



"To Build Knowledge and Skills for Success today and Tomorrow"

Policy File: EGAB

DISTRICT DATA, INTELLECTUAL PROPERTY, DEVELOPMENT AND OWNERSHIP

The Administration of Meade School District 46-1 encourages its employees to develop software, programs, audio-video presentations and other intellectual property which will not only benefit the students of the district, but may benefit other school districts. However, before any of such material is copyrighted, trademarked, or offered for sale or distribution by an employee, there needs to be a clear understanding as to the ownership of the property. Prior to selling or distributing or applying for a copyright or trademark for any software, data, presentations, or any other intellectual property, the employee shall inform his or her supervisor of his or her intent, so that the ownership can be established.

In determining the ownership of any intellectual property, the following guidelines shall be used:

1. If the intellectual property was developed by the employee on his or her own time and on his or her own equipment, it shall remain the sole exclusive property of the employee.
2. If the intellectual property was created and developed by the employee as part of his or her employment with the district, and using school property, the intellectual property shall be the sole and exclusive property of the school district.
3. If the employee developed the intellectual property, partly on his or her own time, and partly using school equipment, the property shall be jointly owned and the percentage of ownership shall be negotiated between the employee and the school district.
4. If an employee creates the intellectual property in the classroom to complete an assigned task, and to fulfill a contract obligation, the intellectual property shall be owned by the district.
5. If, after proper notification, the school district declines to exercise its ownership right to any intellectual property created by an employee, it shall become the sole property of the employee, regardless of how and where it was created.

LEGAL REF: 17 U.S.C. §§ 101 – 120 Copyright Law

Adopted March 13, 2007