



Human Resources – Series 5000 Ownership and Distribution of Employee- Produced Works–5509

Absent any written agreement to the contrary, the District shall retain the full and sole rights of ownership, use and distribution for any employee-produced work if such work is created by an employee within the scope of his or her employment or at the request of the District for the purpose of creating District-owned works. All other employee-created works shall remain the property of the employee. Employees shall not use District supplies and equipment in more than an incidental way to create employee-owned works. Instructional materials created by a District employee in a teaching or instructional support position and using District supplies or equipment in more than an incidental way shall be presumed to have been produced within the scope of that employee's District employment.

When deemed in the best interests of the District, the Superintendent or designee is authorized to enter into agreements or arrangements for the purpose of selling, licensing or otherwise reallocating rights of ownership in District-owned works, or include distribution of District-owned works for charge or at no charge, and under such license (including Open Source license) as the Superintendent or designee deems to be in the best interests of the District.

For the purposes of this policy, the term "work" shall mean any original work of authorship fixed in any tangible medium of expression including literary, musical, pictorial, dramatic, graphic, sculptural or architectural works, as well as motion pictures and other audio-visual recordings, sound recordings, and computer software or any other technological creation.

Cross Reference: Policy 1610—Conflicts of Interest

Legal Reference: 17 U.S.C. 101 et seq. Copyright Act of 1976

Adopted: 6/20/2013