

Beaufort County Community College Intellectual Property Policy

The purpose of this policy is to define the rights and responsibilities of the College, all employees, and all students in regard to intellectual property. Intellectual property may be defined as any intellectual or creative works that can be copyrighted or patented. The college supports the development, production, and dissemination of intellectual property to enhance the teaching/learning environment.

The ownership of intellectual property will be determined according to the following conditions.

The employee retains ownership if the following criteria are met:

- The work was created independently and as a result of the individual's own initiative, not requested by the college.
- The work is not a product of a specific contract or assignment made as a result of employment of the college.
- The work is not prepared within the scope of the employee's job duties.
- The work involves insignificant use of college facilities, time, and/or other resources.

The college retains ownership if the above criteria are not met and/or if the following criteria apply:

- The work is prepared within the scope of the employee's job duties.
- The work is prepared within the scope of class assignments
- The work is the product of a specific contract or assignment made in the course of the employee's employment with the college.
- The development of the work involved significant facilities, time, and/or other resources of the college including, but not limited to, released time, grant funds, college personnel, salary supplement, leave with pay, equipment, or other materials or financial assistance.

When it can be foreseen that commercially valuable property will be created, the college and the employee/student should negotiate an agreement for ownership and the sharing of benefits prior to the creation of the property. The College may grant an employee use of the intellectual work at another educational institution.

An *ad hoc* Intellectual Property Committee, appointed by the President and comprised of equal numbers of faculty and staff, will make recommendations to the President when exceptions and related issues arise.

All employees must abide by the BCCC copyright policy as stated in the Faculty/Staff Manual.

10.04.01

3/30/2007