

Personnel

Employee Publications, Instructional Materials, Inventions and Creations

I. Purpose

This policy sets forth the rights and responsibilities of both the school district and district employees with respect to employee publications, instructional materials, inventions and creations.

II. General Statement of Policy

The school district reserves the proprietary rights to certain publications, instructional materials, instruction for pay, inventions and creations that employees develop or create, or assist in developing or creating, while employed by the district. Nothing in this policy limits in any manner or degree any right granted to the district by law that is not specifically described herein.

III. Guidelines

- A. The school district will not retain proprietary rights when the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee's own time and without the use of any district facilities or equipment
- B. An employee will immediately disclose and, on demand of the district, assign to the district any rights to publications, instructional materials, computer programs, materials posted on websites, 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 12 months after employment with Edina Public Schools.
- C. An employee must sign necessary documents and perform necessary acts to secure the district's rights relating to such publications, instructional materials, computer programs, materials posted on websites, inventions or creations, including domestic and foreign patents and copyrights.
- D. The district reserves the right to all or a portion of any financial gains by an employee as a result of the above-mentioned employee activities. Further, the district reserves the right to all or a portion of any financial gains by an employee who shares expertise gained through district-financed training by means of instruction or presentation at a college/university course, conference or workshop. The district will determine its financial rights based on discussion with the employee.

The district may establish a task force to review situations in which proprietary rights are a blend of district rights and an employee's rights. The task force would determine a percentage breakdown on the portions. This determination would result in an individual agreement between the district and employee.

IV. Notice of Policy

The school district will provide employees with notice of this policy on an annual basis.

Legal Reference:

17 U.S.C. § 101 *et seq.* (Copyrights)

Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)

Policy

adopted: 1/26/09

Revised: 6/24/13

Revised: 8/17/15

Revised: 7/19/16

INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota