

Copyrights and Patents

Materials Developed by Employees as Part of Prescribed Duties

It is the intent of the board that all books, materials, devices, or products which result from the regular prescribed duties of persons employed by the school district should remain the property of the school district and that the school district shall retain all rights and privileges pertaining to the ownership thereof. In the event any of these products have commercial appeal, the superintendent is authorized to negotiate with the appropriate agencies. A minimum of 80% of the royalties which accrue from such arrangements shall be paid to the general fund of the school district and up to 20% of the royalties may be distributed to the creator or creators of such products if the superintendent so recommends.

In the event that a product which is satisfactory for the purposes of the school district needs to have additional work performed on it before it is commercially acceptable, the superintendent is authorized to make arrangements with the agencies or with individuals to have the additional work completed. If a school district employee is to perform the additional work, it must be done outside his regular hours of employment by the school district. No school district funds, whether tax funds or funds from other sources, shall be used to remunerate the persons for this additional work. However, the superintendent is authorized in such cases to alter the royalty percentage mentioned in the preceding paragraph in order that the persons doing the additional work may be compensated from the royalties which are earned.

The board does not wish to become an entrepreneur in either the publishing or manufacturing field, yet if there is a commercial return on the investment of school district funds, then the board wishes to minimize the local and state tax efforts by receiving a return on its investment. At the same time, the board wishes to establish a policy of rewarding creativity among school district employees. Therefore, when the efforts of individuals are distinctive, the superintendent may authorize the sharing of royalties returned from commercial pursuit.

The superintendent shall establish appropriate regulations for implementation of this policy.

Publication or Creation of Materials

The school district may have legal claim on all products created by its employees which is a direct outgrowth of their job responsibility. In order to minimize misunderstandings about the ownership of such products, the superintendent will effect procedures to be followed by all persons who are, or might be developing commercially attractive products which are or might be construed to be associated with their normal job responsibility.

Policy Adopted: 12/75

Amended: 10/76

Policy Reviewed: 9/1/88