

2.16.1 Intellectual Property

Last Revised: March 2021

Policy: Piedmont Community College supports faculty dedicated to fostering student learning through effective teaching and mentoring, productive scholarship and artistic endeavor, and broad participation in the campus community. Consistent with our mission, the College recognizes the ownership of work by faculty, staff, and students who are its creators, along with the right of the College to use such work for its educational mission and the development of its employees, and to participate in the financial benefits that may come from the marketing and commercialization of work by its creator(s).

Purpose/Definitions:

Purpose

The purpose of this policy is to define, support, reward, and reward research and scholarship, and assist students, faculty, and staff in identifying, protecting, and administering intellectual property rights and matters.

Definitions

College supported works—copyrightable or patentable work created by a College employee and/or student in the course of the employee’s employment or student’s enrollment with the College as illustrated by the following:

- The work, other than scholarly or pedagogical work, is a product of a specific contract or assignment made in the course of the employee’s employment with the College. Examples include college manuals, web pages, online courses, and video recordings of College events.
- The work involved significant College resources, to include release time, grant funds, salary supplement, leave with pay, and/or support from college personnel or students.
- Significant use of College resources requires resources of a degree not routinely made available to all College students, faculty, and staff.

Independent works—copyrightable or patentable work created by a College employee and/or student as illustrated by the following:

- The work was a result of individual initiative.

- The work was not a specifically assigned task or a specifically funded College project.
- The work minimally involved additional College personnel or students and did not involve significant use of College resources. Use of College computers, Learning Commons holdings, and labs that are available to all College students, faculty, and staff is not considered significant.

Intellectual property—intellectual and creative works that can be copyrighted or patented, including: literary, dramatic, musical and artistic works; computer software; and inventions.

Approval Authority/Monitoring Authority: Piedmont Community College’s Board of Trustees has approval authority for this policy. The Vice President for Instruction; Vice President, Student Development; and Vice President, Administrative Services/CFO have monitoring authority for this policy.

Procedure:

Section 1: Determination of rights

1.1. College

- 1.1.1. The College retains a non-exclusive, royalty-free right to use the materials during its useful life.
- 1.1.2. The College retains all rights of ownership for commissioned work.
- 1.1.3. Rights of ownership for works created under a grant accepted by the College are determined by the provisions of the grant.
- 1.1.4. Notwithstanding the College’s ownership rights, the College may enter into an agreement with a faculty member or employee for an equitable arrangement of joint ownership, sharing of royalties, and/or reimbursement to the College for its costs and support.

1.2. Faculty and Staff

- 1.2.1. Faculty incorporating copyrightable or patentable materials into a College course will retain all rights of ownership in these materials.
 - 1.2.1.1. Examples include SoftChalk lessons, VidGrid videos, computer programs, paintings, music, and art generated for classes.

1.2.2. Faculty/staff author/developers retain the right to use the content/materials in textbooks, journal articles, presentations, consulting projects and other scholarly works or professional activities.

1.2.3. Faculty/staff retain the rights to use the work/materials at other institutions.

1.3. Students

1.3.1. Student works produced in a class remain the property of the student.

1.3.1.1. Students may grant the College permission to temporarily use works by signing a release.

1.3.2. Student works created during a contract with the College remain the property of the College.

1.3.3. In all cases, the College reserves the right to use student-produced projects for instructional, promotional, and/or other academic purposes.

Section 2: Resolution of Disputes

2.1. The dispute resolution mechanism for resolving any disputes relative to the ownership rights of intellectual property as it relates to faculty, staff, and/or students will be handled in accordance with Policies 5.20 Employee Grievance and 7.12 Student Grievance Policies.

Legal Citation: [Instructional Technology Council](#) Best Practices

History: Developed October 2010; Revised April 2011, March 2021