



Code: **GCQBA-AR**  
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4/09/14  
Orig. Code(s): 7900

## **Copyrights and Patents**

The Board delegates to the superintendent authority to assign district rights for copyrights and patents and shall apply the following criteria:

### **District Application for Copyrights and Patents**

Application requests for copyright or patent of district materials should be submitted to the superintendent.

When considering the merits of the application, the superintendent will give consideration to the future use of the material and make a judgment regarding the merits of its protection under the copyright and patent law. Since the district is a public, non-profit organization, copyrights and patents will not be obtained for the sole purpose of selling material for profit.

### **Assignment of Copyright and Patent Rights to Employees**

Employees who wish to copyright or patent material that they authored or prepared for district use may apply to the superintendent for a waiver of district rights. An application should be accompanied by a copy of the material to be copyrighted or patented and include an affidavit showing what portion of the time devoted to producing the material was district paid time or materials, if any. The employee's application request shall be routed through the principal (or immediate supervisor) who shall indicate whether he/she believes the statement concerning use of district time is accurate.

If no district time and/or materials were used in preparing the material, the request for waiver of district rights shall be granted. If the material was authored or prepared completely on district paid time, the request will be denied. If the material was created partly on district paid time and partly on the employee's own time, the request for waiver of district rights may be granted if the district chooses not to copyright or patent the material. However, this waiver shall include a clause granting production rights to the district and use of the material, including dissemination as information to other public bodies without incurring a royalty liability.

### **Assignment of Copyright and Patent Rights to Students**

Students who wish to copyright or patent materials that they prepared as course assignments may apply to the superintendent for waiver of district rights by submitting an application to the assistant superintendent – Instruction/Student Services. The application should be accompanied by a copy of the material to be copyrighted or patented and routed through the principal to the superintendent. The waiver of district right, except for the right of the district to produce and use the material and to disseminate as information to other public bodies without incurring a royalty liability, shall be granted.

## **Procedure for Processing Requests for Copyrights and Patents**

1. The applicant submits a letter of application and all required documents to the superintendent. This letter shall include the title, brief description of material to be copyrighted or patented, a statement of the amount of district paid time that employee/student used to create the material, the name of individual requesting copyright or patent, the date of request and other pertinent information.
2. A complete copy of the material to be copyrighted or patented shall be attached to letter of application being submitted by employee.
3. The superintendent approves or disapproves letter of application.
4. If the district is to copyright or patent material, the superintendent's office will make formal application to the appropriate government agency.
5. If the employee or the student is to copyright or patent material, it is his/her responsibility to submit application to appropriate government agency and to pay all necessary expenses.

## **Sharing of District Materials for Nonprofit Use**

The superintendent shall establish a schedule of charges, based on the following criteria:

1. Sharing of information between school districts is helpful to those who give as well as those who receive. We encourage classroom teachers to share ideas with each other and support the concept of exchanging materials as widely as possible whenever there is an expressed need.
2. The district develops a positive image on a professional basis by having its materials distributed to individuals, industries, schools, district and other agencies. Promoting good work and sharing educational material enables the district to build a professional reputation that stresses creativity and professional growth.
3. All costs incurred in producing, packaging, and mailing materials should be covered in order to maintain a continuous program that helps promote the district's participation in a materials-sharing program with other individuals, industries, schools, districts and agencies.