

Approved By: President

Date Approved: September 13, 2023

Effective Date: 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; 2) protect the intellectual property of the College and its faculty, staff, and students; and 3) establish procedures for determining the rights of ownership of intellectual property.
- 3. Entities 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:

faculty: the collective body of individuals who administer, oversee, and implement the College's academic programs and activities. (Qualifications, responsibilities, terms of employment, accountability, compensation, and grievance resolution for faculty are found in the Faculty Employment Policy.)

intellectual property ("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."

non-rivalrous public goods: Public goods that may be consumed without affecting the supply for others. In other words, the good is not reduced/depleted by an individual(s) use/consumption of it.

5. Policy:

a. Non-faculty employees

- The College owns the copyright and/or patent to any Property which is created by non-faculty employees (including students who are employed by the College) 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

- 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:
 - If the Property was created as part of an externally sponsored research program or agreement that allocates rights of ownership to the College;
 - If a faculty member was assigned and funded by the College to develop Property for a special project under a written agreement that allocates rights of ownership to the College;
 - 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 non-expiring license to use such Property, if it does not contain confidential educational records/information.

6. Procedure:

- a. Implementation:** not applicable
- b. Responsibility for Compliance:** Vice President of Academic Affairs
- c. Notification:** This policy will be posted on the College’s website and published in the *Faculty Handbook*, *Employee Handbook*, and *Student Handbook*.
- d. Policy review:** This policy will be regularly reviewed according to the College’s policy review procedure.

For the Office of the President only:

Policy version: 2.0	Policy number: 2.061
Office of Origination:	
Related policies:	

Policy History

Version 1.0	March 10, 2017
Version 2.0	September 13, 2023