

Policy Title: Intellectual Property and Copyrights Policy
Policy Number: ACA.200.14
Policy Owner: Provost and Vice President for Academic Affairs
Responsible Office: Provost's Office
Revision Date: 06/03/2025



1. Purpose and Scope

This policy establishes the framework for the creation, use, ownership, and protection of intellectual property and copyrighted material at North American University (NAU). The policy supports an environment that encourages innovation, academic integrity, and legal compliance in alignment with U.S. Copyright Law, the Digital Millennium Copyright Act (DMCA), the Higher Education Opportunity Act (HEOA), and recent updates under the CASE Act of 2020.

This policy applies to all members of the university community, including students, faculty, staff, and affiliates who create, access, or use intellectual property or copyrighted content in connection with NAU activities.

2. Policy

A. Ownership of Intellectual Property

NAU retains ownership of intellectual property in the following circumstances:

- Materials created/uploaded by NAU faculty or staff in the scope of employment.
- Works developed using substantial university resources (e.g., facilities, technology, financial support).
- Works produced through externally funded projects administered by the university.
- Student works submitted for academic purposes (e.g., assignments, projects, papers, videos).
- Instructional content including syllabi, recordings, lecture notes, assignments, and course shells.

Faculty and staff may not use NAU course shells or distribute instructional content externally without prior written approval from the Provost.

B. Use of Copyrighted Materials

Course instructors and employees are expected to comply with federal copyright laws, ensuring that:

- Proper attribution and copyright notices are provided for all third-party content.
- No materials are copied, uploaded, or distributed without permission unless permitted by fair use or license.

- Use of publisher-provided resources (slides, assessments, media) must adhere to licensing agreements.

A copyright notice must be affixed to original NAU works where appropriate and include:

- The word “Copyright”, or symbol ©
- The year of publication
- The author’s or owner’s name

C. Unauthorized Use and File Sharing

NAU strictly prohibits the unauthorized distribution of copyrighted content, including:

- Illegal downloading or uploading via peer-to-peer (P2P) networks
- Sharing course materials without permission
- Copying textbooks, videos, software, or other media in violation of licensing

Violations may result in university disciplinary action, civil litigation, or federal prosecution.

Federal Civil and Criminal Penalties include:

- Statutory damages of \$750 - \$30,000 per work infringed
- Up to \$150,000 per work for willful infringement
- Attorney fees and court costs
- Criminal penalties: fines up to \$250,000 and imprisonment up to 5 years

For details, see: <https://www.copyright.gov>

D. Legal Alternatives for Content Access

To support compliance, NAU encourages use of legal content sources such as:

- Institutional library databases and Open Educational Resources (OER) repositories
- Licensed platforms (e.g., JSTOR, Kanopy, LinkedIn Learning)
- Commercial services (e.g., Netflix, Amazon Music, iTunes)

A full list of legal alternatives is available at <https://www.na.edu/copyright>

E. Copyright Disputes

Questions or disputes regarding ownership or use of intellectual property will be reviewed and resolved by the Provost or designee.

3. Who Should Read This Policy

- Students
- Faculty
- Staff
- Academic Program Chairs
- Course Designers and LMS Support Staff

4. Related Documents and References

- [Academic Catalog](#)
- [Faculty Handbook](#)
- [NAU Student Code of Conduct](#)
- [Higher Education Opportunity Act \(HEOA\), 2008](#)
- [CASE Act of 2020](#)
- [DMCA, Title 17 U.S.C.](#)

5. History

- Revision Date: 09/05/2017
- Revision Date: 10/01/2018
- Revision Date: 04/28/2020
- Revision Date: 06/03/2025

6. Policy Approval

_____	06/03/2025
Revision Editor	Date
_____	06/03/2025
Assoc. Dean of Institutional Effectiveness & Planning	Date
_____	06/03/2025
Vice President for Academic Affairs, Provost	Date