

<b>Applies to:</b>  All faculty, staff, students, visiting scholars, and affiliates involved in University activities	<b>Original Policy Date:</b>	<b>Date of Last Review:</b>  (Last revision or review date)	<b>Approved By:</b>
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## Copyright Policy

**Policy Owner: Office of the Provost**

### Policy Purpose

Florida Institute of Technology (the University) promotes scholarship, creativity, and innovation while ensuring fair recognition and reward for creators. This Copyright Policy defines ownership of copyrightable works created at the University and clarifies the rights and responsibilities of both creator and the University in support of academic freedom and the University's mission. The Policy also defines the ownership rights of research data collected or generated as part of projects conducted under university auspices.

### Policy Scope

This Policy applies to faculty, staff, students, contractors, and affiliates who create copyrightable works through their employment, enrollment, or engagement with the University. It covers works made using the University's resources, facilities, or funding, as well as those created for university-sponsored activities, research, or instruction.

### Definitions

- **Administrative Works** - Includes, but is not limited to, documents and materials created in the course of managing, supporting, or governing institutional operations. This encompasses, but is not limited to, policy documents, internal reports, strategic plans, academic catalog, faculty handbook, accreditation documents, and research conducted by university staff as part of their employment or administrative duties.
- **Copyright** – The legal rights granted to creators of original works, including reproduction, distribution, and adaptation.
- **Copyrightable Work** – Any original work of authorship fixed in a tangible (physical or digital) medium, for example Traditional Academic Works, Administrative Works.
- **Creator / Author** – The individual(s) who produce the copyrightable work.

- **Derivative Works** - A new work based on or adapted from an existing work.
- **Research Data** - All information collected and/or generated in the course of a research project conducted at the University, under the auspices of the University, or with university resources.
- **Scholarship Repository:** Florida Tech's official open access repository for theses and dissertations.
- **Substantial (or Significant) Use of University Resources:** Non-routine, material support beyond ordinary office/library/computing access. Examples: dedicated lab time, faculty, employees or University affiliates, major specialized equipment, university seed funding explicitly applied to the work, or custodial or administrative support provided at above-normal levels. (Ordinary use, such as an office, routine library support, or general campus network, does not by itself constitute substantial use.)
- **Traditional Academic Works** – Includes, but is not limited to, scholarly articles, books, lecture notes, instructional materials, syllabi, and artistic works.

## Procedures/Guidelines

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### Ownership of Copyrightable Works & Research Data

The University does not claim ownership of Traditional Academic Works unless created under a sponsored agreement; or contract, including, but not limited to, course development contracts, work-for-hire contracts; or as otherwise provided below.

The University shall retain a non-exclusive, royalty-free license to use, reproduce, distribute, display, and create derivative works of course materials created by faculty including, but not limited to, syllabi, lecture notes, course outlines, reading lists, handouts, exercises, presentations, examination questions and answers. For the continuity of instruction only, this license shall exist for courses taught within the prior two (2) year period and shall be valid for one (1) full academic semester following the faculty member's departure from university employment. Following this licensing period, materials are archived in accordance with university standard practices.

Works created as part of an externally funded project or grant will be governed by the terms of the agreement amongst the parties. In the absence of terms concerning ownership rights, the University shall own copyrightable works consistent with this Policy.

The University retains ownership of Administrative Works. If a project is clearly identified with the University, such as a departmental publication or curriculum development, the University will retain ownership of the resulting materials. Examples include, but are not limited to, departmental reports or research outputs from university-managed projects.

### Student Work

University students who prepare scholarly or artistic works retain copyright ownership of such material, unless the work: (a) was created in the scope of the student's employment with the

University; (b) involved Substantial Use of University Resources; (c) pursuant to a written contract; or (d) was created under a separate agreement that specifies a different copyright owner. The University retains a non-exclusive license for educational and research use while the student is enrolled. This license ends upon graduation or withdrawal.

Copyright ownership of dissertations and theses authored by students remains with the students. Submission of dissertations and theses to the Scholarship Repository under the [Open Access for Theses and Dissertations Policy](#) grants the University a non-exclusive license to provide permanent and open access, subject to any approved embargo period or confidentiality restrictions.

## **Research Data**

The University asserts ownership over all original research data collected or generated as part of projects conducted at the University, under the University's auspices, including those funded by external sponsors, or with university resources, unless otherwise provided in the terms of a contract or sponsor agreement. This ensures compliance with legal, ethical, and contractual obligations.

Principal Investigators (PI) and student creators are responsible for managing and retaining research data and shall adopt procedures for the protection of essential records. Where necessary to assure appropriate access, the University has the option to take custody of the data in a manner specified by the Provost and/or Dean of the PI's college.

For sponsored research, when researchers leave the University, the ownership of the original data shall remain with Florida Tech, unless otherwise provided in a sponsored agreement or contract. If a PI leaves Florida Tech, and the project moves to another institution, the data ownership may be transferred to the new institution only with prior approval from the Provost, with recommendation from the PI's Dean at Florida Tech. The new institution must provide written agreement guaranteeing Florida Tech access to the data if needed. The University may grant a limited, non-exclusive license to use the data they worked on, subject to confidentiality and contractual restrictions.

A summary of ownership rights of copyrightable work can be found below in Table 1.

## **Retention of Copyrightable Works & Research Data**

The University retains copies of certain copyrightable works for compliance, accreditation, and archival purposes. Course materials shall be retained for a minimum of three (3) years after their last active use or as required by applicable accreditation standards or applicable regulation. Works associated with sponsored projects shall follow sponsor retention requirements. Archival copies of theses and dissertations are retained permanently in the Scholarship Repository. Retention does not affect copyright ownership rights as defined in this Policy.

Research data must be kept for at least three (3) years after the project ends or, for sponsored projects, three (3) years after the final financial report is submitted. Longer retention may be required in certain cases, such as protecting intellectual property, resolving audits or legal disputes,

addressing research misconduct, meeting sponsor or regulatory requirements, or when students are involved until their degree is awarded and related publications are complete. Human subject research must follow the University's [Human Subjects Regulation](#), [Animal Care and Use Regulations](#), and the University's record retention policies. Any contract terms or applicable regulations that require longer retention will take precedence of this Policy.

## Consulting and Conflicts of Interest

Creator(s) who is engaged in consulting work with third parties must ensure his/her consulting agreements are consistent with the University's Conflict of Interest Policy. Prior to beginning outside consulting activities, Creator shall inform the party for whom the consulting activities are to be performed of this Copyright Policy, and the Creator's obligations under this Policy.

## Appeals & Dispute Resolution

Disputes concerning ownership rights of copyrightable works shall be determined by the Office of the Provost, in collaboration with General Counsel.

At no time shall the Creator(s) commit any act that would tend to reduce or defeat the University's interest in copyrightable works. The Creator(s) shall take all necessary and reasonable steps to protect the University's interest in copyrightable works.

## Survival of Rights

All rights granted to the University under this Policy shall survive any termination of employment or end of enrollment.

This Policy is not intended to change or affect the rights provided in the University's Intellectual Property & Patent Policy (IP Policy). If an inconsistency exists between the University's IP and Copyright policies over a particular work, the ownership principles of the Intellectual Property Policy prevail.

**Table 1**

Category	Default Copyright Owner	Exceptions / When University May Own
<b>Traditional Academic Works</b> (scholarly articles, books, lecture notes, syllabi, teaching materials, artistic works)	<b>Faculty/ Affiliates</b>	University may own only if: (1) explicit written assignment to university, (2) created under special contract or sponsored agreement, or (3) university-created digital courseware under specific agreements.  University retains a non-exclusive license to use, reproduce, distribute, display, and create derivative works of course materials for continuity of instruction as outlined above.
<b>Administrative Work</b> (policy documents,	<b>University</b>	Administrative writing is considered institutional output

internal reports, strategic plans, staff research projects)		
<b>University-Sponsored Research Outputs</b> (data, inventions)	<b>University</b>	Faculty granted a limited, non-exclusive license to use the data they worked on, subject to confidentiality and contractual restrictions. Faculty retains ownership of Traditional Academic Works unless assigned
<b>Third-Party Sponsored Research Outputs</b>	<b>University, Sponsor, or Faculty/Staff</b>	Depends on contractual agreements
<b>Students Works</b> (Coursework; Papers; Projects; or Creative Works – art, music, software, media)	<b>Student</b>	University may own only if the work: (a) was created in the scope of the student’s employment with the University; (b) involved the use of Substantial University Resources; (c) pursuant to a written contract; or (d) was created under a separate agreement that specifies a different copyright owner. University receives non-exclusive license for archiving, accreditation, and plagiarism prevention.
<b>Students – Theses and Dissertations</b>	<b>Student</b>	University retains a non-exclusive license to provide permanent and open access, subject to any approved embargo period or confidentiality restrictions.
<b>Research Data</b>	<b>University</b>	Limited license granted for departing researchers

## Compliance Reference

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1976 Copyright Act

[Conflict of Interest Policy](#)

[Open Access for Theses and Dissertations Policy](#)

[Human Subjects Regulation](#)

[Animal Care and Use Regulations](#)

## Responsibilities

Creators shall disclose copyrightable works that may be owned by the University under this Policy to the Office of the Provost. Creators shall ensure compliance with university policies when creating works, and manage research data responsibility, following retention and confidentiality requirements.

The Office of the Provost shall oversee implementation and interpretation of this Policy.

## Enforcement

Failure to comply with this Policy may result in disciplinary action up to and including termination or academic sanctions. Violations involving research data or sponsored projects may trigger

additional actions under federal regulations, sponsor agreements, and university compliance policies.