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| Name:       | <b>321.01 Copyrights, Patents, and Royalties Resulting from Instructional Materials Created by Employees and/or Students</b> |
| Effective:  | August 13, 2012  |
| Supersedes: | All previous revisions   |

In accordance with Alabama State Board of Education policy (321.01) and guidelines, CVCC's policy regarding employee or student development of an instructional text or other instructional resource or technology, and such development arises in whole or in part from the use of college resources (including the work time of a college employee or class time of a student), is that the College shall have complete and exclusive ownership of all resulting copyrights and/or patents. If the employee/student develops the textbook, workbook, technology, or other product in part on his/her own time and/or using his/her own resources, then he/she shall be entitled to a designated share of royalties or license fees received by CVCC from such a copyright or patent, provided that before commencing development of the respective product, a contract shall be executed between CVCC and the employee/student by which the employee/student will be authorized to use the resources of CVCC in the product's development. In particular, the contract shall specify:

1. The nature, scope, type, and amount of CVCC resources to be used in the product's development.
2. The proportionate share of royalties or fees which the employee/student shall be eligible to receive and shall further specify the types of documentation to be provided to the College as to college resources used and outside resources used to develop the product.
3. That the portion of any royalties or fees to be received by the employee/student must have a direct relationship to the verifiable amount of his/her personal time, resources, and/or funds that are to be used in the product's development, as compared to the verifiable amount of all time, resources, and funds to be devoted to the development of the product.
4. That any compensation to the employee/student arising from the development of the product must be derived directly from proceeds resulting from the publication, manufacture, sale, lease, or distribution of the products, and not from any State or Federal funds.
5. That the contract does not provide an exemption from, and does not imply compliance with, the Alabama Ethics Law, and that the contract shall be subject to the scrutiny of the Alabama Ethics Commission, which shall be provided with a copy of the

contract.

6. That before payment of compensation to a college employee/student under a contract of the type described above, such payment must be approved in writing by the Chancellor.

Any CVCC employee interested in entering into an agreement with CVCC for the development of an instructional product subject to this policy shall begin the process by submitting to the VP /Dean of the College a written proposal which describes in detail the proposed product, and which contains a list of all anticipated college resources needed for the development of the product as well as all resources to be provided by the employee/student or any other person or source other than the College.

301.00 Section 6: Campus Workroom Services and Procedures, pages 16-19

[Return to Table of Contents](#)