

**Approved By:** Board of Trustees

**Date Approved:** March 10, 2017

1. **Summary:** This policy establishes the rights and responsibilities of Criswell College's students, faculty, and staff regarding intellectual property. It is designed to support the College's mission of providing ministerial and professional higher education by encouraging creative work that produces educational resources and by ensuring compliance with accreditation standards and legal regulations that ensure the integrity and quality of education provided by the College.
2. **Rationale:** This policy is needed in order to 1) encourage creative work; to 2) protect the intellectual property of the College and its faculty, staff, and students; and to 3) establish procedures for determining the rights of ownership of intellectual property.
3. **Persons Affected:** Any student enrolled in the College, any faculty member hired by the College, or any staff member employed by the College who produces intellectual property while they are enrolled in or employed or hired by the College.
4. **Definitions:**
  - a. **Intellectual Property:** Any product of human intellect that can be characterized as non-rivalrous public goods, which shall include but not limited to compositions, oral recitations, artistic and musical works, designs and symbols, inventions, software, names, marks and images, together with the corporal property in which such works are embodied. This type of Property shall be referred to throughout this Policy as "Property".
5. **Policy:**
  - a. **Staff, student employees, and other non-faculty employees:** The College owns the copyright and/or patent to any Property which is created by staff, student employees, and other non-faculty employees as part of their regular duties at the College or which is used in performing or fulfilling those duties. This Property includes, but is not limited to: publications, software, training materials, photographs, audio or visual recordings, musical or dramatic work, and/or data compilations.
  - b. **Faculty:** The term "Faculty" as used in this Policy includes both full-time and part-time faculty members and staff members engaging in instruction. When Faculty create Property while teaching a course for credit, or when they create Property for use by themselves when teaching, or when they create Property unrelated to their College duties, they shall retain ownership of copyright of their Property, except in the following circumstances:
    - i. If the Property was created as part of an externally sponsored research program or agreement that allocates rights of ownership to the College;
    - ii. If a faculty member was assigned and funded by the College to develop Property for a special project;

- iii. If the Property was created by making substantial use of College resources, which includes but is not limited to College funds, facilities, equipment, and support; provided however, such use does not include faculty use of office space, library resources, or other typical resources for research and writing and other scholarly projects.
- c. **Students:** Property created by students of the College includes work produced in fulfillment of class assignments, projects for academic credit, and projects with co-curricular units and organizations. Such Property is owned by students but the College shall have a full, unlimited and unexpiring license to use such Property, if it does not contain confidential educational records/information.

**6. Procedure:**

- a. **Responsibility for Compliance:** The Vice President of Academic Affairs is responsible for ensuring the College’s compliance with this policy.
- b. **Publication:** Institutional constituents will be informed of this policy through its publication on the College’s website. New employees, including staff members and faculty, will be notified of the policy and provided a copy during the orientation process. New students will be notified of the policy during New Student Orientation.
- c. **Policy review:** The Vice President of Academic Affairs is responsible for regularly reviewing the policy and for reporting on the effectiveness of its implementation to the Office of the President during the College’s policy review process.

For the Office of Institutional Effectiveness and Research only:

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| Policy version: 1.0    | Policy number: 1.011 |
| Office of Origination: |                      |
| Related policies:      |                      |

Policy History

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| Version 1.0 | March 10, 2017 |
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