

part-time students:

Ownership of any intellectual property created by a student enrolled at the College such as written compositions, musical scores, sculptures, paintings, photographs, films, audio or video recordings, and computer software, shall be vested in the student unless the student has created this intellectual property in the course of employment by the College. Students who are employed by the College (e.g., tutors, Work Study students) are subject to the employee policy noted above.

When a student submits work as a course requirement, the College is granted a perpetual, royalty-free license by the submitting student to make copies of the work and to distribute copies to faculty, staff, or students for administrative and educational purposes.

The College and its students recognize that some intellectual property may arise or be developed by students from interaction with the instructor and other students. Under those circumstances, the intellectual property may not be the exclusive property of the student.

When a student's work has been accepted for publication by a journal or a publisher, absent an agreement to the contrary, the work becomes the property of the publisher.

#### **Resolution of Disputes**

In cases where ownership of intellectual property is uncertain, the President will establish an ad hoc committee to review the details of the case and make a final determination regarding rights to the material.

### **LBWCC Copyrighted Materials and Higher Education Opportunity Act**

## **Copyright Compliance Information**

Lurleen B. Wallace Community College respects the intellectual property rights of others seriously and expects students, faculty, and staff to do so as well. It is the responsibility of all members of the Lurleen B. Wallace Community College to make a good faith determination that their use of copyrighted materials complies with the **United States Copyright Law**.

Proper use of copyright materials also extends to electronic resources available on the Internet. Anyone using LBWCC computing and network resources consents to the IT Acceptable Use Policy. The policy outlines the responsible use of all LBWCC computing and network resources. It states users are expected to abide by guidelines, including “respecting the public trust through which they have been provided, the rights and privacy of others, the integrity of the facilities, and pertinent laws, college policies and standards and to limit their use of information resources to the educational purposes and legitimate business of the College.” Making unauthorized copies of licensed software or copyrighted material is prohibited. Persons who violate the IT Acceptable Use Policy, as well as other policies regarding the use of copyrighted materials, may be subject to suspension or revocation of utilization privileges, administrative discipline, or immediate termination/dismissal of the violator’s relationship with Lurleen B. Wallace Community College, and could lead to criminal and civil prosecution.

#### **Penalties for Copyright Violations**

Under federal law, a person found to have infringed upon a copyrighted work may be liable for actual damages and lost profits attributable to the infringement and statutory

damages from \$200 up to \$150,000. The copyright owner also has the right to permanently enjoin an infringer from further infringing activities and the infringing copies and equipment used in the infringement can be impounded and destroyed. If a copyright owner hired an attorney to enforce his or her rights, the infringer of a work may also be liable for the attorney's fees as well as court costs. Finally, criminal penalties may also be assessed against the infringer and could include jail time depending upon the nature of the violation. Students are also responsible for observing the policies, rules, and regulations of Lurleen B. Wallace Community College. Failure to show respect for duly established laws or regulations will be handled by the Dean of Student Affairs in accordance with the Student Code of Conduct.

### **System Administrators Responsibilities**

Systems administrators and providers of college information technology resources have the additional responsibility of ensuring the integrity, confidentiality, and availability of the resources they are managing. Persons in these positions are granted significant trust to use their privileges appropriately for their intended purpose and only when required to maintain the system. Any private information seen in carrying out these duties must be treated in the strictest confidence unless it relates to a violation of the security of the system.

Although information technology providers throughout the College are responsible for preserving the integrity and security of resources, security sometimes can be breached through actions beyond their control. Users are urged to take appropriate precautions such as safeguarding their account and password and promptly reporting any misuse or violations of the policy.

## **Live Work Policy**

Live Work is work performed by students in the technical program shop or laboratory area, relative to that specific technical program, for individuals or other entities upon request and for which fees are charged. Live work projects include service, repair, or production and are usually done on the college campus. Approved work project, however, may be performed at a job location.

Live work is performed as specific projects for individuals and organizations. The scope and extent of each project must be well defined before acceptance. Live work projects can be conducted for the following:

1. Employees and students of the College
2. Tax-supported programs and institutions
3. Charitable organizations that are supported by donations
4. State employees
5. Persons directly connected with education

Charges for live work include the costs of parts and materials plus twenty (20) percent and sales tax. All charges must be paid to the Business Office and a receipt for payment is issued. Before an item can be removed from campus, this receipt must be presented to the instructor of the department that completed the work. The person, who signs the work order, whether for himself or herself, an institution, or an organization, is responsible for all costs involved.

To avoid competition with private enterprise, live work is restricted as follows:

1. Live work is done only when it is essential to training and necessary for the acquisition of occupational skills leading to employment.