

INTELLECTUAL PROPERTY RIGHTS

- This policy regarding Intellectual Property Rights is in accordance with the Bevill State Community College Copyright Policy and State Board Policy 321.01 Copyright, Trademark, and Patent Ownership.
- In designing its policy, Bevill State uses as a touchstone SACS principle for accreditation 3.2.14, which reads:

“The institution’s policies are clear concerning ownership of materials, compensation, copyright issues, and the use of revenue derived from creation and production of all intellectual property. This (policy) applies to students, faculty, and staff.

Ownership of Materials:

- As a general principle, Bevill State claims ownership of all educational materials involved in teaching classes, on all four campuses and at the respective centers. Such ownership includes, in particular:
 - Test banks
 - Syllabus
 - Web courses
 - Hybrid courses
- However, Bevill State cedes control of the following materials:
 - Assessments
 - Class notes
 - Presentations
 - Handouts
- The exceptions to this rule are materials that are produced in the course of duties based on the employment contract or program agreement and are intended for the institution to copyright, trademark, or patent.

Rules of Intellectual Property for Students:

- All student work submitted as a requirement for course credit is the intellectual property of that student and the student may use or publish his/her this work without any authorization from the College.
- The student must get written consent from the College in order to use or publish material that the student is not an author or collaborator.
- An employee must get permission from a student to use that student’s work as a sample/model.
 - At the student’s request, the work will be published anonymously, or under a pseudonym.

The Use of Revenue derived from Creation and Production of Intellectual Property:

- Funds derived from the creation, production, and sale of all intellectual property are placed in the College's Unrestricted Fund and are invested in the institution's instructional activities among other functional areas.
- If an employee wishes to develop original materials or an original online course, using his/her own personal resources and personal time, then he/she would retain 100 % of the intellectual property rights.
 - If the employee wished to make that material or course "commercially viable," in other words, use the material or course for another institution of higher education or sell that material or course, he/she would keep 100 % of the royalties.
- If the employee wishes to make materials or an online course he/she has created as an employee of Beville State "commercially marketable," the following guidelines would apply:
 - He/she would retain only the intellectual rights to the assessments, notes, presentations, and handouts and would be entitled to 100% of the royalties for the materials or the course developed from these resources.
 - The College would retain all other intellectual property rights.
 - The employee must obtain prior written approval from the College president to utilize materials or a course at another institution in accordance with State Board Guidelines for Policy 615.01 Conflict of Interest and in accordance with item 10 of the Beville State Community College Employment Contract.
- As previously stated, students have the right to publish any of their own creative work and are entitled to 100% of the royalties for these works.