

INTELLECTUAL PROPERTY

Professional staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.

Materials which might be considered for publication and/or production, which identify the District in any manner, shall be cleared with the Superintendent, or his/her designee, prior to publication and/or production.

Publications and productions shall be subject to the following copyright provisions:

- A. Rights to copyrights or patents of books, materials, devices, etc. developed by professional staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
 - 1. the books, materials, devices, etc. were prepared without the use of District data, facilities, and/or equipment;
 - 2. the District is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
 - 3. the staff member does not become involved in any way in the selling of the product to the District.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Superintendent, or his/her designee, who shall submit such decisions to the Board.

Professional staff members who desire to publish or produce materials on their own time should make such action known to the Superintendent, or his/her designee, prior to the time such work is started in order that proper procedures can be established to assure that District interests and the interests of the staff member are protected.

- B. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of professional staff members shall remain the property of the District. The District shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the Superintendent, or his/her designee, is authorized to secure copyrights, patents, etc. which will ensure the ownership of the product by the District.

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The Superintendent, or his/her designee, is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

M.C.L.A. 15.321 et seq., 15.401 et seq., 380.1805 (1)

Adopted March 2, 2009