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| POLICY:<br><br><b>Intellectual Property Policy</b> |   | POLICY NUMBER:<br><b>AC-012-A1</b>                   |
|  |   | PREVIOUS/REPLACES:<br><b>Reviewed March 16, 2022</b> |
| APPROVED BY:<br><b>Academic Council</b>            | EFFECTIVE DATE AS OF:<br><b>April 1, 2022</b> | PRIOR VERSIONS:<br><b>November 1, 2021</b>           |

## 1. Policy Statement

These guidelines relate to the use of intellectual property (IP) owned by others as well as the generation of IP by staff, faculty, and students.

## 2. Scope

This policy applies to all students, faculty, and staff.

## 3. Policy Content

### 1. Definitions

- a. **Intellectual Property** – According to the Government of Canada, Intellectual property is a phrase used to define “a concept in which tangible expressions of intellectual/creative pursuits — such as inventions, designs, creative works, etc.” This definition covers materials created at Herzing College by students, staff, and faculty.
2. Original intellectual property created by students will remain their property.
  - a. Students must reference and, if applicable, obtain permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs, and images.
  - b. Students must report all claims of intellectual property infringement, or unauthorized use of intellectual property, of which they become aware and disclosing this information to the student's direct faculty member or supervisor.
3. Faculty who create original intellectual property will retain the rights other than when specifically compensated to do so or such intellectual property creation is a part of their job description. Intellectual property created by all other staff (non-academic) will become the property of the college if the intellectual property was created as part of, or related to, their function and duties at the college.
  - a. Faculty engaged specifically in course content development must negotiate an agreement regarding ownership and compensation separately from their employment as faculty.
4. If a student is an employee of the institution, the employment contract will specify ownership of all IP generated in the course of their employment.

5. In relation to work completed jointly by a student and an employee of the college, specific ownership will be determined by the amount of substantive work applied to the project.

## 4. Administration

The Campus President and the Academic Dean will oversee the administration and enforcement of this policy.

## 5. Review

This policy will be reviewed as required by the Academic Council in 2025.

## 6. Reference

Definition of Intellectual Property - <https://www.canada.ca/en/heritage-information-network/services/intellectual-property-copyright/guide-developing-intellectual-property-policies/what-intellectual-property.html>