

SECTION: General

SUBJECT: COPYRIGHT

Title: Copyright Policy

Background: Rights to copyright of materials created by employees/student

Point of Contact: Academic Affairs

Other LCSC offices directly involved with implementation of this policy, or significantly affected by the policy: Faculty/Staff/Student

Date of approval by LCSC authority: 06/2021

Date of State Board Approval: N/A

Date of Most Recent Review: 6/2021

Summary of Major Changes incorporated in this revision to the policy: Added definition.

1. Definition:

A. Copyright protects the right of authors to control the use of their original works (Title 17, US Code). The copyright owner has the exclusive rights to:

- Reproduce the work;
- Distribute copies for sale, donations, or lend;
- Compose new works derived from the original;
- Publicly perform or display the work.

2. Policy Statement

- A. All employees and students of Lewis-Clark State College retain all rights to copyright materials they create except in the cases of "College-commissioned" materials (see below), materials covered by the terms of a grant or contract, and materials covered by a valid written agreement between the author and the College. Authors retain the rights to works produced while on sabbatical leave and works prepared as part of the author's general obligation to produce scholarly or creative works including but not limited to study guides and similar institutional materials, audiovisual materials, articles, books and musical compositions, works of art, audio and video broadcasts, and copyrightable computer software.
- B. The College reserves the right to copyright College-commissioned materials which are copyrightable in the name of the State of Idaho and to publish such work. College-commissioned materials are considered as "work made for hire" when the author: (a) was specifically directed in writing by Lewis-Clark State College or one of its distinct units to develop the materials as part of his or her regular duties; or (b) receive extra pay or release time from Lewis-Clark State College to produce the College-commissioned materials.

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3. Royalties/Income

Out of the gross receipts from royalties and other income from sale or rental of Lewis-Clark State College-commissioned materials, the College, division, other unit, or Lewis-Clark State College's designated agent may recover reasonable expenses that it incurred in the development, marketing, or dissemination of the materials. Absent a valid written agreement to the contrary, the net proceeds of Lewis-Clark State College-commissioned materials will normally be distributed as set forth below:

<u>Cumulative Net Income</u>	<u>Author</u>	<u>Department</u>	<u>College</u>
First \$10,000	100%	0%	0%
Above \$10,000	50%	25%	25%

Lewis-Clark State College retains a right to royalty-free internal use of materials designated Lewis-Clark State College-commissioned under this policy.