

**STAFF RESEARCH AND WORK
PRODUCT PUBLISHING**

The Albemarle County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of School Division operations. ~~The Superintendent shall establish regulations pursuant to which the ownership rights to works produced by employees within the scope of their employment may be assigned.~~ The School Board is the author of works produced by its employees within the scope of their employment and retains all rights to such works unless those rights are expressly waived or assigned to the employee who produced the work. If the work is outside of the scope of employment, is authored outside of required work hours, and does not utilize School Division equipment or resources, the work product remains the property of the author.

If an employee who wishes to obtain the rights to works produced within the scope of their employment, the employee will request approval from the Superintendent/Designee. If approved, the work will remain available for the use by the School Board at no charge.

Additionally, Employees who wish to develop materials, including instructional materials and computer programs, outside the scope of their employment which may be that have a connection to or are related to the are related to the work they perform as employees of the School Division shall inform the Superintendent/Designee, in writing, of their intent to develop such materials prior to commencing work.

Adopted: July 1, 1993
Amended: December 8, 1997; January 28, 2010; September 27, 2012
Reviewed: July 8, 2004

Legal Ref.: 17 U.S.C. §§101, 102, and 201
Code of Virginia, 1950, as amended, §§22.1-70, 22.1-78

Cross Ref.: EGAAA, Reproduction and Use of Copyrighted Materials

Administrative Procedures Staff Research and Publishing

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Request to Retain the Rights to Works Produced Within the Scope of Employment

1. Employees shall submit, in writing via email, a written request to retain the rights to works produced within the scope of employment.
2. Such request will be sent to the Coordinator of Research and Program Evaluation who, in turn, will coordinate with the appropriate additional staff members to evaluate the request.
3. The request will include a copy of the materials or a link to the materials.
4. The Coordinator of Research and Program Evaluation will notify the sender of approval or denial.

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Intent to Develop Materials Outside of Employment that are Related to Work in ACPS

1. Employees may not used Division-owned equipment, including their employee laptops, to develop work products.
2. If an employee develops materials (e.g. books, blog content, research) outside of regular work hours and outside the scope of employment, the employee retains the rights to that work product.
3. If any material developed is related to the employee's work in Albemarle County Public Schools, the employee will contact the Coordinator of Research and Program Evaluation in writing and attach a copy of the materials or a link to the materials.
4. The Coordinator of Research and Program Evaluation will forward the notice to the School Board Attorney for review.
5. The Coordinator of Research and Program Evaluation will notify the employee of the determination.

Commented [RH1]: Let's talk about lesson plans. The teacher is being paid by the School Board to draft them an integral part of job responsibilities

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