

**PURPOSE: TO DEFINE AND OUTLINE ALL ASPECTS ON INTELLECTUAL PROPERTY RIGHTS.**

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Intellectual property is a critical component of Brenau University's mission for a lifetime of intellectual accomplishment. Intellectual property is defined by Encarta World English Dictionary as "property from original thought protected by law: original creative work manifested in a tangible form that can be legally protected, e.g. by a patent, trademark, or copyright." The following statements apply to faculty, staff and students:

#### A. FACULTY AND/OR STAFF WORK

1. All work created by a faculty member in his or her role is owned by the creator. This includes, but is not limited to syllabi, tests, multi-media presentations, examples, models, artwork, case studies, etc. Work created as part of an online course in the Blackboard site or equal, is dual owned by the University and the author.
2. All work created jointly, whether the collaboration involves faculty and/or staff shall be jointly owned. As such, all parties shall be treated equally with respect to ownership. Issues of first listing shall be negotiated by the owners. Compensation belongs to the creators unless other arrangements are agreed upon in writing and signed by all parties, prior to the start of the project and acceptance of the funding.
3. Faculty or staff members may participate in the creation of work as part of a research grant or other externally funded project. Intellectual property rights will be governed according to the terms and conditions of such grants or contracts, signed by all parties prior to the start of the project and acceptance of the funding.
4. Brenau may commission works, whether as works-for-hire or otherwise; and Brenau may acquire such works from, or develop them in partnership with, individual authors on mutually agreeable terms.
5. Disputes that arise among or between faculty and/or staff members concerning intellectual property rights will be addressed by the University's grievance policy and the process outlined therein.

#### B. STUDENT WORK

1. Work created by students remains the property of the creator. Students working as a member of a team are responsible for negotiating ownership. Faculty members may temporarily retain students' works or request additional copies provided by the students as needed for accreditation purposes.
2. If the work is created as part of a research grant or other faculty and/or staff directed or externally funded project, students will receive credit for co-authorship or otherwise contributing to the project and may be compensated if project funds are available. Faculty and/or staff members retain ownership of all materials, unless other arrangements are agreed upon in writing and signed by all parties, prior to the start of the project and acceptance of the funding.
3. Faculty may share student work for academic purposes. Student names will be removed to protect the student's identity. No additional consent from students is required; this policy serves as notification to students. A student may ask for an exemption from this policy, on a case-by-case basis; such request shall be submitted to the Provost & VPAA who has the sole decision in the matter. Faculty may share student work by posting it on a Brenau website, placing it on reserve in the library, making and distributing copies, etc.

4. Brenau may commission works, whether as works-for-hire or otherwise; and Brenau may acquire such works from, or develop them in partnership with, individual authors on mutually agreeable terms.
5. Disputes that arise among students or between students and faculty and/or staff members concerning intellectual property rights will be addressed by the University's grievance policy and the process outlined there.