
Professional Research, Publishing, Copyrights and Patents

Employees are encouraged by the Board to produce publications, instructional materials, models and other devices (collectively, "Materials"). The administration is willing and agreeable to offer advice, assistance and encouragement to employees who engage in professional writing, research and other creative endeavors.

If employees have prepared and developed Materials on their own time without the use of school materials, equipment, facilities, or other school resources, there is no requirement that these Materials be submitted for review prior to publication or distribution. If the Materials have been developed during paid work time and/or with school equipment, facilities, or other school resources, the Board asserts that it has certain proprietary rights to the Materials, and the staff member is required to submit the Materials to the school prior to copyright or patent for subsequent publication or distribution. Employees will not attempt to copyright or patent such Materials without the knowledge and consent of the administrator.

The administrator is authorized by the Board to review Materials submitted by an employee prior to copyright or patent for subsequent publication or distribution, and to waive all or part of the Board's proprietary rights in favor of those employees preparing such materials. In the event that an employee produces Materials partly on his/her own time and partly on school time, the school reserves the right to claim full ownership. The employee, however, may petition PBCCS for whole or partial assignment of copyright or patent rights. Employees are expected to cooperate in PBCCS' efforts to apply for copyrights or patents for Materials when deemed appropriate by the administrator.

The administrator is authorized by the Board to sell Materials that have been prepared by the PBCCS staff to other school systems, organizations or commercial firms wishing to purchase copies or obtain production rights.

END OF POLICY

Legal References:

ORS 334.125

ORS 332.745

Copyrights, 17 U.S.C. 101-1332; 19 C.F.R. Part 133 (2006).

Patents, 35 U.S.C 1-376 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (2011); Family Educational Rights and Privacy, 34 C.F.R., Part 99 (2011).

Protection of Pupil Rights, 20 U.S.C. 1232h (2006); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2006).