

Series	300	Instruction
Section	360	Instructional Resources
Policy	367	Creation and Ownership of Instructional Materials

Members of the professional staff are urged to develop, and review curriculum and instructional materials related to their professional assignment. Professional and instructional materials, including but not limited to, computer software, activity packets, and evaluation materials which are created by an individual staff member, are subject to the following guidelines regarding ownership and copyright provisions.

1. If the material or software is produced during school time, under compensation by the Board, or as a part of the teacher's assignment, then the rights to ownership and copyright belong to the School District. If the material or software is produced as part of a federally funded program and as part of the teacher's assignment, then the material or software is considered to be in the public domain and the applicable federal guidelines prevail.
2. If an individual plans to produce materials or software on his/her own time, but with the use of District property, facilities, or materials, a written agreement is necessary prior to beginning such production. The written agreement will spell out use of such property, facilities, or materials and any accompanying costs as well as indicating rights of ownership, copyright, and distribution of any potential profits.
3. If the material or software is produced outside of school time without expense, involvement, or direction on the part of the District or its administrators or use of school facilities, then the material or software rights belong to the individual for copyrighting and sale.

Legal Reference:

Cross Reference: 331

Adopted: 12/1994

Reviewed: 2004