



**EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS,
INVENTIONS AND CREATIONS**

POLICY:	409
ADOPTED:	04/16/01
REVISED:	04/24/23

I. Purpose

The purpose of this policy is to identify and reserve the proprietary rights of the school district 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.

II. General Statement of Policy

The ISD 199 school district encourages employees to develop, create and assist in developing and creating materials, inventions and creations to be used for the education of its students. All works created within the scope of employment are the property of the District and may not be sold, published, or distributed without permission from the District.

III. District to Copyright or Patent Works or Inventions

- A. The district reserves the proprietary rights to certain publications, instructional materials, software applications, invention and creations, which employees may develop or create, or assist in developing or creating.
- B. The district may copyright or patent materials that are prepared and developed under the auspices of the district which have totally original content and which have potential application outside the district.
- C. Material may be copyrighted or patented as described above to preclude the unauthorized use of district-prepared materials that have possible commercial value.

IV. Assignment of Rights

- A. The ISD 199 school district employees shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, software applications, inventions or creations that the employee develops or creates or assists in developing or creating during the term of the employee's employment and for two years thereafter, unless:
 - 1. The district employee develops, creates, or assists in developing or creating a publication, instructional material, software application,

invention or creation entirely on the employee's own time and without the use of any school district facilities or equipment, and;

2. The publication, instructional material, software application, invention or creation does not relate directly to the business of the district or its actual or demonstrably anticipated research or development, or which does not result from any work performed by the employee for the district.

- B. In addition to the stipulations outlined above, district 199 employees must sign necessary documents and perform necessary acts to secure the school district's rights relating to such publications, instructional materials, software applications, inventions 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)

Cross References: Policy 616.1 - Copyright Law