

OWNERSHIP OF STUDENT-PRODUCED WORK

Section:	Academic/Student (AC)
Subject:	Student Performance and Behaviour
Legislation:	
Effective:	May 30, 1995
Revision:	August 1, 2003 (reformatted); June 4, 2007; November 27, 2012; September 1, 2016 (reformatted)

APPROVED: _____**President and CEO****POLICY**

The policy of the Board of Governors is to encourage SAIT students' innovative and entrepreneurial endeavours and to recognize a student's intellectual property rights in the work that the student creates, while at the same time recognizing SAIT's right in certain situations to retain physical possession of a student's work.

PROCEDURE**GOVERNING PRINCIPLES**

1. The Applied Research and Innovation Services department (ARIS) will assist students with intellectual property issues and serve as a resource centre for intellectual property and nondisclosure agreements. A copy of any agreement dealing with intellectual property must be filed with ARIS.
2. This policy and procedure do not apply to:
 - a) Students' examinations: refer to procedure [AC.3.3.3 Retention of Examinations](#).
 - b) Administrative forms that SAIT requires a student to sign.
 - c) Situations in which a student enters into a contractual relationship with industry or SAIT for the purpose of a workplace experiential learning placement, project or other

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activity that falls within the student's course or program of study. Refer to procedure [AC.2.11.1 Intellectual Property](#) in those situations.

PROCEDURE

A. Relationship Between Students and SAIT

1. The student holds title to and all the intellectual property rights in any original work that the student submits or creates as part of course work at SAIT.
2. Instructors must return a student's work to the student no later than the last class period of the term, unless otherwise specified by written school/department guidelines or course outlines.
3. Where appropriate, SAIT may retain physical possession of the student's original work. This includes but is not limited to situations in which SAIT has invested a significant amount of resources in the student's creation of that work, and situations where legislative regulations require SAIT to retain that work. Use of SAIT office space, library facilities and ordinary access to computers and networks are not regarded as significant. SAIT must clearly specify its intent to retain the student's original work on the course outline for the course in which the work was created or submitted.
4. Where SAIT retains physical possession of a student's work and where it is technically feasible to produce a copy of that work, as determined by the relevant SAIT school/department, the student can purchase at cost a single copy of that work, in a format that SAIT determines.
5. SAIT shall retain possession of student work in situations where the student is alleged to have breached procedure [AC.3.4.1 Student Code of Conduct](#) and where the work is relevant to that allegation. If the allegation of student misconduct proves to be unfounded, SAIT will return possession of the work to the student, in accordance with paragraphs A.2, A.3, and A.4 of this procedure.
6. A SAIT instructor who wishes to make use of a student's work must first obtain a signed release from the student, in the form attached as Schedule A, an Associated Document to this procedure. This may include but is not limited to situations where the instructor wishes to publicly display a student's work for SAIT's instructional use, make additional copies of a student's work, show a student's work to other students, use a student's work for the instructor's research purposes, or electronically post a

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student's work for SAIT's instructional use. ARIS will keep originally signed release forms.

B. Relationship Between Students, SAIT and Third-Party Clients

1. If a third-party client of SAIT is interested in works resulting from a project, student participation in that project may be made contingent upon the student signing a release and waiver of intellectual rights in the project work to SAIT. SAIT may, in turn, license or transfer and assign its intellectual property rights in and/or physical possession of the work or project materials to the third-party client under the terms of a project agreement or contract. See procedure [AC.2.11.2 Revenue Sharing and Commercialization](#) in those situations.
2. Works and related intellectual property that belong to the third-party client, and that are made known to SAIT and/or students for the purpose of conducting a project, remain the exclusive property of the third-party client. Students should not divulge or distribute such works without the third-party client's prior written consent.

C. Commercialization of Innovative Student Works

1. SAIT encourages its students to undertake innovative and entrepreneurial endeavours. Students are encouraged to contact ARIS for support pertaining to intellectual property rights, commercialization, contract negotiations and related issues regarding their original works.
2. A SAIT student who has ownership interests in a work or invention may choose to commercialize the related intellectual property interests without SAIT's involvement.
3. When two or more students have jointly created or submitted original work as part of their SAIT course work, SAIT encourages the students to discuss and determine between or among themselves the way in which intellectual property issues will be handled. If commercialization of the work may be involved, a written agreement among or between them may be appropriate. In determining the applicable arrangements, the students should consider this procedure and any other relevant SAIT policies/procedures, including those dealing with conflicts of interest, integrity in scholarly activity and professional ethics.

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ASSOCIATED DOCUMENTS

Schedule A Ownership of Student-Produced Work Release and Consent

POLICY/PROCEDURE REFERENCE

AC.3.10 Ownership of Student-Produced Work policy

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PROCEDURE