VI.COMMUNITY STANDARDS AND POLICIES: M. COPYRIGHT POLICY

Under United States Copyright Law (17 U.S.C. Section 101ff.), work prepared by employees within the scope of their employment is presumed to belong to the employer. For faculty members, this means that work of scholarship (e.g., books, paintings, scientific processes) that are produced by them—from the standpoint of federal law—are presumed to belong to the University unless the applicable parties have agreed otherwise.

Although federal law gives Denison this presumption of ownership, the University does not view this as in any way limiting faculty members' opportunities and rights to publish or exhibit their work wherever they choose or to receive compensation for the sale, performance, etc., of their work.

As a result, it is the stance of the University that ownership for all works created prior to, during, and after the 1989-90 academic year is transferred from Denison to the individual faculty member, along with all the responsibilities related to ownership (including but not limited to care, custody, and control).

It should be noted that because these works are no longer the property of the University, they are not covered by University insurance. Consequently, faculty members need to review their own insurance policies for such coverage.

Exceptions to the above would be activities beyond the scope of general scholarship where the use of University facilities and resources is significant in the development of the work produced (or is on-going in nature) and for which private gain (e.g., compensation) from such is anticipated. These activities could adversely affect the University's tax-exempt status, and, as such, should be discussed in advance with the Provost on an individual basis.