



# NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Board of Education Policy 5-170

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## **PERSONNEL**

### **PUBLICATION OR SALE OF INSTRUCTIONAL MATERIALS DEVELOPED BY EMPLOYEES**

#### Instructional Materials

All instructional materials developed by an employee within the scope of employment with the District, other than computer programs, shall be classified “works for hire.” The District, therefore is considered the author and owner of the copyright in all materials created or developed within an employee’s scope of employment and is entitled to all proceeds from the sale of such materials.

The employee must provide the Superintendent with written notification of his or her intention to publish any instructional materials developed within the scope of employment at least 30 days prior to entering into a contract for publication with a publishing firm or with a manufacturer. The District has the exclusive right to register the copyrights for such instructional materials. Unless the employee specifically states in writing to the contrary, the employee warrants that any instructional materials developed and submitted to the District for publication are original.

#### Computer Programs

The employee who develops a computer program is entitled to a share of the proceeds from its sale as agreed to by the District. Neither the employee nor the District may receive more than 90% of the proceeds. The negotiation may be conducted by an employee’s representative. “Proceeds” are the profits after deducting expenses and shall be computed by the District. The proceeds of a computer program developed by more than one employee shall be equitably distributed among such employees, in proportion to their participation in the program’s development, and the District.

Materials Produced Under Summer Grants

The Board of Education will release publishing rights for materials (other than computer programs) developed by staff members under summer grants provided that out of the first income that may be received from the commercial use of such materials, the District would be repaid until the full amount of the summer grant has been returned.

**Adopted: 11/8/93**

**Revised: 4/17/2006**