

**AUSTIN
PEAY**
STATE UNIVERSITY

A.P.S.U.

MAY 03 2005

MEMORANDUM

TO: Dr. Hoppe, President

FROM: Lori Buchanan, Chair *LB*
Intellectual Property & Rights Committee

DATE: May 3, 2005

SUBJECT: Intellectual Property Disclosure (Dr. Carlette Hardin)

OFFICE OF THE
PRESIDENT

The Intellectual Property & Rights Committee reviewed Dr. Carlette Hardin's disclosure of her Scarecrow Education faculty development text. In accordance with APSU Policy 5:019 and TBR Policy 5:01:06:00, the Committee recommends to you that Austin Peay State University seek no claim on this work.

Approved
Stymer 5/3/05

CS Hardin
Buchanan
File

Copies
Sent
5/4/05
me

OFFICE OF THE
PRESIDENT

APR 19 2005

Memorandum

A.P.S.U.

To: Dr. Sherry Hoppe, President
From: Dr. Carlette Hardin *CH*
RE: Disclosure of copyrightable work
Date: April 4, 2005

I have recently signed contracts to write a faculty development text with Scarecrow Education. As we reviewed the TBR and APSU's policies on Patents and Copyrights, I have determined that my work should be excluded as University property because:

1. the text will not be developed within our scope of employment with the University.
2. the text will not be developed in course of a project sponsored by the University.
3. the text will not be developed with the significant use of the Institution's facilities, services, or equipment.
4. the work will not be developed in the course of a project arranged, administered or controlled by the Institution.

Therefore, I am requesting release from any obligation to Austin Peay State University concerning this work. I have attached the Tennessee Board of Regent's Copyrightable Work Disclosure Form as required by Policy 5:01:06:00.

Tennessee Board of Regents

COPYRIGHTABLE WORK DISCLOSURE FORM

Attach additional sheets as needed.

1. Title of the Work:

180 Days to Better Classroom Management

2. Author information:

Name: Dr. Carlette Hardin

Position: Professor

Department: Education

E-mail: Hardinc@apsu.edu

Phone: 221-7593

Nature of Contribution: Author of the work

3. Funding

The author has received no funding for this textbook. I am under contract with Scarecrow Education to complete the text, but no advance funding has been provided.

Please indicate any source of funding associated with the research leading to the work:

Federal Government

External, other than Federal Government

Internal

None

If the work was created wholly or in part as a result of external funding, please provide the following information:

Sponsoring Agency: _____

Contract or Grant Number: _____

Please attach a copy of the contract associated with the external funding.

4. Other support

For each of the inventors, were you specifically assigned to work on the invention by your supervisor? Did you work on development of the invention during your normal work hours?

No. Work on this project will be completed consistent with TBR policy on intellectual property (5:01:06:00) and APSU policy on Patents and Copyrights (5:01). I will be working on this project on my own time.

Has the Institution provided support to the development of the invention by providing resources, materials or access to facilities and equipment? If yes, please describe.

Both TBR and APSU policy indicates that an individual may not make "significant use" of university resources in the completion of this project. This is defined in APSU policy as cost to the University not to exceed \$1000 in "constant 1982 dollars." It is defined in TBR policy as costs not to exceed \$2500 in "constant 2001 dollars." Accordingly to TBR policy, "personal office space, libraries, and the inventor or author's personal computer provided by the Institution...." are excluded from the "significant use" definition. On this matter, APSU policy states, "in determining the cost to the University customary, ordinary, and necessary expenses relative to the University member's assignment (office and/or laboratory space, utilities, secretarial services, incidental use of equipment, etc) and any portion of the University member's salary will be excluded when determining "significant use."

TBR policy states "Intellectual property developed outside an employee's scope of employment, on the employee's own time and without the use of significant Institutional resources shall be the sole and exclusive property of the Inventor or Author." This work is completed outside the scope of our employment with Austin Peay; I will complete the work on my time; and I will not use "significant institutional resources as defined by APSU/TBR policy.

5. Description of the Work

Briefly summarize the nature of the Work. Describe any commercial potential you see for the Work.

This text is a faculty development text to be used by teachers wishing to improve their classroom management.

6. Potential Licensees

Please list any companies, and contacts within those companies, if known, which you believe might be interested in licensing this work:

None

Author 1 Signature and date



Printed Name

Corlette J. Herbig

I have reviewed and concur with the information contained in the statement.



Department Chairman Signature and Date 9/7/05




Dean of Author's School Signature and Date

**ALL INFORMATION CONTAINED HEREIN IS CONSIDERED CONFIDENTIAL INFORMATION
OF THE TENNESSEE BOARD OF REGENTS.**

Standing Committee Annual Report

Name of Committee or Council: Intellectual Property & Rights Committee

Chair: Lori Buchanan,  Professor of Library Administration

Meeting Dates in Current Year: see below

Major Actions or Accomplishments: One disclosure was forwarded to the Committee for review. Committee Members were asked to review the disclosure, which was placed on Library Reserve between April 21-27, 2005, and let the Committee Chair know their opinions regarding the disclosure (see attached email).

Buchanan, Lori Elizabeth

From: Buchanan, Lori Elizabeth
Sent: Thursday, April 21, 2005 8:49 AM
To: Camilleri, Phyllis A; Jackson, Richard; Meadows, Tommy; Prather, Yvonne R; Wilson, Steve
Subject: Intellectual Property & Rights Committee Work
Importance: High

Committee Members,

Yesterday I received one disclosure for our review (please see our committee charge at the bottom of this email). I want to complete our review by the middle of next week. To complete this process, I ask that you review the disclosure which I will place under my name on Library Reserve at the front checkout desk (Circulation/Reserve).

Please review the disclosure and decide whether or not you recommend that this author be released from obligation to APSU with regard to this work. Once you decide, please email me your decision by 4:30pm next Wednesday, April 27, 2005. I will then forward the Committee recommendation based on what I have heard from you, to President Hoppe.

Here are the links to the Tennessee Board of Regent's Intellectual Property Policy http://www.tbr.state.tn.us/policies_guidelines/personnel_policies/5-01-06-00.htm and the APSU Patents and Copyrights Policy <http://www.apsu.edu/policy/pdf/5019.pdf>

Intellectual Property & Rights Committee

The committee will be responsible for reviewing disclosures submitted by employees concerning inventions, discoveries, and copyrightable materials which are derived from work supported by or through the institution, or which involve a significant use of the institution's resources. Recommendations of the committee concerning the rights and responsibilities of all parties will be referred to the President for final determination.

Thanks.
Lori