



Intellectual Property Policy

Applies to (check all that apply):

Faculty Staff Students

Division/Department College All Members of the Public

Topic/Issue:

Intellectual property ownership.

Policy Statement:

Baltimore City Community College (BCCC) encourages the creation of new knowledge by faculty, staff and students and encourages the development and dissemination of intellectual property. Intellectual property is the scholarship and creative work developed by a student, faculty or staff member, which is embodied in a tangible medium and thus can be copyrighted or patented. Ownership in such property will be determined as follows:

The College affirms the traditional academic expectation that all faculty (including full-time, part-time, adjunct, and emeritus faculty and clinical staff) create instructional materials and scholarly works (including, but not limited to, course outlines, syllabi, lecture notes, other course materials, websites, course materials used to effectuate distance learning, scholarly articles, textbooks, creative works, and unpublished research results) by their own initiative with the aid of standard and customary College resources.

The creator of intellectual property shall be the owner of the property unless:

- The creator is commissioned or otherwise given responsibility by the college to create the property, in which event the college shall own the property.
- The creation, development, or production of the property is funded through the College by gifts or grants, in which event the College shall own the property. Any revenues received from the licensing of an invention, funded by a Federal grant, shall be distributed pursuant to an agreement with the inventor in accordance with Federal law.
- A written agreement exists between the creator and the College establishing the ownership of the property.

If there is a dispute, the president or the president’s designee will be the final decision maker.

The College may share financial rewards with the creator through an agreement of joint intellectual property ownership. An agreement for the distribution of financial rewards should reflect, as closely as possible, the proportionate creative contributions of the creator and the College's resources in developing the intellectual property and the financial risks assumed by both the creator of the intellectual property and the College in the development of the intellectual property.

College resources include personnel, physical property and equipment, facilities, time, compensation, funding, technical, and other forms of support.

Intellectual Property Produced by Baltimore City Community College Students

All intellectual property created by a student as part of a credit or noncredit class, or in any other BCCC-related capacity, remains the property of the student, if the following conditions are met:

- College resources used in the creation of the property are provided to all students registered in the course or involved in the BCCC-related club or activity or are not substantial.
- The student is not being paid by the College through internal funds, grant funds, or College contract with a third-party sponsor.

Students will not be required to participate in assignments or activities that require them to assign the ownership of their intellectual property to the college.

The college owns and is entitled to any financial rewards from any intellectual property created by students with the use of substantial college resources. Substantial use of college resources means that the college has provided support with resources of a degree or nature not routinely made available to all students, either in the form of funding, the use of facilities, or the involvement of staff.

However, where intellectual property is only in part created by students with the use of substantial college resources, the College may share these financial rewards with the creator through an agreement of joint intellectual property ownership. An agreement for the distribution of financial rewards should reflect, as closely as possible, the proportionate creative contributions of the creator and the college's resources in developing the intellectual property and the financial risks assumed by both the creator of the intellectual property and the College in the development of the intellectual property.

Implementation Date: Upon Board Approval

Approved by Board of Trustees: November 15, 2023