

Intellectual Property, Copyright and Confidentiality of Records

Ownership and Royalty Rights

Capital University encourages its faculty, staff, and students to pursue scholarly publications and creative opportunities. The University does not seek rights in the scholarly output of its faculty. Employees and students retain copyright ownership and royalty rights and patent rights in books, software, and other products or works produced by them unless the work is a “work made for hire” as defined in the federal Copyright Act of 1976:

- A work prepared by an employee within the scope of his or her employment.
- A work specifically ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire.

Students and faculty members engaged in collaborative work are encouraged to make clear their intentions about ownership of the work in writing at the outset of the project, or as soon thereafter as possible.

Copyright and “Fair Use”

Capital University does not condone, authorize, or assist any infringement of copyright by faculty, staff, or students. It is the responsibility of the individual faculty, staff, and student to be informed about copyright law and permissible “fair use” of copyrighted works. Information regarding generally accepted guidelines and practice in higher education may be secured from University librarians, but the provision of such information shall not be, nor be construed to be, an authorization by the University of any particular use as a “fair use” under copyright law.

Confidentiality of Files and Computer Records

Capital University respects the confidentiality of student, employee, and other records as required by federal and state law. It shall be a violation of University policy for any person with authorized access to University information, files, and/or computer records to duplicate, alter, use, or disclose such information, files, or records without proper authorization by the person’s supervisor. It shall be a violation of University policy, as well as federal and state law, to gain or attempt to gain unauthorized access to records on University computers and University files.