

INTELLECTUAL PROPERTY POLICY (February 2025)

Purpose

Schreiner University desires to foster the creation of original works created by its faculty, staff and students. This Intellectual Property Policy is intended to delineate the ownership rights of any such original works, whether copyrightable works consistent with the United States Copyright Law or patentable works consistent with the United States Patent Law.

Applicability

This Policy is applicable to all copyrightable or patentable works currently in progress or hereinafter created by, at, or with the resources of the University. This Policy applies to all faculty members, staff employees, students and all other persons or entities who create copyrightable or patentable works using the University's resources or pursuant to a contractual arrangement with the University.

Ownership and Use

A. Externally Sponsored Works

Whenever a third-party sponsors faculty work, the faculty member and sponsoring party agree to indemnify and hold harmless Schreiner University and its employees from and against any and all losses, claims, damages, and liabilities which may arise out of this work.

B. Institutional Works

Institutional works shall include specific assignments that are "works-for-hire" under the United States Copyright Law, works created by staff employees in the performance of their jobs, works supported by a direct allocation of University funds or other resources for a specific University purpose and works commissioned by the University. Institutional works shall also include all copyrightable and patentable works under this policy where it is not possible to determine specific creatorship for the work, such as works developed over a significant period of time by multiple creators. Regarding institutional works, the policy described in paragraph A. For Externally Sponsored Works shall apply with the University recognized as both "external sponsor" and "University." In addition, the creators of contributions to works developed over a significant period of time by multiple creators shall retain the right to use their contributions in their subsequent work, when their contributions can be identified.

C. Non-Institutional Works

The university shall not claim ownership of works (e.g., books, journal articles, creative products, musical compositions, theses, and papers) created by the University faculty or students that are not institutional works and did not result from a significant use of University's resources. For purposes of this Policy, the normal use of the University's facilities and computers, the incidental use of the University's supplies and clerical support, normal expenses for travel to professional meetings, for book purchases, interlibrary loans, computer software and data, the granting of sabbatical leave and faculty development grants are not a significant use of the University's resources.

Furthermore, collaboration among faculty and students, both within and without Schreiner University does not by itself give the University an ownership interest in their work, but when it does (as in works developed over a significant period of time by multiple creators described in the prior section) the University will identify its ownership interest. The University advises all parties involved to identify their ownership interests in collaborative works and disclaims liability resulting from any failure to do so.

Faculty, employees and students may use the name of the University for purposes of affiliation only. Any other use of the University's name requires specific written approval by the University.

D. Coursework

Except for coursework developed over a significant period of time by multiple creators and except as provided by specific agreement, coursework developed for instructional purposes at the University shall belong to the creator. Coursework includes digital materials produced as part of instruction including, but not limited to, course LMS builds, video recordings, power point files, photographs, written texts, or other digital mediums. The University retains a non-exclusive, no cost license to the Echo 360 recordings of classes within the Canvas course to which the recording applies for the purposes of promoting student success. These recordings will be made available to students in the Canvas instance during the term in which they are enrolled. The University and/or student must receive written approval from the producer of coursework materials to utilize said materials independently from the original creator.-

As new technologies are developed, the Faculty and Administration will review the utilization of these materials to promote student success.

E. Assignment of Rights

In the case of externally sponsored and institutional works when the University retains copyright or patent ownership, the University may assign its rights to the creator(s) of such works or to any third party for the purposes of commercialization. The University will consider assignment of rights to the creator(s) when, after a reasonable period of time, the University does not make such use of works. In any assignment of rights, the University shall retain a non- exclusive, perpetual, worldwide, royalty free license to use and reproduce the copyrightable or patentable works for its own non-commercial purposes and to preserve such royalty free license for the creator(s) of such works as provided in this policy.

Royalties and Other Income

Any royalties or other income beyond expenses derived from works covered under this agreement to which the University has a vested interest shall be shared between the University and the creator(s). A mutually satisfactory written agreement will be made in advance.

Copyright and Patent Administration

The Vice President for Academic Affairs shall administer this Policy and all copyright and patent matters of the University in consultation with Vice President for Administration and Finance. In this regard, the VPAA shall be authorized to:

- A. Prepare and issue additional policy statements interpreting or further defining this Policy.
8. Determine the characterization of all copyrightable works under this Policy and notify the appropriate parties of such determinations
- C. Recommend to the President agreements that should be executed for Externally Sponsored Works, Institutional Works
- D. Collect any and all proceeds from such license or assignment and make the appropriate allocation of such proceeds. In cases where there is no written agreement specifying the sharing of income with respect to commercialization by the University, the VPAA shall determine if such a sharing arrangement is appropriate and, if so, recommend a sharing distribution to the President of the University for approval.

Copyright Notice

All copyrightable works owned by the University shall bear the following copyright notice:©
[Year of first publication] Schreiner University.