

**WALLA WALLA COMMUNITY COLLEGE
INTELLECTUAL PROPERTY AND COPYRIGHT
ADMINISTRATIVE PROCEDURE 6250**

I. INTELLECTUAL PROPERTY

- A. The assignment of intellectual property to the creator or the college will be based on the following two criteria:
1. The creator will own the intellectual property, and any resulting equity for all instructional materials developed above and beyond the contractual agreement if those materials were produced because of normal teaching duties that did not involve significant use of college resources except as provided in a written agreement.
 2. WWCC will claim ownership and equity in any intellectual property when the creator produces it as part of an assigned duty or with the substantial use of college resources, facilities, or funds except as provided in a written agreement.
- B. The determination of ownership and equity are based on the conditions in which intellectual property was developed. The following standards determine ownership and equity.
1. An individual project of the creator(s) with minor use of college resources and not as part of specific assignment or contract, ownership resides with the creator(s) exclusively. Any resulting equity belongs solely to the creator. The creator is responsible for obtaining the appropriate copyright or patent and any related expenses.
 2. An individual project of the creator(s) with substantial use of college resources, ownership resides with the creator(s) after fair compensation to the college for use of college's resources. The creator is responsible for obtaining the appropriate copyright or patent and any related expenses.
 3. As part of a grant or contract funded by an outside agency, ownership and equity will be defined by the terms of the contract or grant. The outside agency is responsible for any expenses related to obtaining a copyright or patent.
 4. If a student produces intellectual property as part of a course making incidental use of college resources, the intellectual property belongs to the creator(s).
- C. The college retains co-ownership of course materials designed with the use of the college course management system. Co-ownership provides the College with the ability to use/reuse all instructional content that does not contain identifiable information of any persons (i.e., recorded lectures or discussions). Use of the material is dependent on the situation – emergency or non-emergency. (Emergency is defined as an unexpected departure after the quarter has started or a late hire to assume course responsibilities. Non-emergency is defined as anything that is not deemed an emergency.)
1. Emergency Situations – permit use of all instructional materials as housed in the Learning Management System (exact course copy or assuming instruction of course shell).
 2. Non-Emergency Situations – permits use of all instructional materials as a model for development of new course shell.

D. The college does not share or own any materials with identifiable information of any persons.

II. COPYRIGHT AND OR PATENTS

A. The ownership of any materials, processes, or inventions developed solely by a creator(s) effort, research, and expense shall vest in the individual. Materials can be copyrighted or patented in their name, if at all.

B. The ownership of materials, processes, or inventions produced solely for the college and at the college's expense shall vest in the college. Materials can be copyrighted or patented in the college's name, if at all.

C. When a creator(s) produces materials, processes, or inventions with college support, such as significant personnel, time, facilities, or other college resources, the ownership of the materials, processes, or inventions shall vest in the creator(s) designated through a written agreement before production. If there is no such written agreement, it shall default to co-ownership (50-50) between the creator(s) and College. Materials can be copyrighted or patented, if at all, in the creator(s) name or college name based on the written agreement.

D. Any and all other copyright laws apply as appropriate.

<p>Policy Contact: <u>Vice President, Instruction</u></p> <p>Approved by (Department/Body): <u>Dr. Chad Hickox, President</u></p> <p>Date Originally Approved: <u>June 21, 2022</u></p> <p>Last Reviewed/Revised on: _____</p>
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