### 404.1 POLICY STATEMENT

It is the policy of the Board of Trustees that NWIC supports appropriate ownership of intellectual property based upon inherent rights as the acceptable practice in the Honorable House of Learning (NWIC). Further, it is policy whereby faculty, staff, students, and all others acting within the purview of NWIC are expected to act in accordance with certain protocols in order to protect and ensure the sustainability of Indigenous Knowledge. Faculty, staff, students, and others acting within the purview of NWIC must follow the established acceptable practices relating to inherent intellectual property in all aspects of research, scholarship, teaching, publication, and other activities and be committed to the highest ethical standards as they relate to the protection of inherent property rights.

### 404.2 PURPOSE

The purpose of the Intellectual Property Policy is to inform faculty, staff, students, and other individuals and institutions working with NWIC, about the application of the cultural ethical standards in the determination of intellectual property, ownership, and copyright at NWIC.

### 404.3 SCOPE

This policy applies to faculty, staff, students, and others who collaborate with NWIC in teaching, research, internships, or any other activities in which the exchange of information occurs or the creation or use of intellectual property occurs.

### 404.4 BACKGROUND

In Western academia, intellectual property refers to ownership by individuals or other entities, which are determined by certain criteria. This policy addresses ownership of intellectual property within an Indigenous context, thus protecting property, whether that refers to knowledge or physical objects, that is owned as the result of a family’s or community’s inherent rights. The determination and protection of inherent property rights are applied before any consideration is made whether NWIC or individuals within or outside of NWIC may own intellectual property.
404.5 RESPONSIBILITY
Faculty, staff, students, and others who collaborate with NWIC must know the contents of this policy in order to properly understand and respectfully support appropriate ownership, particularly of inherent intellectual property. Oversight for this policy lies with the Vice President of Instruction and Student Services or designee.

404.6 DEFINITIONS
Context, framework, informed consent, ownership, access, and control are defined in the Indigenous Research Policy. Paradigm refers to the perspectives articulated in the attached paradigm document. Ethics, copyright, and intellectual property are further elaborated in the paradigm document.

404.7 INTELLECTUAL PROPERTY POLICY STATEMENT
NWIC acknowledges that inherent Intellectual property rights and ownership are expressions of the intergenerational transference of knowledge or inherent rights. Inherent intellectual property rights are based upon the Indigenous context, framework, and paradigm, and through understanding the relationship between Indigenous knowledge and the communal responsibility to share knowledge with the Indigenous people of that place in appropriate ways. Inherent intellectual property is not viewed as a commodity and is only used to preserve knowledge for future generations. By contrast, intellectual property from a Western perspective describes knowledge as owned by an individual or institution. The term intellectual property refers to thoughts and ideas, print or electronic materials, literary works, artistic designs, symbols, and images that may be used in commerce or for profit. NWIC is committed both to the development of strong Indigenous academic research and researchers, and to the protection of the inherent rights of Tribal Peoples. When considering questions about the rights of individual faculty, staff, and students regarding intellectual property, NWIC must take into account the following principles: that the effective protection of Tribal Peoples’ intellectual property will be of long-term benefit to all, and that Tribal Peoples are solely responsible for the protection of their intellectual property and inherent rights. All people associated with NWIC must understand that there is cultural knowledge that is deemed public knowledge and there is knowledge that is private to individuals and families. Ownership in this context, whether the knowledge is public or private, means that an individual, family, or community owns the cultural knowledge so informed consent of those owners is required in order to access, disseminate, or use that knowledge in any way. Inherent intellectual property may not be owned by NWIC or individuals within the college and must be protected.

In order to protect inherent intellectual property, Tribal peoples must exercise control over all research or other relevant activities conducted within their place, which includes activities that use or involve their people as objects of study. This control extends over all aspects of inherent intellectual property.
The free and informed consent of the traditional owners is an essential precondition of any agreements that may be made for recording, studying, using, or displaying any inherent Intellectual property.

When no Inherent intellectual property rights or ownership are involved, NWIC endorses the interests of faculty, academic staff members, and students in performing research, scholarship, and professional activities and will assist and enhance their ability to pursue these aims, when possible.

NWIC encourages the development, writing, invention, or production of intellectual property designed to improve the capacity of NWIC in fulfilling its mission, to enhance the teaching and learning environment, and to contribute to the betterment of Tribal communities. Intellectual property includes, but is not limited to, intellectual and creative works that can be copyrighted or patented, such as print or electronic materials, literary, dramatic, musical and artistic works, computer software, multimedia presentations, and inventions.

When determining ownership of any intellectual property, the property will need to be verified as to whether it is the inherent property of any individual, family, or community. If the intellectual property is not the inherent property of any Tribal peoples then the appropriate ownership by individuals or NWIC of the intellectual property may be determined, in accordance with the following criteria:

Ownership resides with a student if the following criterion is met:

1. The work is the result of the individual’s status as a student at NWIC and not as a result of their employment at NWIC, in which case the following employee criteria apply.

Ownership resides with an employee if all of the following criteria are met:

1. The work is the result of an individual’s initiative, not requested by NWIC;

2. The work is not prepared within the scope of the employee’s job functions, work plan, or other assigned duties, or as a product of a specific contract with NWIC; and

3. The work involves insignificant use of NWIC facilities, time, and/or other resources including but not limited to release time, NWC sponsored grant funds, college personnel, salary supplement, leave with pay, equipment, or other material or financial assistance.

Ownership resides with NWIC if the above criteria are not met. If NWIC owns the intellectual property by these criteria, it may assign a shared ownership and any possible proceeds from that ownership or copyright with students, employees, or external entities.

The application of this policy does not preclude the possibility of students or employees disseminating or publishing if the appropriate review and approval processes have been followed and approval has been granted.
404.8 RELATED INFORMATION
   B. Policies, procedures, and guiding documents with references to publication, Traditional Ecological Knowledge, cultural objects, cultural appropriation, and ethics
   D. Framework for Indigenous Evaluation

404.9 REVIEW DATE
This policy will be reviewed every three years.

Attachment: Paradigm, Third Draft
Chilisa (2012) writes that there are four aspects of research paradigm; ontology, epistemology, axiology, which guide our methodology. The way we describe our worldview that is informed by our philosophical assumptions about the nature of our social reality is the ontology, ways of knowing is the epistemology, our ethics and value system is axiology, and the theoretical assumptions about the research process and approaches to inquiry is the methodology (Chilisa, 2012). All of these aspects are intertwined and responsible research cannot be conducted without utilizing each of them.

**Relationality:** According to Chilisa (2012), **ontology** is our body of knowledge that characterizes what it means to exist. Utilizing relationality this is the social reality where we seek to describe our connections to our environment as it is understood that people are beings with many relationships and many connections (Chilisa, 2012). In the ontology an emphasis is placed on the I/we relationships as opposed to the Western ideology of the I/you relationship where emphasis is placed on the individual (Dei, 2013).

**Worldview:** Epistemology is the inquiry into the nature of truth and knowledge (Chilisa, 2012). Our epistemology asks us what are the sources of our knowledge, what can a person know, and how do we know if something is true (Chilisa, 2012). The greatest difference between Indigenous epistemology and the dominant paradigm is the belief that knowledge is an individual entity; in Indigenous epistemology the belief is that knowledge is relational (Dei, 2013).
Values: Axiology gives reference to the analysis of our values in order to help us better understand their meanings, characteristics, their purpose, origins, and how we accept this as true knowledge (Chilisa, 2012). Axiology is also influenced by our life’s experiences and how we embrace our relationships (Dei, 2013). The relational axiology has a foundation of relational accountability, respectful representation, reciprocally appropriate, rights, and regulations (Chilisa, 2012). Having all of these things in order helps us to design our research.

Theories

Relationality/relational accountability (also known as object relations)

A second Indigenous theory is the relationality or relational accountability theory. Chilisa (2012) and Wilson (2008) described this theory as identifying all of the objects within the researcher’s environment that they as an insider relate too; these objects include the water, land, animals, plants, stories, and both the living and non-living people. Relational accountability theory realizes that not only does the researcher have to live their choices but everything within their environment (all relations) will be affected (Wilson, 2008). Insider researchers are answerable to all of their relations for all research decisions they have made and will make (Chilisa, 2010).

Insider/Outsider

Smith (2010) identified one of the Indigenous theories; the insider/outsider theory is where most research operates under the assumption that the researcher is an outsider yet has the ability to observe without being implicated within the research. This assumption means that Western research believes that a researcher can remove pre-determined beliefs, thoughts, or ideas about their research topic while they conduct, analyze, and deliver the research results (Hart,
2010). Someone who is considered to be interconnected to the research is an insider; insiders are required to locate research based support systems and communal relationships because the community and the researcher are all directly implicated within the research (Kovach, 2010). Hart (2010) supports this theory by describing cultural grounding and how grounding is based within the context of a researcher’s life and their relationship to the culture. This context provides definition to spirit during research and how that spirit can give nourishment to research reporting.

**Empowerment**

The root of empowerment is power. The empowerment theory refers to developing the power to move. It is not a commanding or demanding power; it is the power of recognition and voice. The recognition occurs when somebody has been in an oppressive state and has come to realize that the current condition is a detriment to themselves, their families and their people. Empowerment theory encourages people to envision a future for their people and works to move their people in that direction free from oppression.

**Indigenous Methodologies**

**Genealogy**

Genealogy tells us what our inherent rights are and describes the responsibility we have to the generations before and after us.

**Language**
Language is the foundation of who we are as a people, it is critical to forming a cultural identity. Indigenous languages have deeper and more specific meanings than English therefore this method is an important aspect of conducting Indigenous research.

**Origin/Creation stories**

Origin and creation stories are an important method for Indigenous research; these stories are far more than just stories; these stories tell the history of our people, how we came to be, and they show us that we all have a place.

**Story sharing**

Story telling allows people to tell their own story on their own terms. This is less about your participants answering a question and more about the story tellers experience surrounding the question that you asked. It is important not to interrupt the story teller to pursue a separate agenda as this interruption can change the direction of their story. It can also bring them to a place where they no longer want to share their story with you. It is important to remember that story sharing can involve a wide range of emotions from the story teller’s past.

**Primary/Qualitative Research**

Primary research is any type of research in which you go out and collect yourself. Examples include surveys, interviews, observations, and ethnographic research. A good researcher knows how to use both primary and secondary sources in their writing and to integrate them in a cohesive fashion.
Conducting primary research is a useful skill to acquire as it can greatly supplement your research in secondary sources, such as journals, magazines, or books. You can also use it as the focus of your writing project. Primary research is an excellent skill to learn as it can be useful in a variety of settings including business, personal, and academic.

**What types of primary research can be done?**

Many types of primary research exist. This guide is designed to provide you with an overview of primary research that is often done in writing classes.

**Interviews:** Interviews are one-on-one or small group question and answer sessions. Interviews will provide a lot of information from a small number of people and are useful when you want to get an expert or knowledgeable opinion on a subject or first-hand accounts about your topic.

**Surveys:** Surveys are a form of questioning that is more rigid than interviews and that involve larger groups of people. Surveys provide a limited amount of information from a large group of people and are useful when you want to learn what a larger population thinks.

**Observations:** Observations involve taking organized notes about occurrences in the world. Observations provide you with insights about specific people, events, or locales and are useful when you want to learn more about an event without the biased viewpoint.

**Analysis:** Analysis involves collecting data and organizing it in some fashion based on criteria you develop. They are useful when you want to find some trend or pattern. A type of analysis would be to record commercials on three major television networks and analyze gender roles.

**Secondary/Quantitative Research**
Secondary research is based on the findings from other people’s research. It involves the gathering of the results of others’ research from books, articles, newspapers, census records, reports or the Internet. Selections or summaries are made of the research allowing for evidence to be gathered supporting your conclusions.

Quantitative research uses a scientific approach. A hypothesis may be stated and the researcher attempts to prove or disprove that hypothesis. The techniques used are usually easy to measure. The data generated can be analyzed mathematically.

**Statistical analysis:** where information is readily available from the census studies, museums, archives, local councils and other government bodies, is analyzed to give a notion of the need for a particular target market for a project. This may be useful for establishing if there is a genuine need for a project.

**Information research:** including all forms of print, books, articles, texts, magazines, journals, pamphlets. It also includes electronic sources. These need to be checked for reliability and relevance. Anyone can publish on the Internet.

**Secondary Research Biases**

The most important piece about reading and analyzing secondary research is that this type of research has been previously analyzed and a bias has been developed. This bias can be formed either positively or negatively and normally depends on the original researcher but always shapes the conclusion.

**Research responsibilities**
Cultural Grounding – Research topics should not be focused on the best interest of an individual; they should be beneficial to tribal communities. It is very important that you understand that there are some cultural teachings that can be shared but there are others that strictly belong to specific families. It is the responsibility of the researcher to know which teachings are public and which are private and ensure the protection of both.

Ownership, control, access and possession: Ownership means that either the family or community owns the cultural knowledge so consent is required to use the knowledge. Control refers to the family or communities right to control aspects of research that is conducted on them; this includes utilizing indigenous research frameworks and controlling the dissemination of cultural knowledge. Access is the ability for tribal people to access research that has been conducted on them. Possession refers to who holds possession of the research; it is not necessarily called ownership of the knowledge but it is a tool for (or should it say “by”?) which ownership can be asserted and the knowledge can be protected.

Informed consent – It is the responsibility of the researcher to inform the participants of the directions and intentions for their research. Informed consent should be obtained in writing after the participant has been given the opportunity to examine the benefits and risks of the research; this allows them to decide what information they ultimately wish to share. Often times you will find that people will want to know your reason for conducting research; it is important to be open and honest. It is also important to know and let the participant know that they are free to withdraw from the research at any time without question or consequence. Informed consent must include all mediums for which the research will be utilized noting that use of research materials will not be used outside of
the scope of the research project without the knowledge and permission of research participants and/or their families.

**Giving thanks** – It is vital to give thanks to all of the people who helped you on your journey. Give credit where credit is due.

**Academic Freedom**

In Western Academia, academic freedom refers to a faculty members’ ability to freely conduct research on the topic of their choice and disseminate research findings throughout their academic discipline free from censorship or other disciplinary action from the institution as long as they exercise restraint and indicate that they are not speaking for the institution. In a historical context this meant knowledge about Indigenous people was collected, analyzed, classified, disseminated, and represented from a colonialist perspective; it was often utilized to gain momentum in being seen as an authority in the field.

In Indigenous research, the researcher understands there exists a deep connection between Indigenous knowledge and the community it emerges from, the institution, and the audience they are disseminating their research to. Indigenous academic freedom uses the Indigenous theories and methods from the place where the research is conducted, values the pedagogical practices that produce Indigenous knowledges, embraces the commitment to criticize and demystify western methodologies, and brings transparency to how the modern academy and methods for conducting research has been a colonial apparatus. Indigenous academic freedom understands the importance of not talking about
what you don’t know, must be ethical, healing, participatory, transformative, empowering, and decolonizing (Denzin, Lincoln, & Smith, 2008) and has had the research findings interpreted by and with the Indigenous people of that place.

**Ethics**

Ethical research and practices should allow Indigenous nations, peoples, and communities to exercise control over information related to their knowledge, their environment, and themselves. Ethical research projects should be managed by or in partnership with Indigenous peoples and communities that will be affected by the research project and its dissemination, and Indigenous people should have direct input in defining and developing research projects and practices related to them; to act otherwise is to repeat the pattern of decisions being made for Indigenous people by people who presume to know what is best for them. Indigenous people should have the ability to create protocols, procedures, limitations, and conditions on what can be researched and what should be disseminated. Informed consent as listed above must be obtained and agreed upon by the subject(s) included in the research; these consent forms must include provision on how the research will be used, inclusion of risks and benefits, nature of those risks and benefits, and must allow for the subject to withdraw their consent at any time.

**Scholarship**

Scholarship from a dominant perspective refers to a researcher’s ability to become an expert in a given subject or field; this perspective comes with the euro/American
centric belief that a researcher can intellectually know, interpret, represent, publish and disseminate knowledges gathered in the research process.

Indigenous scholarship works to question the oppressive aspects of the dominant society, does not involve “saving” Indigenous people rather it helps to construct conditions that allow for Indigenous self-sufficiency while learning from the body of knowledge that creates Indigenous realities and provides understanding of ones relationality to everything contained in their environment. Scholarship should be directed at student learning, teaching pedagogy, and avoiding the objectification of Indigenous knowledge and the sources of that knowledge.

Teaching and Assessment

Indigenous students cannot continue to be provided a fragmented existence through a curriculum that offers only a distorted picture of their cultural identity nor should they be denied an understanding of the historical context that has shaped the distorted image western education delivers. A postcolonial framework cannot be constructed without Indigenous people renewing and reconstructing the principles underlying their own worldview, environment, languages, forms of communicating and how these construct Indigenous realities. It is vital to have an understanding between those who are teaching and those who are being taught; Indigenous people struggle to progress because the teaching and assessment methodologies are determined based on what outsiders think Indigenous people need to know; the expectation that Indigenous students conform to these ideologies, and are not designed toward their own transformation and liberation. Indigenous people must have a curriculum that is particular
to its own set of experiences built upon their own set of knowledges, and teaching and assessment must come from this standpoint. It must reaffirm and legitimate Indigenous ways of knowing, doing, and learning.

Publication and dissemination

Historically, publication and dissemination of research on Indigenous peoples involved researchers entering the community to conduct research, gather data, create findings from their own perspective and ultimately publish and disseminate the results. This process excluded tribal people from analyzing the research findings, exclusion of ownership and control, and input on the publication and dissemination of the research consequently leading to the marginalization of tribal people and their Indigenous knowledges.

The publication and dissemination of Indigenous research must be treated with great respect and responsibility to those involved and/or impacted by the research. Published and disseminated research must be full-circle giving back to the community where the research originated; it must have permission/consent of the research participants, have clear understanding how the research will be used and beneficial to tribal people. Published and disseminated research should also have careful consideration in terms of ensuring low risk to tribal people, be social movement focused, provide a deep understanding of the aims, scope, and author guidelines of the preferred journal with input and agreement from participants, and must have been reviewed and approved by the appropriate review committee at NWIC. The author(s) must provide a detailed description of the intentions, focus, visions, and benefits of publication and
dissemination while also describing how this process will help tribal people work toward self-determination.

**Human Subject Research**

A human subject is a living individual about whom an investigator conducting research obtains; data through and intervention and/or interaction or obtains identifiable private information. Intervention includes physical procedures and/or manipulations of the subject or the subject's environment that are performed for research purposes; interaction includes communication or personal contact between researcher and subject; private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place and the information obtained will not be made public.

Human subject research is any research or investigation that includes human subjects; Research is a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge; A systematic investigation is an activity that involves a prospective plan that incorporates data either qualitative or quantitative data collection or both, and data analysis to answer a question; surveys, interviews, focus groups, evaluations of social or educational programs, cognitive and perceptual experiments; generalizable knowledge is knowledge from which conclusion can be drawn that can be applied to populations outside of the specific study population (knowledge that contributes to a theoretical framework of an established body of knowledge, primary beneficiaries are other researchers, scholars, and practitioners, dissemination of results is intended to inform the field, results can be replicated in another setting).
Investigations designed to develop or contribute to generalizable knowledge are those that draw general conclusions, inform policy, or generalize findings beyond a single individual or an internal program (publications or presentations); examples: biographies, oral histories, course evaluations, academic courses, classroom exercises, activities designed to improve the quality or performance of a department or program.

Copyright

While copyright is considered a form of intellectual property protection; if an employee working for Northwest Indian College has been compensated for the creation of materials within the scope of their professional duties and responsibilities the intellectual property belongs to Northwest Indian College and the copyright protects NWIC’s property interests. If an employee created curriculum, teaching material, or other materials related to their position without compensation they must consider the impact on the college that selling, trading, or giving these materials to individuals or institutions outside of NWIC could have.

Service

Service is the action of helping or doing work for someone or some entity, while being completely divested of self-interest. Service projects and activities should not serve individual investments or agendas but should be designed to create sustainable change within students, families, and communities. Service projects and activities should be based in advocacy and focused on promoting social justice, cultural responsiveness, and self-determination.

Artistic creation
Artistic creation is the production of art, design, imagery, or other materials developed to be used by the college. If the artistic creation is obtained from an outside source it is the responsibility of the college employee to obtain a release form that details to what capacity the college has the authority to use the artistic works.

**Traditional Ecological Knowledge**

Traditional Ecological Knowledge (TEK), although not a term coined by tribal peoples, is intended to represent an amicable attempt on behalf of the progenitors of the hard sciences in Western academia affirming the legitimacy, value and applicability of Indigenous inherent practices of tribal peoples throughout the world.

TEK in that sense is the accumulation of a body of knowledge relating to a specific place that encompasses the worldview of the people of that place. It is directly indicative of their interaction with the environment, their knowledge of that place, the use of cultural resources, the beliefs regarding those resources, and correlating symbiotic cultural practices that have subsisted those peoples throughout the duration of their pre to post-contact existence.

**Intellectual Property**

Intellectual property is a Western term that describes knowledges as owned by an individual. It refers to the development of thoughts and ideas, literary works, artistic designs, symbols, and images that are to be used in commerce or for profit.
Cultural Intellectual property understands the relationship between Traditional Ecological knowledge and the communal responsibility to share knowledge with the Indigenous people of that place. It is not viewed as a commodity and is only used to preserve knowledges for future generations.

Cultural Appropriation

Cultural appropriation is the intentional or unintentional adoption of elements of one culture by members of a different culture. This includes the use of knowledge, symbols, technology, objects, language, songs, ceremonies, and stories without permission; the use of "cultural informants" is also viewed as a form of cultural appropriation. In cultural appropriation the elements appropriated are copied and used outside of their original cultural context with the original meaning being lost or distorted.

In accordance with above definition, all NWIC employees should avoid participating in any form of cultural appropriation. If for any reason an employee finds themselves involved in a matter indicative of cultural appropriation, they should defer that matter to the Dean of Indigenous Education and/or a department chair residing in the Coast Salish Institute.

Faculty orientation/preparation

The Coast Salish Institute (CSI) shall collaborate with the dean of academics and distance learning and department leads on the development of faculty job descriptions, qualifications, interview questions, associated processes, and assessing and determining cultural
competency. A faculty development plan will be created for all full-time faculty members and include a cultural orientation, complete participation at the teaching and learning institute and in-service activities, reading documents on a reading a list, and a demonstration of development through the creation of a portfolio and presentation thereof. A self-evaluative tool intended to assess a faculty member's demonstrated development will be used to determine the faculty's succeeding overall developmental plan. The above policy will be utilized to define a non-punitive re-hire practice.

Who Reviews Research Proposals

Northwest Indian College will create an advisory board or committee to approve all Indigenous research projects. This advisory board or committee will consist of employees and/or community members with in-depth knowledge of the context of the Indigenous Research Paradigm specifically as it pertains to Indigenous theories, methods, researcher responsibilities, ethics, and human subject research. (questions: how does this committee relate to/interface with the IRB?)


An Indigenous evaluation framework must be viewed within the context of a specific place, time, community, and historical place the framework originates from. In addition, it must also promote the proliferation of that people's Indigenous worldview. This framework requires collaboration with cultural people from that place whom are also knowledgeable of Indigenous
academic perspectives in order to understand the traditional worldview of the people this
evaluation aims to serve. The collaborative requirement of tribal people and academics is
necessary to understand tribal self-determination, recognize the goals and aspirations of tribal
people in order to preserve, and restore, the culture's ways of knowing, being, and doing.

The framework cannot be centrally focused on education boards that meet federal
standards nor can it duplicate mainstream approaches, rather it must reinforce tribal values,
incorporate Indigenous ways of knowing, and must be able to recognize the people who are
community members that have been educated in colonial/euro-American institutions as they are
counterproductive to a successful evaluation.

The Indigenous academic framework must utilize terms and metaphors related to
traditional knowledge and cultural ways of problem-solving that exist(ed) within the community;
personal and institutional development must be derived from the context of the tribal value
system while understanding that actions, positive or negative, have implications that are
potentially fully realized in the future, well beyond the immediate. It is important to follow these
protocols as they are guided by the endogenous knowledge of the ancestors and the creator. The
evaluation committee must include culturally-competent group members when designing and
conducting the evaluation; it must be cognizant of space and time as tribal people do not abide
by the Western sense of timeframe measurement; in this sense it must be viewed as a ceremony
in accordance with the framework because ceremonies do not follow the Western idea of time.

This framework requires a shared understanding and belief in the core values as these
serve as the foundation for framing an Indigenous evaluation; it must allow the community to
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