1. Purpose
To clarify and protect the rights and responsibilities of Staff Members and Students of ACER Higher Education Courses in relation to ownership, recognition and use of teaching, administration and scholarly material.

2. Scope
This policy applies to all Staff Members and Students.

3. Definitions
See Glossary of Terms

4. Legislation and Related Documents
Copyright Act 1968 (C’wealth)
Australian Qualifications Framework (AQF) 2nd edn. (Jan 2013)
Disability Discrimination Act – Education Standards 2005
Higher Education Standards Framework (Threshold Standards) 2015
TEQSA Information Sheet: eLearning and compliance with the Threshold Standards
TEQSA Guidance Note: Course Design
ACER Student Policies

5. Policy Principles
The prime objectives of this policy are to protect the ownership of Intellectual Property created by Staff Members and Students and are embedded in the following principles:
5.1 Ownership of IP created by Staff Members

i. Administration and/or teaching materials developed by Staff Members in the course of their employment remain the property of ACER.

ii. Where the Staff Member has drawn on pre-existing work in their area of professional expertise in the development of the material for ACER, this remains their IP. They should identify such work so that it is clearly and appropriately acknowledged.

iii. Upon payment for the development of administration and/or teaching materials specifically for ACER, the Staff Member or acknowledges that ACER or its agents may distribute, sell or in other ways commercialise the materials it has purchased.

5.2 Ownership of IP created by Students

i. ACER recognises that Students of the Higher Education Courses offered by ACER own the copyright to any material they may develop or submit for assessment in the course of their studies.

ii. For any other use of this material such as marketing, examples to support teaching materials, or for further research purposes, the permission of the Student must be obtained.

6. Roles and Responsibilities

Staff Members and Students are mutually responsible for protecting the rights to and ownership of materials developed by them during their employment and enrolment at ACER.

7. Dispute Resolution

Should a dispute arise in relation to the interpretation or application of this policy or its procedures a Grievance may be notified and managed in accordance with the ACER PP3111 Student Grievance Resolution Policy.

8. Awareness of Policy

The Director will take reasonable steps to disseminate and explain this policy to Staff Members and to Students who may be affected by it.

The policy will be available online at

https://courses.acer.edu.au/students/policies

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9. **Version Control**

   Authorised by: ACER Academic Board  
   Maintained by: Director, ACER Institute  
   Written: March 2013  
   Review: November 2018  
   Version: 4

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<td>E. Hartnell-Young</td>
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