



## THE AGA KHAN UNIVERSITY

### Research Policy

<i>Policy No. ORGS/004-2014</i>	
<b>UNIVERSITY POLICY ON FACULTY AND STAFF PUBLICATIONS</b>	
<i>Developed by :</i> Drs David Taylor Greg Moran, El-Nasir Lalani	<i>Concept presented to the University Research Council</i> July 19, 2012
<i>Contact Office:</i> Office of the Dean of Research & Graduate Studies	<i>This policy should be read in conjunction with the following policies of the Aga Khan University:</i> Authorship, Research Misconduct, Code of Good Research Practice and Intellectual Property Rights
<i>Approving Authority:</i>	University Research Council
<i>Endorsed by</i>	Academic Council: July 26, 2014

#### **POLICY STATEMENT**

This policy sets out to define procedures for the publication of work produced by members of faculty and staff and, where appropriate, by students. The policy aims to protect the interests of the University and of its members, to support and enhance academic and intellectual freedom, and to enhance the quality of publications associated with the University and its members. The policy should be read in conjunction with the University's policies on intellectual property and on authorship.

#### **1.0 Definitions**

- 1.1 Works: shall include any copyrightable material, such as printed material, procedure manuals, computer software or databases including pedagogical software, audio and visual material, circuit diagrams, architectural and engineering drawings, musical or dramatic compositions, choreographic works, pictorial or graphic works and material related to teaching, including but not limited to lectures, course outlines, programme proposals and descriptions, case studies, and other learning materials, including textbooks.
- 1.2 University: means The Aga Khan University.

- 1.3 University Personnel: includes all full-time and part-time employees of the University, fellows and residents, interns, volunteers and any non-employees who receive University Support, including visiting faculty in respect of their work at the University;
- 1.4 Students: includes all full-time and part-time students of the University, including visiting students;
- 1.5 Author: means a member of University Personnel or Student who creates a Work.
- 1.6 Copyright: a legal right of the author(s)/creator(s)/owner(s) of copyright to exclusive publication, production, sale and distribution of their work both domestically and internationally regardless of how it is published. Copyright protects the "expression" of an idea, not the idea itself. The owner of a copyright may license another individual, for example a commercial publisher, to publish the work.
- 1.7 Moral rights: the rights of an author recognized by the Berne Convention and by many national jurisdictions to have his or her authorship acknowledged and to be able to object to any derogatory actions in relation to his work that may be prejudicial to his or her honor or reputation. These rights are independent of the ownership of copyright.
- 1.8 University sponsorship: The University will be deemed to have sponsored a work if it provides any direct subsidy for publication or if it is included in a series that is associated in any way with the University.
- 1.9 "Scholarly Work" means a copyrightable work created by any University Personnel as evidence of academic advancement or academic accomplishment including, but not limited to, scholarly publications, journal articles, research-based bulletins, monographs, and books (excluding case-studies and textbooks and other work of commercial value), plays, poems, musical compositions and other works of artistic imagination.

Other definitions included in the University's policy on intellectual property shall be deemed to apply to the present policy.

## **2.0 Application**

- 2.1 This Policy is applicable to all Works developed or created in the course of work or study at the University with University support. This Policy extends to all University Personnel and students and applies to all programmes supported by the University, including all campuses, hospitals, institutions, owned, controlled, managed and/or operated by the University, located throughout the world. The application of the policy will be subject to local legislation and international law and conventions.
- 2.2 This policy does not apply to Works produced by University Personnel or by students on topics not related to their academic or official duties, and where no use of University time or resource was entailed.

### **3.0 University Ownership**

3.1 The University shall own copyrightable works as follows:

- (a) Works created pursuant to the terms of a University agreement with a third party;
- (b) Works created as a specific requirement of employment or as an assigned University duty that may be specified, for example, in a written job description or an employment agreement “work for hire”;
- (c) Works specifically commissioned by the University. The term “commissioned work” refers to a copyrightable work prepared under an agreement between the University and the creator when (i) the creator does not fall under the category of University Personnel or (ii) the creator is a University employee but the work to be performed falls outside the normal scope of the creator's University employment. Contracts covering commissioned works shall specify that the author convey by assignment, if necessary, such rights as are required by the University.
- (e) Works by student(s): Unless provided otherwise by written agreement, copyrightable works prepared by students as part of the requirements for a University degree programme shall be the property of the student but are subject to the following provisions:
  - i) The original data and materials (including software) researched for a graduate thesis or dissertation are the property of the University but a copy may be retained by the student at the discretion of the student's principal department.
  - ii) The University reserves the right, as a condition of awarding the degree, to retain, use and distribute a limited number of copies of the thesis, royalty-free, together with the right to require its publication for archival and/or educational use.

3.2 Video recording, Computer Software, Pedagogical Software and Related Classroom Technology: Courses developed and used for teaching at the University belong to the University. Any courses which are video-recorded or recorded using any other media are University property, and may not be further distributed without written permission from the Department Head.

3.3 **Copyright** in Scholarly Works: Unless provided otherwise by written agreement, the University waives its right to claim ownership of Scholarly Works.

### **4.0 Trademarks and series titles**

4.1 The University owns all rights, title and interest in any Trademarks (registered or otherwise) that relate to the University or relate to a programme of education, service, public relations, research or training by the University. This clause shall be deemed to cover the titles of series of publications sponsored or owned by the University.

## **5.0 Moral rights**

- 5.1 The individual author shall in all cases retain moral rights in his or her scholarly and other works.

## **6.0 Assertion of affiliation**

- 6.1 The University has the power to authorise the use of its institutional address and the identification of authors as members of its faculty or staff. Such authorisation will be deemed to have been granted in respect of all scholarly works. In other cases, specific permission must be sought.
- 6.2 Faculty are encouraged to be especially mindful of the reputational risk to the University when publishing in the public domain on topics of particular sensitivity. When writing on topics of that fall outside of their areas of professional expertise, they should consider not using their University affiliation. Faculty are encouraged to consult with their Dean or Academic Director regarding publications that might be particularly sensitive.

## **7.0 Scholarly works**

- 7.1 The University recognises the academic freedom of its faculty to publish the results of their work in scholarly journals and other recognised outlets. Such journals and other outlets should have in place effective processes of peer review.
- 7.2 Assistance received from the University in supporting the research that has led to the work shall be acknowledged wherever this is appropriate.
- 7.3 Faculty members should avoid submitting their work to journals that are primarily profit-oriented and do not maintain bona fide peer review processes. The University Librarian will circulate lists of such journals from time to time.
- 7.4 Faculty are encouraged to choose journals that have the widest possible access and where possible to choose open access journals where access is not limited by financial resources.
- 7.5 Faculty members must ensure that their work has been cleared to confirm that no breaches of copyright, for example in the use of images or diagrams, have been committed. The Research Office will provide assistance in case of any doubt. In all cases where the work is included in a series that bears the University's name (see section 8) clearance must be given by the Research Office.
- 7.6 It is acceptable that some delay of open publication resulting from sponsored research may be required by the sponsor but in no case should a sponsorship be accepted where this delay exceed 60 days. Under no conditions is an form of censorship by the sponsor acceptable.

## **8.0 University sponsorship**

- 8.1 Where the publication of a work has been subsidized by the University or has been approved for inclusion in a University series, it shall be reviewed by a formal process

established within each academic entity. This process will include provision for external review by independent experts in the relevant field. The head of the entity shall be responsible for establishing an appropriate mechanism for this purpose.

#### **9.0 University Publications Committee**

9.1 The Provost shall establish a University Publications Committee to formulate procedures and guidance within the scope of this policy and to take decisions on approval of series titles and other strategic issues related to publications.

#### **10.0 Administrative Procedures**

10.1 *Research Office:* The University Research Office shall be responsible for the management of this Policy.

10.2 The Research Office and University Librarian shall serve as points of reference for all members of the University for advice and information on all matters relating to the publication of scholarly works.

10.3 *Signing Authority:* Heads of entities shall have the authority to sign contracts where required, and by so doing attest that all appropriate internal procedures have been followed.

#### **11.0 Dispute Resolution**

11.1 If a dispute or concern arises with regard to the application, efforts should be made to resolve it through informal discussion. If the dispute persists, the aggrieved party may refer the dispute for resolution to the Dean of Research and Graduate Studies, through their Departmental Head.

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