

**BOARD POLICY SERIES NUMBER: 4030**

**TITLE: COPYRIGHTS, PATENTS, DEVELOPMENT OF INSTRUCTIONAL MATERIALS**

COPYRIGHT

Respect for intellectual labor and creativity is vital to the sound operation of the college. It is the policy of Linn-Benton Community College to adhere to copyright restrictions on published items in all software, electronic, video, audio, print, and yet-to-be developed media. Violations of original integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, are not tolerated.

The college will avail itself of educational discounts, site licenses, or other legitimate advances provided by authorized agents or vendors of copyrighted materials. Administrative rules that govern the use and duplication of copyrighted materials will be reviewed annually for currency with applicable laws and compliance with fair use principles.

ADMINISTRATIVE

The ownership and benefits of copyrights and other rights concerning the development of instructional materials, patents, products, or processes will be governed by an agreement covering the project. This agreement will be written between the college and the individual involved, clearly stating the rights and responsibilities of both parties and the conditions of the agreement.

Materials produced for the college, on the direct assignment of college personnel and with production costs assumed by the college, will become college property. The college will copyright materials at its discretion and will control all rights to the materials, including any uses of materials produced for the interest of others.

When materials are produced under an agreement in which the college undertakes partial support for a project, either in professional time involved or in production costs of the project, all rights in the resulting product will be the colleges' for free use by the college. Rights on any returns that may accrue from uses outside of LBCC will be granted to the college and to the persons creating the products on the basis of percentage share determined by the original investment and reflecting the prorated production effort each party invested in the project. Copyrights will be held by the college for the interests of all those concerned in the agreement.

When materials are produced under an agreement in which the college provides no support but simply acts as the production sponsor, the party for whom the college provides such services will be charged at the going commercial rate for such services in the Mid-Willamette area. The college shall not subsidize private interest production with public funds. All rights in such materials will accrue to the person for whom they are

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produced.

**BARGAINING UNIT EMPLOYEES**

Copyrights, patents, and the development of instructional materials by bargaining unit employees are subject to collective bargaining agreements and shall be governed by the respective agreements; failing such provisions, board policies and administrative rules shall apply.

DATE OF ADOPTION: 05/12/83

DATE(S) OF REVISION(S): 06/17/87; 06/20/90; 03/17/93