classified projects entail restrictions on the personnel who can be involved in the project, on the operations of the group, on the procedures used, on the facilities used, and on the dissemination of the results and/or products of the project. It is the policy of ISU not to accept proposals for classified projects with such restrictions. A request for an exception to this policy must be approved by the Vice President for Research, by the Senior Vice President and Provost, and by the President of the University. Such requests must have an overwhelming reason for approval. The simple existence of funds to support the project is not an overwhelming reason. These and other restrictions may place the project results and related technical information within the requirements of federal export control laws. If a classified project is determined to be subject to export control restrictions, the project must comply with the University's Export Control Policy. Additional information can be found at the following sites:

- [Restrictions on Reporting Research Results in the Policy Library](#)
- [Export Controls in the Policy Library](#)

#### **8.4.1.2.4 Weapons Research**

Iowa State University regularly accepts projects funded by agencies such as the Department of Defense that have a wide variety of military purposes as well as applications in the civilian economy. However, the policy of Iowa State University is to not accept any project whose stated goal is the construction of nuclear weapons, or of agents for chemical or biological warfare.

#### **8.4.1.2.5 Fee for Service Projects**

Fee for service projects are projects in which ISU personnel carry out specific tasks for external sponsors that are of a service nature. These projects are not considered research projects and the generation of new knowledge or new intellectual property is not the primary goal. These projects are considered service activities and are a valuable part of the ISU Land Grant Mission. Fee for service activities must meet the guidelines set out by the [Office of Sponsored Programs Administration](#) and must be reviewed and approved by the [controller's office](#) following standard procedures. The complete policy may be found at <https://www.controller.iastate.edu/far/feeforservice.htm>.

#### **8.4.1.2.6 Other Types of Projects**

For some proposed projects it may not be apparent which category of review is appropriate. Such proposed projects may be referred to the Faculty Senate's Committee on Research Planning and Policy, which will make a recommendation to the Vice President for Research as to what category the proposed project should be placed in for review. The

committee will not make a recommendation as to whether or not the project should be accepted.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

#### **8.4.2 Review of Projects/Courses - Live Vertebrate Animals**

The Committee on Animal Care (COAC) evaluates for compliance with federal law and university policy all proposed teaching and research involving the use of live vertebrate animals to be conducted by faculty, staff or students. The complete policy may be found at <https://www.policy.iastate.edu/policy/animalsubjects>.

#### **8.4.3 Grants and Contracts**

The university regularly receives funds (gifts, grants and contracts) from industry, private sources, governmental agencies, and foundations to support various university activities. Such funds are frequently designated for scholarships, equipment, research, or training. Gift and grant funds are accepted only when they may be used in fields authorized by the laws of Iowa and by the regulations of the Board of Regents.

Funds to support contractual research will be accepted when the work involves an area where there are qualified staff members and adequate facilities, and when the research contemplated will be of benefit to the university, the State of Iowa, and/or the public in general. The complete policy is available at <https://www.ospa.iastate.edu/>.

#### **8.4.4 Classified Research**

The university discourages classified research. Any grant or contract that would restrict disclosure of research results must be approved by the vice provost for research before it is accepted. Faculty or staff members acting as principal investigators are responsible for calling to the attention of the administration any restrictions that would limit the use and distribution of information resulting from research for which they are responsible.

The complete policy is available at <https://www.policy.iastate.edu/policy/restrictions/researchresults>.

#### **8.4.5 Consulting**

ISU endorses and encourages faculty and staff to participate in consulting activities. Such consulting is a way to provide service to ISU's community and to enhance the expertise of the faculty and staff.

Members of the staff are often asked to give advice or counsel to private agencies or individuals, and sometimes they are invited to do so on a continuing basis for pay under arrangements commonly referred to as consulting. Iowa State University endorses consulting by faculty members in areas related to their academic fields of expertise, with the understanding that all members of the professional staff render full-time professional service to the university during the periods of their appointment. The decision of staff members to engage in outside work for pay depends upon the nature of their responsibility

to the university and the conditions of their appointment, whether the outside work contributes to a better understanding of their professional field, whether the university's standing is enhanced by their outside contacts and services, and most important, whether the consulting work can be done without interfering with their regular university duties.

A staff member may undertake consulting work only after the proposed work has been mutually agreed to by both the staff member and their department chair. Consulting projects undergo a separate review process to ensure the proposed activity does not impede or interfere with the faculty or staff member's assigned duties, and that use of campus resources is consistent with ISU policies. Faculty and staff must follow the ISU rules for reporting consulting activity.

Employees who do consulting or otherwise have outside business interests should take care that their actions do not result in use of state funds, facilities, equipment or time subsidizing these outside interests. Failure to properly separate these activities can result in violation of Iowa Code 68B.2A and 721.2.

Additional information can be found at the following sites:

- [Conflict of Interest and Commitment in the Policy Library](#)
- COIC Policy and the [Procedures, Applications, and Guidance document](#)
- [Faculty Handbook, Section 7.2.2.1](#)
- [Office of Intellectual Property and Transfer Policies and FH 8.3.6.5](#)

Employees are also not permitted to receive compensation from persons for performing those duties which the employee is obligated to perform for the University or the state. Iowa Code 68B.2A(1).

Staff members are required to report annually, through their department chair, to the dean of their college the amount of time they have spent on consulting or other professional work for which compensation has been received from other than university sources. The nature of the service performed and the source of the outside remuneration should be indicated. Staff members are not permitted to receive additional compensation for time spent on a university-administered grant or contract, except with prior approval of the senior vice president and provost.

If consulting projects are to involve students, the project must have a plan showing how the academic advancement of the students will not be harmed. If the proposed work is part of the student's academic work, the plan must show how publication and/or dissemination of the results of the project will be permitted. This plan must be approved by the student's department chair and a copy must be given to the student.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

## **8.4.6 Purchases of Goods or Services from Employees**

### **8.4.6.1 Conflict of Interest Vendors**

Iowa State University promotes ethical business practices, professional integrity and objectivity in all procurement transactions conducted by its employees. The university is committed to complying with applicable procurement laws and regulations, including requirements that apply to conflicts of interest, as provided by the following:

- Iowa Code
- Iowa Administrative Code
- Board of Regents, State of Iowa
- Federal Office of Management and Budget (OMB) Circular A-110
- Federal Acquisitions Regulations, when applicable

Any "employee" (see definitions in policy statement), seeking to sell goods or services to any Regent institution, either directly or indirectly, shall request and receive authorization for such activity. For the specific policy that governs this activity, see the [Policy Library for the policy on Conflict of Interest Vendors/Employees, Procurement Policy](#).

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.

### **8.4.7 Trademark Management Policy**

Iowa State University benefits from public recognition of its name, symbols, logos and other identifying marks (Marks). If properly used and managed, these Marks give a unifying look which is critical to establishing a visual presence within the world of university communities. This look becomes identified with the quality of Iowa State's programs, products and services and distinguishes its programs from other universities.

## **8.5 Basic Operating Policies and Procedures**

University employees should be aware of the many laws and rules that affect them as employees of one of the state's public universities. A few of those laws and rules are summarized in this section. If an employee has a question about a particular situation and the employee is acting on behalf of the university, the employee should read the actual language of the statute or rule or direct the question to the Office of University Counsel. The *United States Code*, *Iowa Code*, *Iowa Administrative Code*, and *Board of Regents Policy Manual* can be found online.

All university employees are responsible for abiding by the university's official policies presented in the University Policy Library. In some cases, suggested procedures that have been approved by the Faculty Senate are provided to assist faculty. Each section begins with an introductory statement followed by a policy statement and ends with sources of relevant information.

Caution: The following sections describe provisions of law affecting employees by using non-legalistic terminology. It is not intended, nor would it be possible, to make university policy less stringent than the applicable law. Legislative action may amend or add provisions prior to the next update of the *Faculty Handbook*.

### **8.5.1 Non-Discrimination/Affirmative Action Policy**

The complete policy regarding non-discrimination is available at <https://www.policy.iastate.edu/policy/personnel-conduct-human-relations>.

The complete policy regarding affirmative action is available at <https://www.policy.iastate.edu/policy/aa>.

Approved by the Faculty Senate on October 9, 2007, and by the president and provost on October 26, 2007. Reaffirmation 6/1/98 and 11/14/06.

#### **8.5.1.2 Sources of Support**

The Office of Equal Opportunity is responsible for handling complaints of discrimination based on race, ethnicity, sex, pregnancy, color, religion, national origin, physical or mental disability, age (40 and over), marital status, sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or other protected class. Questions regarding complaints and/or issues involving affirmative action or equal opportunity should be directed to the [Office of Equal Opportunity](#).

The Margaret Sloss Center for Women and Gender Equity is responsible for promoting the development of all individuals to their fullest potential and for enhancing the university's learning environment by fostering intellectual growth and providing a supportive environment for students, faculty, and staff.

Three university-wide committees with representation of faculty, staff, and students have been established to assist the administration in its efforts toward continual improvement of equal opportunity.

- The University Committee on Disabilities is responsible for sharing knowledge concerning disabilities with the university community, for fostering awareness of the needs of persons with disabilities, and for advocating ways to meet those needs.
- The University Vice President for Diversity and Inclusion (VPDI) Council is responsible for assessing campus climate and making recommendations for improvement.
- The University Committee on Women and Gender Equity is responsible for studying the impact of university procedures and policies upon women faculty members, staff members, and students and for making appropriate recommendations to the administration.

### **8.5.2 Inclusive Language Policy**

Iowa State University encourages the use of language and illustrations that create an environment of respect for human diversity, individual rights, and the equal dignity and

worth of all human beings. It also discourages the use of language and illustrations that reinforce demeaning attitudes, assumptions, and stereotypes, or overlook certain populations. See [Inclusive Language Policy in the Policy Library](#).

Section 8.4.2 was approved by the Faculty Senate on 4/14/92.

### **8.5.2.1 Policy and Guidelines**

All university publications and communication, whether oral or written, shall use inclusive language and illustrations. Inclusive language refers to language that makes every attempt to include comprehensively all groups in the community. Whenever possible, selection of academic materials will also reflect efforts to uphold this university policy. Compliance with this policy shall be the responsibility of all faculty and staff.

### **8.5.2.2 Sources of Information**

The Office of Equal Opportunity, the Margaret Sloss Center for Women and Gender Equity, the Multicultural Student Affairs Office, the Dean of Students Office, the Office of the Senior Vice President and Provost, and the Office of the President shall address concerns and supply guidance as requested and appropriate.

### **8.5.3 Drug Free Workplace**

Iowa State University is committed to providing a drug free workplace. Consistent with this commitment, Iowa State University will comply with all federal and state laws, regulations, and orders, including the policies of the Board of Regents, which pertain to providing a drug free workplace. [Drug Free Workplace Policy in the Policy Library](#).

### **8.5.4 Occupational Safety Policy**

Within available resources, it is the policy of Iowa State University to provide and ensure a safe and healthy environment for employees, students, and visiting public and to maintain at all times an effective safety program. It is the intent of this policy to prevent accidents and injuries and to help each member of the Iowa State University community maintain a high standard of safety and health.

The complete policy is available at <https://www.policy.iastate.edu/policy/accident>.

### **8.5.5 Policy on Smoking**

The faculty recognizes the importance of an environment that promotes health and well being. The University policy on smoking is located in the [Policy Library - Smoking Policy](#).

Approved as amended by the Faculty Senate April 24, 2007

### **8.5.6 Travel Regulations**

Travel is an essential requirement of all faculty as the mission of the university is addressed.

The complete policy is available at <https://www.policy.iastate.edu/policy/travel/authorization>.

### **8.5.7 Gifts to Faculty**

Acceptance of gifts by state employees is regulated by Iowa Code 68B.22. Employees may not receive any non-cash gifts worth more than three dollars or cash gifts of any amount from "restricted donors." Restricted donors are those persons or firms that have or are seeking a contract with the university or otherwise will be affected financially by the performance of the state employee's duties. [Gifts Policy in the Policy Library](#).

### **8.5.8 Policy Regarding Open Meetings at Iowa State**

Although the University promotes the principle of open meetings, state law does not require that university committee meetings be open to the public, except for the Athletic Council, the Leopold Center Advisory Board and other specific bodies listed in the open meetings law. Information on the open meetings law is available at <https://ifoic.org/open-meetings-open-records-handbook/>

Approved by the Faculty Senate (February 16, 2010); by the president and provost (February 22, 2010).

### **8.5.9 Employment Related Liability**

As a general rule, university employees need not purchase liability insurance to cover those situations where they might be sued in their capacity as an employee. As long as a university employee is acting within the scope of their employment and the employee's acts or omissions are not willful or malicious, the state will defend and pay resulting liabilities on behalf of the employee. [Iowa Code 669.21](#)

The complete policy is available at <https://www.policy.iastate.edu/policy/insurance/liability>.

### **8.5.10 Policy and Information References**

The [Iowa State University Catalog](#), revised every year, is the university's official source of information concerning curriculum requirements and course offerings as well as information concerning admissions policies, financial aid, and other facts for prospective students. It also contains a listing of all university faculty.

The [University Catalog](#) contains a section that is referenced as the 'Graduate College' that is relevant to Graduate College policies and procedures. The Graduate Catalog is not printed separately.

The [Faculty Handbook](#) provides a description of university structure, function, policies, and procedures. It is revised every year under the supervision of the senior vice president and provost. It is available online and is furnished to each department and to each member of the faculty who requests it.

The [University Policy Library](#) Policies in the Policy Library are the current official statements of university policy of general applicability from across Iowa State University.

The [Iowa State University Budget](#) for the current fiscal year is available in the Reserve Room of the Parks Library. It lists all university employees and their salaries by budget unit.

The [\*Financial Report\*](#), required by law, is a yearly record of the university's receipts and expenditures, prepared under the supervision of the chief financial officer and filed in that office.

The [\*Iowa Code\*](#), a current collection of the laws of the State of Iowa and published under the direction of the state legislature, is available in the university library and in the office of the senior vice president for university services. See Iowa Legislature – Statutory Law.

## **10.9 Policy on Educational Material and Intellectual Property**

### **10.9.1 University-sponsored Educational Materials**

Authors of educational materials, such as books or audiovisual materials produced under university sponsorship or with substantial university assistance, are expected to assign the rights to the university, with the author receiving an appropriate share of the income as defined by prior agreement.

Section 8.3.6.1 was approved by the Board of Regents, State of Iowa on 3/12/76.

Note: Sections of this document refer to procedures, university offices and documents that have changed or been renamed. This does not affect the intent or status of the policy. The complete text of this document is on the [ISURF web page](#).

### **10.9.2 Preamble**

The development of educational materials is a natural and desirable output of intellectual activity. The creation of educational materials, such as textbooks, by the faculty, staff, and students at Iowa State University has always been encouraged and has resulted in the availability, through commercial channels, of numerous books, laboratory manuals, and other printed materials of real value to the educational process, teaching, and research on a worldwide basis.

Creation of such works has come about through the extra effort expended by faculty and staff members who concurrently have satisfied their normal employment commitments with the university to teach, do research, or carry out administrative functions. The works created have been due to the efforts of one individual (or a small informal group), with the university providing encouragement and support through the unrestricted use of the employee's office, library facilities, assistance in the preparation of graphs and charts, minor secretarial assistance and other similar services to assist in the production of the work. Professional Development Assignments have been, and continue to be, granted to faculty where the desire of the grantee has been to create a written work.

Such expressions of ideas through the written word result in manuscripts which are, under Iowa law, the sole property of the author to dispose of as they may wish. The only exception to this has been those works created by individuals employed for the specific purpose of writing such works. Through years of development and trial, the freedom to create such works and the encouragement by the university for faculty and staff members to do so, has resulted in the desirable practice described above.

This practice has come to be known as the traditional textbook policy at Iowa State University. No change from this policy is anticipated by this document. Because of advancing technology, and the recognition of the value of audio and visual aids in education, new forms of educational materials have come into existence at Iowa State University. Motion pictures, slides, and videotapes are examples of such valuable educational materials. While most often developed for internal use at Iowa State

University, these educational materials are often in a form that directly meets educational needs at other universities or educational facilities elsewhere in the United States and in other countries. On the other hand, these new forms of educational materials, due to their nature, require a more substantial level of direct support by the university to allow their creation.

The new technologies involved require not only the initial creative effort of an author, but often the additional services of a variety of specialists, equipment, and production facilities. The cost of such services and facilities to adapt the author's creative effort into a desired medium may be substantial, and requires the expenditure of significant university funds by a college or department. It is also true that the author must spend extra time and effort, and even learn new skills, to assure that a high-quality final educational product will result.

In the production of these new forms of educational materials, the proportional investment of time and money by the author and the university varies substantially from that involved under the traditional textbook policy. Accordingly, one purpose of this document is to set forth an equitable basis for voluntary agreement between the university and prospective authors (faculty and staff members employed in the variety of departments and colleges at the university) when educational materials are to be developed for internal and external use. It is a further purpose of this document to structure a practical mechanism for the implementation of such agreements, to the benefit of all parties involved.

It is possible that textbooks could be developed under this policy, but in a manner different from the traditional textbook policy. In such a situation, and with the expressed and voluntary written agreement of the faculty or staff member, the university might desire to have a textbook written to meet an educational need, employing the faculty member on a release-time basis to write the needed text. In such a situation, this policy would be used to provide a mechanism for the equitable distribution of income from the sale of the text to others.

This policy is not intended to be retrospective, or to lay any claim to works developed in the past under traditional or nontraditional ways. This policy is prospective. It is somewhat flexible and open to interpretation purposely in some aspects, since not all situations can be anticipated. But above all, it is a basis for voluntary agreement on an equitable basis for meeting new and changing demands for superior education materials - a common goal of every employee of Iowa State University.

### **10.9.3 Policies**

- Iowa State University encourages the development of educational materials to assist in meeting its responsibilities for academic instruction, extension, and research.
- The university encouragement is provided by assistance in the preparation of such materials (through salary support, stenographic services, materials and supplies, art work, filming, and other services) as authorized by the appropriate administrative officer(s).

- The university recognizes the vested rights of an author under the Iowa Code. However, if the educational materials are to be developed with university sponsorship, the author is expected to assign these rights for the benefit of the university. It is not intended that this policy affect the traditional university relationship to faculty members' ownership of books or other instructional materials whose preparation was not supported or assisted in a substantial way by the university.
- Individuals preparing or planning to prepare educational materials are encouraged to clarify whether the materials are covered by this policy through consultation with the appropriate department chair and dean.
- In cases in which a prospective author wishes to receive support from the university in a proposed development of educational materials covered by this document, the university will enter into an agreement with the prospective author prior to the development of the university-sponsored educational materials setting forth the extent of support, if any, associated with their development and providing for payment to the author and/or the distribution of earnings, if any should accrue from the use, rental royalties, or sale of the educational materials.
- Monies in excess of costs and appropriate reserves that are received from use, rental royalties, or sale of the university-sponsored educational materials shall accrue to the benefit of the university, with the author receiving by prior agreement a specified portion of the net income. However, the author may receive a share of first receipts.
- Operational responsibility for university-sponsored educational materials is vested in the appropriate deans or their designated representatives.

#### **10.9.4 Ownership of Course-related Presentations**

Course-related presentations are owned by the presenter. Individuals may take written notes or make other recordings of the presentations for educational purposes, but specific written permission to sell the notes or recordings must be obtained from the presenter.

The complete policy is available at

[http://catalog.iastate.edu/academic\\_conduct/#classesrecordingtext](http://catalog.iastate.edu/academic_conduct/#classesrecordingtext).

Section 8.3.6.4 was approved by the Faculty Senate on 5/02/95.

#### **10.9.5 Intellectual Property: Policies and Procedures**

The Policy on University-Sponsored Education Materials, as approved by the Board of Regents (above), recognizes certain traditional exemptions to the university's ownership. Ownership and licensing of other materials is often reserved to the university. [The Office of Intellectual Property and Technology Transfer \(OIPTT\) or the Iowa State University Research Foundation, Inc. \(ISURF\)](#).

#### **10.9.6 Royalties for Instructional Materials**

The writing of textbooks and the preparation of other materials for use in university classes are commendable activities frequently engaged in by Iowa State University faculty members. The university encourages such work and supports the principle that the faculty should be free to select such texts and materials for use in their classrooms. It is

recognized, however, that a faculty member who receives royalties or other direct remuneration for such a scholarly product may be faced with a conflict of interest when they are a participant in the decision to adopt the material for local use.

Therefore, it is university policy that a faculty member of Iowa State University may use, in university classes, textbooks or other instructional materials for which they receive royalties or remuneration provided that, for any materials so used at Iowa State, the payments that could normally accrue to the faculty member are assigned to the university or to a body mutually agreed upon by the university and the faculty member. The faculty member may, however, be allowed to retain the royalties under either of the following circumstances:

- the use of such textbooks or instructional materials is in accordance with departmental procedures for selecting such materials and the faculty member/author does not participate in the selection process
- because of exceptional circumstances the faculty member's department chair recommends that the faculty member be allowed to retain the normal royalties, and the recommendation is approved by the appropriate dean and the senior vice president and provost.

### **10.9.7 Required Readings/Textbook Selection**

Prior to the beginning of each term, departments are asked to provide local bookstores with lists of required textbooks for their courses. Although the selection of textbooks is basically the responsibility of individual faculty members, each department is expected to have a procedure for reviewing the selection of required textbooks and other resource materials for the following:

- multi-section courses
- courses in which an unusually large number of textbooks is required
- instances in which the instructor of the course is author of a book required for that course
- instances in which questions are raised by students or other faculty members concerning selection of any text. For more information on policies governing instances for which the instructor of the course is the author of the book required for the course, ([FH Section 10.9.6](#)).