

409 EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS

I. PURPOSE

The purpose of this policy is to identify and reserve the rights and responsibilities of the school district and employees to certain publications, instructional materials, inventions, and creations.

II. GENERAL STATEMENT OF POLICY

The school district reserves the proprietary rights to certain publications, instructional materials, inventions, and creations which employees may develop or create, or assist in developing or creating, while employed by the school district.

The school district does not retain proprietary rights when the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or other creation entirely on the employee's own time and without the use of any school district facilities, equipment, or supplies, and which does not relate directly to the business of the school district or does not result from any work performed by the employee for the school district.

The employee shall immediately disclose to the school district if the employee, on school district time or using school district supplies/equipment, develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or other creation, directly relating to the business of the school district or resulting from work performed by the employee for the school district.

Upon demand of the school district, the employee shall assign to the school district any rights to such publications, instructional materials, inventions, and creations. In addition, an employee shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, inventions and/or creations, including domestic and foreign patents and copyrights.

III. NOTICE OF POLICY

The school district shall give employees notice of this policy by such means as are reasonably likely to inform them of this policy.

Legal References: Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)
17 U.S.C. § 101 *et seq.* (Copyrights)

BOARD POLICY 409
St. Cloud Area School District 742
St. Cloud, Minnesota

Adopted: March 8, 2017
Reviewed/No Change: February 2021