



Cambridge College Intellectual Property Policy

Section 1. Purpose:

The purpose of this Intellectual Property rights and copyright policy is to define the rights of Cambridge College, its faculty, staff and students with regard to the intellectual property rights and copyright ownership for works that they may create while carrying out their duties and/or responsibilities to the college.

Faculty members, staff members, and students of Cambridge College shall retain the intellectual property rights and/or copyright to any works they produce except works covered by a contract (including the Core Faculty contract) between a faculty member, staff member or student and Cambridge College. All works produced by faculty, administrators, and staff as part of their job responsibilities are works for hire. Accordingly, all intellectual property rights to such works vest in Cambridge College. Cambridge College remains legally responsible for any and all information stored on computers owned or leased by the college and will honor all subpoenas that order the college to release any and/or information, stored on any computer owned or leased by college, to an individual, agency, court or agents stipulated by the subpoena.

Section 2. Definitions:

Intellectual property includes works of authorship, inventions and discoveries that may be subject to protection by patents, copyrights, trademarks and trade secrets.

Intellectual Properties are divided into two categories, Technical Works and Academic Works:

Technical Works include intellectual properties that are generally of a scientific, engineering, or technical nature such as patentable or unpatentable inventions, devices, machines, processes, methods, and compositions; computer software; and College collections.

Academic Works include all intellectual properties not covered in Technical Works that are of an artistic, scholarly, instructional, or entertainment nature.

The following lists some of the examples of IP:

Teaching Support Materials

Materials that support and enrich direct instruction but which cannot deliver that instruction without the teacher.



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- overhead transparencies
- film and video clips
- lecture notes
- computer presentations
- slides, illustrations, charts

Teaching/Learning Resources

Materials which may offer learning experiences without the direct support of a teacher. These range from lessonware (individual modules in a course) to courseware (course-sized sets of independent learning materials).

- independent learning modules
- telecourses
- textbooks, learning packages
- multimedia programs
- correspondence courses
- web based learning sites
- video and audio programs
- computer conferencing
- computer-assisted instruction courseware

Instructional By-Products

Materials produced as a result of various teaching/learning activities.

- video or audio recordings of classroom activities
- recordings of audio or video conferences
- e-mail messages between teachers and students (Note: the college may grant faculty members intellectual property rights to the content of any email they send, to anyone, when using the college's email servers. However, the college retains legal ownership of any content on our email servers. Federal and state laws dictate this policy as all institutions are legally responsible for any and all content on their email servers.)
- notes on flip charts

Curriculum-Support Materials

Materials which support the educational process but which do not themselves provide instruction.

- program proposal
- program maps
- class lists
- course outlines



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tests and exams
teacher and facilitator guides

Student Produced Materials

Materials produced by students as class activities and assignments.

written assignments, essays
presentation notes
lab reports
works of art
media productions
computer programs

Administrative Materials

Non-curricular materials produced by staff primarily for internal communications.

e-mail
voice-mail
memos, letters
reports
committee minutes
notices

College Publications

Non-curricular materials produced by staff, faculty, and students as internal and external publications.

newsletters
college web pages
college calendars
brochures, posters,
advertising

Professional, Technical and Artistic Works

Works produced by staff, faculty, and students to provide models or examples of professional, technical or artistic activity.

student project or work of art
film teacher's video program
accounting professor's sample spreadsheet
faculty video of international course experience



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Personal Works

Works produced by staff or students that are not directly related to employment, study or curriculum at Cambridge College.

- course materials that are used to teach elsewhere
- video of a family reunion
- student's e-mail to friends at other colleges
- original poetry
- manuscripts (books, articles, plays)
- websites
- business proposals
- national or international tours
- manuscripts for academic journals

Section 3. Cambridge College technology resources available to faculty and staff:

Cambridge College provides faculty and staff with technology resources that enable faculty and staff to meet their responsibilities to the college. There are two categories of resources that are made available, general and contracted, described below. Note: the college may elect to modify or change any services of either category at its discretion. Any such changes will apply to new contracts only.

General resources are made available to all employees of the college and include the following:

- Desktop or laptop PC or Macintosh computer with the standard operating system for the platform

- Network accounts and network storage space

- Email accounts on the college's mail servers

- Web page services for support of courses, programs and departments of the college

- Microsoft Office and any other productivity software licensed by the college

- Courseware applications for on-line instruction

- Access to "smart classrooms"



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Technical support for maintaining computers, installation and configuration of software licensed by the college

Training and support in the basic use of software licensed by the college

Contracted resources are made available on an individual basis and require the approval of an administrative or academic office of the college. A contract, between the college and the faculty or staff person defines the rate of compensation and rights of the college and the faculty/staff person with regards to intellectual property rights, copyrights and any other issue deemed relevant to the contract. Contracted resources include the following.

Release time from instructional load, other than sabbaticals

Instructional designers and course development support

Multimedia designers and/or support

Video streaming services

Web page design and web site development

Advanced training in the use of content development applications

High speed Internet access from the home of faculty or staff members

Consulting services from internal or external sources

Section 4. Policy on intellectual property rights and copyrights governing works produced by faculty:

Category I – General Resources Are utilized-

The work resulted from an individual's efforts on his own personal time without any direct support from or through the College and without the use of any College resources beyond those normally provided by the College (see above). Faculty and staff shall retain the intellectual property and copyright rights to any work that that meets the criterion for this category. Cambridge College retains the right to use the course title and number and may assign other faculty members, who develop their own materials, to teach the course.

Example: A faculty member, working on his or her own or with resources not provided by the college, creates a Web-based course which may be a



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course they normally teach or a new course they develop for their department. All of the work is done on the faculty member's own time or as part of their regular responsibility to create courses, but some of the development is done on weekends using the faculty member's office computer. CC - licensed development software that is available throughout the department is also used. The course is mounted on the college's or a commercial server.

Ownership and Compensation: The individual owns all intellectual property rights and copyrights to the materials of the course. The faculty member may receive compensation, from other parties, for the work and retains distribution rights.

Category 2 – Contracted College Resources Are Utilized

Intellectual property developed with the significant use of College resources shall be owned by the College. The individual faculty member who developed such works shall have a non-exclusive license to use such intellectual property at other institutions or agencies provided that said faculty member has obtained the prior written consent of Cambridge College with such consent not to be unreasonably withheld.

Example: A faculty member, at the request of or with agreement from the college, develops a course that will be wholly or partially on-line. The College provides support services from an instructional designer, a multimedia technician, and high speed internet access, from the home of the faculty member, to support the development the development of the course. The faculty member acts as a content expert. The faculty member and the college negotiates a contract for the services of the faculty member

Ownership and Compensation: The individual faculty member retains intellectual property rights to the course and has a non-exclusive right to use course at other institutions or agencies. Cambridge College retains the copyright to the developed resource. The college pays the faculty a fee for his or her work. The college will pay the faculty member an agreed upon royalty fee each time the course is taught by another factuality member of the college or by any agency or institution that has been granted permission, by the college, to use the course materials. The faculty member may teach the course and will be compensated at his or her usual rate. The royalty fee for non-course resources will be developed and agreed to on a case by case bases



Category 3 – Work Made For Hire – College Assigns Duty to Faculty or Staff Member to Develop a Work

A faculty or staff member of the College is contracted to develop a specific product.~ The College provided all resources for the work. The work was

carried out totally as a part of the faculty or staff member's assigned time or in addition to the normal instructional load of the faculty member.

Example: A Program Director assigns a faculty member to develop a course that will be videotaped and broadcast the next year to sites in five school districts as part of a new Master's Program offered by the department. The faculty member is given course releases for the Fall and Spring Semester and is paid a course overload payment. All of the design and production work is done during working hours or at the discretion of the faculty member. The faculty member is assigned any additional resources needed to complete the project. The Academic Technology Department contributes 250 hours in the design and production of the videotapes.

Ownership and Compensation: The College owns all intellectual property rights, the copyrights, and has an exclusive educational and commercial ownership and license authority. The faculty or staff member shall be entitled to royalties of ___% following recovery of all cost of developing said intellectual property.

Last Review: 5/20/05
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