COPYRIGHT

POLICY

It shall be the responsibility of every employee of Sherman College of Chiropractic to comply with copyright law. The Employee Handbook describes copyright definitions, procedures, fair use and how to obtain permission to copyright (pp. 37-38).

Any questions regarding copyright compliance should be directed to the director of learning resources, director of human resources, senior director of the center for innovation in teaching and learning or the provost.

General

Sherman College of Chiropractic owns all domestic and foreign rights in and to any and all inventions and materials made or developed by college personnel, either in the course of employment by the college, or using facilities or funds provided by or through the college. Inventions are considered as having been developed in the course of employment, where conception and/or development derive from the scholarly activities for which the individual is employed.

The rights owned by the college include all economic and property rights, as well as the right to patent inventions and to copyright materials. Net proceeds are shared with the inventor as provided in this document (see Determination of Equities section).

Faculty Publication Rights

Faculty members own all rights to materials prepared on their own initiative for classroom, educational or professional purposes, including all royalties from the publication or distribution of such materials. An example might be a textbook or laboratory manual developed on a faculty member's own time, without the use of college facilities or funds.

The college owns educational materials developed in the course of college employment. In cases where the college has a proprietary interest in such materials, the professional interest of the faculty member and the reputation of the college require that there be adequate mutual control over their use. The extent of such control and mutual rights with respect to the revision, withdrawal, limitation and termination of the use of such materials, are set forth in a separate agreement between the college and the faculty member.

Equities of Participating Parties

It is the policy of Sherman College to encourage and recognize the creative efforts of college personnel and, insofar as the administration of the college deems it consistent with the public interest, to share the financial rewards of such efforts on an equitable basis. This general policy may be rescinded or amended at any time by the college, and it is not intended to and does not create any legally enforceable rights whatsoever for any college personnel with respect to any

present or future invention or written or recorded material. The rights of college personnel in and to any inventions or materials belonging to the college under this policy will be created and exist only through an agreement between the college and the individual(s) concerned.

Determination of Equities
When the equities involve the rights in and inventions and material developed by a faculty member, the Research Committee makes a recommendation to the president who determines:

1. When the rights in and to inventions and materials developed by the faculty member belong to the college under the provisions of this policy;
2. Whether any faculty member is entitled to share in the net proceeds of such inventions and materials and, if so,
3. What the respective equities of the college or the faculty member will be.

When the equities involve the rights in and the inventions and material developed by an employee other than a faculty member (i.e. staff, administration), an executive administrator makes a recommendation to the president who determines:

1. When the rights in and to inventions and materials developed by college personnel (other than faculty members) belong to the college under the provisions of this policy;
2. Whether any college personnel (other than faculty members) are entitled to share in the net proceeds of such inventions and materials and, if so,
3. What the respective equities of the college or the college personnel (other than faculty members) will be.

Notwithstanding any determination by the committee, or any other provisions of this policy, college personnel have no equities or rights whatsoever in inventions and material belonging to the college unless and until a written agreement has been executed by the college and the college personnel consistent with the determination of the president.

Review of Committee Action
The president of the college may review any determination of the Research Committee and does so at the request of any interested person. The president may affirm, modify or reject any determination of the committee. If the committee recommends that, in any particular case, the college should have less than one-half interest in the invention or material, a review by the president of the college is final, conclusive and binding upon the college personnel involved, as well as upon the college.