

Introduction

Students and staff in the Faculty of Architecture, Building and Planning (ABP) can become involved in a wide range of creative and exploratory learning activities through built environments education and research. These opportunities can offer great scope for discovery and for 'authentic' learning experiences. They may also align with research activities, and with community or industry interests. These opportunities can offer great outcomes for a wide range of stakeholders. ABP staff have a responsibility to ensure that coursework activities undertaken by students are designed principally for student learning and in accordance with Faculty and University policies. This includes awareness of potential conflicts of interest, duties of care to students, respecting student intellectual property rights, and adhering to Human Ethics requirements.

This Coursework + Ethics Guidelines document has been developed by the Built Environments Learning and Teaching (BEL+T) group, in collaboration with research and academic staff in ABP and UoM Legal Services, to assist staff to identify their responsibilities when coursework intersects with intellectual property and human research ethics. These resources do not introduce new requirements but provide links to information and resources relevant to an identified opportunity and related University or Faculty requirements.

There are range to activities or concerns that may be relevant to such opportunities, such as:

- Development of learning activities involving real world projects;
- Use of coursework to research Scholarship of Teaching and Learning (SoTL);
- Circumstances in which intellectual property generated by students as part of coursework can be used as research material or shared with external parties;
- Requirements for Human Research Ethics approval when students are engaged in coursework involving research; and
- The University's occupational health and safety requirements for off-campus learning activities and independent fieldwork conducted as part of coursework.

This guideline should be read in conjunction with the [Coursework + Ethics Guidance Tool](#). The tool was developed as an educative approach for staff. Responses by users of the tool help to identify some of relevant issues for an opportunity type. The tool delivers a tailored 'to do' list for the opportunity type and provides guidance and links to relevant resources. Staff can download a report with guidance and links, and use the 'to do' list to investigate issues relevant to the opportunity.

The guidelines include sections relating to *Coursework experiences involving non-university people / projects / places* and *Using coursework in research*. Please consult the Glossary for an explanation of key terminology and supporting notes. The links in this document connect to University of Melbourne resources and supports, which should be consulted for further information. To access some of the links you will need to be logged in, using your staff username and password.

**Please note, both the tool and guidelines document will provide general advice only to inform decision making – staff should seek specialist advice in relation to an identified opportunity, or for further support. The online tool does not collect personal data (e.g. emails, logins etc) but does collect a record of the selections made by anonymous users of the tool.*

Coursework experiences involving non-university people / projects / places

General advice

When preparing learning activities that form part of coursework, particularly those involving external parties or ‘real world’ projects, and/or intersection with research activities or potential research outputs, staff should consult the [UoM Conflict of Interest Checklist](#). A real or perceived conflict must be declared, explored or mitigated prior to the commencement of the activity.

Under the University of Melbourne Statute, University of Melbourne students own [intellectual property](#) (IP) including [copyright](#) in any material they create during their studies, except for IP created under a ‘specified agreement’ and certain teaching materials. Students also hold [moral rights](#) in the material they create, which protects the integrity and attribution of the work and affects how the work can be used and presented. The University [owns IP created by staff](#) in the course of, or incidental to, employment with the University. The [IP Policy](#) includes all teaching materials but excludes copyright in scholarly works.

‘Real-world’ projects may be adapted for teaching, especially to enrich student learning and problem-solving skills. Subject coordinators in all ABP programs should carefully consider the appropriateness of projects that are used in teaching. Where a coursework opportunity involves collaboration with an external organisation, the University and the external organisation will normally have a legal agreement in place outlining each party’s rights and responsibilities. It is important that these rights and responsibilities are clearly defined at the commencement. The [Letter Agreement](#) developed with UoM Legal Services is available for use, although staff should take care to seek expert assistance as necessary. Students should not be compelled to engage with an external organisation through a subject enrolment.

The Faculty encourages staff planning for a project that includes an external party, or the potential to use student work for purposes other than assessment, to ensure that students are advised in advance, and are not compelled to engage with the subject.

Staff and visitors engaged in teaching are not automatically considered co-creators of the student IP, however the student may need to acknowledge or attribute their supervisor in accordance with the University’s [Authorship Policy](#) and academic practice.

Undergraduate learning activities that are delivered as part of coursework with an education, training, or a practical experience focus are generally [exempt from human ethics approval](#). If coursework involves students interacting with humans as part of a learning activity, students should act in accordance with the guidance set-out in the University’s [Student Charter](#) and [Research Integrity and Misconduct Policy](#). It may be appropriate, as an introduction to the learning activity, for staff to provide students with [advice about ethical conduct](#) and use the [Student Project Description and Participant Consent form](#).

Off-campus activities can offer students rich learning experiences that align to coursework. Links to the resources below should be investigated as appropriate. Staff should investigate whether any planned off-campus activities (supervised or unsupervised) adhere to the [Fieldwork Guidelines](#) and [current advice regarding Coronavirus \(Covid 19\)](#). For travel beyond Melbourne’s metropolitan area, students may be covered by the University’s [travel insurance](#) policy.

General advice (continued)

Local and interstate travel for coursework requires staff and students adhere to the advice set out by the Faculty for [off campus activities and field trips](#). Preparation includes staff completing the relevant training, risk assessment and online forms about the proposed activity. Students must complete an online medical questionnaire and participate in a safety briefing. Overseas travel for coursework requires a significant amount of pre-planning and approval, thus proposals should be discussed with the [ABP Field Trips Team](#). Information about travelling studios can be found [online](#).

Staff wanting to use student outputs from coursework as exemplars in teaching material, will need to [seek the permission of the student](#), unless an exception under the Copyright Act applies. If staff have specific questions, they should contact the [UoM Copyright Office](#).

Advice relating to specific subject types

- *Work Integrated Learning activities*
Work Integrated Learning (WIL) describes a variety of learning experiences that integrate academic theory with authentic real-world work experiences, such as internships (also known as vocational placements or placements) or volunteering. The University's [Professional Placement Guidelines](#) provides information about the types of paid and unpaid opportunities that can be offered to students.

WIL subjects are designed to provide students with professional experience in an area related to their field of study or the career they are working towards. While on Professional Placement, a student's Intellectual Property (IP) rights will depend on the arrangements between the University and the host organisation. Where the WIL subject involves an internship or vocational placement, the University and the host organisation must sign a legally binding vocational placement agreement before the student begins their placement.

The University has three standard [Vocational \(Professional\) Placement Letter Agreements](#) (VPLA) that detail different IP arrangements, including use of copyright in the student's assessment materials. Where the host organisation will own the IP generated during the placement under the VPLA, the student needs to sign a confirmatory [student deed poll](#), which confirms that the student understands that the placement is being conducted under a specified agreement and the University will own the IP they create (except for IP in their assessment materials). Staff should encourage students to obtain legal advice given the effect of the deed.

As part of the agreement, host organisations must comply with all applicable privacy laws. This includes the host organisation taking reasonable steps to seek consent from a student prior to taking their photograph and posting it on social media. Best practice would involve the host organisation contacting ABP's [Marketing and Communications](#) Team before including UoM students on WIL placements in any promotional material. The host organisation should not use the University's name or logo without the University express written permission through External Relations.

- *Balloted studios (non-Thesis)*
Studio proposals are accepted twice a year through the [MSD Studio application process](#). The studio Subject Coordinator assesses the merit of all studio proposals. Staff who aim to use coursework to test research ideas (where the outputs may be published and/or shared with external parties) should contact the [ABP Research and Industry Team](#) for advice on setting up an appropriate agreement.
- *Thesis studios or Capstone subjects at Masters level*
In contrast to some other learning modes, research activity involving humans that will be undertaken by students enrolled in Thesis studios or Capstone subjects at a Masters level (not undergraduate) is subject to [Human Ethics Approval](#). From 2021 the approval process has two parts supported by different teaching roles.
 - 1) Subject coordinator need to submit an overarching [Program application \(student coursework\)](#) that describes what the coursework requires students to do, and how students will be supervised. Staff are advised to allow plenty of time, as applications will be assessed as part of the [regular pre-review/review pathway](#) and cannot be fast-tracked. During the semester subject coordinators will be responsible for ensuring that student projects are conducted in line with the approved Program application.
 - 2) Individual student projects need to receive approval from the subject coordinator before any research involving humans can commence. Students will submit a Human Ethics [Program \(Student Coursework\) Application Student Report](#) to the subject coordinator for each individual project. Subject coordinators, tutors or studio leaders can help students complete this two-page report at the start of the semester. The subject coordinator will need to [upload it to Infonetica ERM](#) as a coursework record as part of the approved Program application.

If a proposed student research project is not consistent with the approved Program application, and particularly if the research will involve vulnerable groups not specifically foreseen in the program application, the student will need to submit an individual [Project application for Human Ethics Approval](#). The subject coordinator should review these applications before submission.

Using coursework in research

Under the University of Melbourne Statute, University of Melbourne students own [intellectual property](#) (IP) including [copyright](#) in any material they create during their studies, except for IP created under a 'specified agreement' and certain teaching materials. Students also hold [moral rights](#) in the material they create, which protects the integrity and attribution of the work and affects how the work can be used and presented.

When preparing learning activities that form part of coursework, particularly those involving external parties or 'real world' projects, and/or intersection with research activities or potential research outputs, staff should consult the [UoM Conflict of Interest Checklist](#). A real or perceived conflict must be declared, explored or mitigated prior to the commencement of the activity.

Staff wishing to utilise, further develop or share student outputs as part of an externally funded project will first need to seek permission from the Faculty (as part of the pre-approval of their funding proposal) and then from the students themselves before the subject commences. Legal services will assist staff to create an appropriate deed of assignment for approved projects on a case-by-case basis. A lead time of at least six weeks is required. For other projects that include potential use of student outputs, the [Letter Agreement](#) developed with Legal Services will allow a 'first option to negotiate' to an external party, if valuable student IP emerges from the project.

The Faculty encourages staff planning to use student outputs for purposes other than assessment, to ensure that students are advised in advance, and are not compelled to engage with the subject.

- *Academic publication*

All academic research involving coursework students is subject to Human Ethics Approval. Research cannot commence without Human Ethics Approval and retrospective approval will not be given. Contact the [OREI Human Ethics Team](#) for advice.

Research involving coursework students may include:

- 1) Publication relating to scholarship of learning and teaching (SoTL) about the effectiveness of instructional techniques, curricula, or classroom management; or
- 2) Using outputs students create as part of their studies as research material in publication.

The level of risk associated with either of these examples will be assessed on a case-by-case basis. The researcher must be aware of any dependent relationships, such as that of a lecturer and students. Staff should consult the [Appropriate Workplace Behaviour Policy](#).

If staff have human ethics approval to use student outputs from coursework as research materials, they need to gain consent from students in accordance with the conditions of the approval (e.g. plain language statement). The students' contribution must be [cited](#) and students may qualify for [authorship](#) if their material has made a significant intellectual or scholarly contribution.

- *Non - academic publication and promotion of praxis*
There are some projects involving coursework that are considered to be of negligible risk and may be [exempt](#) from human ethics review, if staff are not pursuing academic publication. As retrospective approval will not be granted, best practice involves consulting [OREI Human Ethics Team](#) for advice for specific advice in advance.

Staff wanting to depict, describe or exhibit student work in a non-academic publication will need to [seek the permission of the student](#), unless an exception under the Copyright Act applies. If staff have specific questions, they should contact the [UoM Copyright Office](#).

Staff intending to share photos of students engaged in teaching and learning activities on social media must take reasonable steps to ensure anyone who is clearly identifiable has consented to their image being publicly shared. This requirement extends to staff member's own social media accounts as well as those of any organisations they are affiliated with. The UoM's [Privacy Policy](#) prohibits use or disclosure of personal information for a secondary purpose, unless it is related to the primary purpose and the individual would reasonably expect the university to use their information in that way. ABP's [Marketing and Communications](#) Team should be consulted before staff provide content, including student-owned material, for non-academic publications.

Any student work to be used by the University in marketing materials (such as websites, social media posts and publications) requires student permission, via the [UoM Audio/Video/Photography Release and IP Licence](#).

Glossary and Notes

This guideline should be read in conjunction with the [Coursework + Ethics Guidance Tool](#). This tool was developed as an educative approach to direct staff to information specific to the development or delivery of a coursework opportunity, and/or that may result in outputs from coursework in the public domain.

Coursework opportunities may include, but are not limited to, the following:

- Student learning via a 'real world' project (i.e. client brief or issue)
- Student learning via research undertaken by individuals or groups
- Academic activity (i.e. research contribution)
- Staff professional development (i.e. researching their teaching praxis)
- Subject development and/or evaluation

Coursework outputs may include, but are not limited to, the following:

- Within teaching and assessment
- Evidence of staff teaching praxis
- Academic presentation or publication
- Non-academic presentation or publication
- Third party access and/or use

[Specified agreement](#) means an agreement or deed between the University and any party which relates to the ownership or use of intellectual property that may arise out of an activity, including research, which is identified in the agreement or deed. Examples include research contracts, vocational placement agreements, collaboration agreements, and funding agreements.

[Copyright](#) is a form of intellectual property that grants exclusive rights to the copyright owner to determine how their work can be used. Copyright protects the expression of ideas and information in material form, e.g. written down, recorded as an image or sound. It does not protect ideas and information themselves. In Australia, copyright applies automatically as soon as something is written down or recorded. Material does not have to be registered for copyright protection.

[Conflicts of interest](#) can arise naturally from a staff member's engagement with the world outside the University. The mere existence of a conflict of interest does not necessarily imply wrongdoing on anyone's part. However, in an academic environment where entrepreneurial and commercial practices are increasingly encouraged, it is essential that University research is carried out (and is seen to be carried out) in an impartial and independent manner, and is not compromised by any commercial activity. Conflicts of interest include any circumstances where a researcher has a real, perceived or potential opportunity to prefer their own interests, or those of any other person or organisation, to the interests of the University.

[Teaching materials](#) means all versions, digital or otherwise, of information, documents and materials created or used for the purpose of teaching and education by the University, including the permitted adaptation or incorporation of the scholarship, learning or research of the relevant member of academic staff, honorary appointee, visitor or student for that purpose. Teaching materials include lecture notes that are made available to students, computer-generated presentations, course guides, overhead projector notes, examination scripts, examination marking guides, course databases, websites and multimedia-based courseware, but exclude scholarly works.

[Real world project](#) can involve students interacting with clients and/or community groups who have a specific need/s in response to a known problem. As part of their coursework students may work with the client or community group to establish a brief, conduct site analysis, investigate options, test ideas on stakeholders, develop systems and present varying levels of resolution.

[Intellectual Property](#) includes:

- (a) literary, artistic, musical and dramatic works in which copyright subsists;
- (b) field and laboratory notebooks;
- (c) cinematographic and multimedia works in which copyright subsists;
- (d) performances of performing artists, sound recordings and broadcasts;
- (e) patentable and non-patentable inventions;
- (f) registered and unregistered designs, plant varieties and topographies;
- (g) circuit layouts;
- (h) registered/unregistered trademarks, service marks, commercial names and designations;
- (i) databases, computer software and related material not otherwise coming within any of the other items defined above as "intellectual property";
- (j) scientific discoveries; and
- (k) know-how and other proprietary information associated with any of the types of intellectual property listed above.