

 <p>SEATTLE PUBLIC SCHOOLS</p>	<p>COPYRIGHT: ACQUISITION & COMPLIANCE</p>	<p>Policy No. 2025 October 3, 2012 Page 1 of 3</p>
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Acquisition:

A. Introduction

It is the policy of the Seattle School Board to support innovation and recognize and encourage the privilege of District personnel and students to obtain copyright protection for original works of authorship, while at the same time establishing guidelines that demonstrate vigilant stewardship over the use of public funds.

In most cases, when copyrightable material is generated as a result of individual initiative, the rights of ownership will rest with the individual. However, for employees, where the subject matter of the work to be copyrighted has been developed at District expense, is reasonably related to the subject of the author's employment, and/or the employee was "hired to invent" (employed to solve specific projects or think of the ideas underlying an invention or discovery), the work product will be presumed to be District property unless an agreement has been reached prior to completion of the work between the author and the Superintendent or designee. The District reserves the right to federally register such materials or works and to license the use of such materials or works under any terms that the District deems advisable.

In general, students own copyrights to their own creative works.

B. Guidelines

Unless an agreement has been reached prior to completion of the work between the author and the Superintendent or his/her designee, the basic principles that will govern the ownership of ideas, inventions and discoveries (programs) of employees are below. Such an agreement may include the granting of a shop right to the district. The shop right gives the employer a nonexclusive, irrevocable license to use the invention indefinitely, without paying a royalty.

1. When an employee makes an invention or discovery within the scope of his or her employment, and/or he or she was "hired to invent" (employed to solve projects or think of the ideas underlying

an invention or discovery), and/or he or she uses equipment, labor, materials and/or facilities of the employer, that invention belongs to the employer.

2. When an employee makes an invention working outside the scope of his or her employment and does not use his or her employer's resources, then the invention belongs to the employee.

Compliance:

The Seattle School Board recognizes that federal law makes it illegal to reproduce or duplicate copyrighted works or materials without authorization of the holder of the copyright, except for certain exempt purposes. Copyrighted works shall only be used to the extent authorized by law and Board policy.

Severe penalties may be imposed for unauthorized copying or using of copyrighted works or materials, including but not limited to audiovisual, printed, or digital works or materials, , unless the copying or using conforms to the permissible exemptions specified in the law and district policy.

While the district encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copyright procedures and obey the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the district's procedures or is permissible under the law and district policy should consult the applicable staff and resources specified in Superintendent Procedure 2025SP.

The Superintendent or his or her designee shall file with the federal Copyright Office, and post the same information on the district's web site, his or her designation as the district's agent, in the district's role as an Internet service provider, to receive notifications that claim that users of the district's Internet network have infringed copyright.

The Superintendent or his/her designee is authorized to develop procedures to implement this policy.

Adopted: December 2011

Revised: October 2012

Cross Reference: Policy Nos. 2021, 2022, 2023, 5006, and 5240

Related Superintendent Procedure: 2025SP

Previous Policies: C25.00; C25.01; C08.00

Legal References: P.L. 94-553 Federal Copyright Law of 1976 (U.S. Code, Title 17); P.L. 105-304 Digital Millennium Copyright Act of 1998; Reproduction of Copyrighted Works by Educators and Librarians, U.S. Copyright Office (November 2009)
Management Resources: *Policy News*, October 2001