

SECTION: General

SUBJECT: COPYRIGHT

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**Title: Copyright Policy**

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

**Point of Contact:** Provost

**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:** 2/1987

**Date of State Board Approval:** N/A

**Date of Most Recent Review:** 6/2015

**Summary of Major Changes incorporated in this revision to the policy:** No Changes

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**1. 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 will retain the rights to works produced under grants. 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.

**2. 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

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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.