



ADMINISTRATIVE GUIDELINE

Title: Property Rights of Board Generated Materials

Effective Date: May 17, 2001

Responsibility: Superintendent of Program
and Schools

Revised Date: November 18, 2010

1.0 Rationale

Near North District School Board actively involves staff in the development, implementation and review of materials that support the teaching/learning process. As a result, many exemplary materials are generated that assist staff in the delivery of programs and services to students. This guideline defines the property rights of such materials, the expectations regarding their distribution beyond the borders of the Board and the procedures related to such distribution.

2.0 Definitions

2.1 **Board Owned Materials**

Any materials generated by the staff members of the Near North District School Board while operating under the auspices of the Board. These are materials that are developed, implemented or tested as a result of a Board mandate.

2.2 **Partnership Materials**

Any materials generated by an institution or agency outside the jurisdiction of the Board drawing upon the expertise of an employee of Near North District School Board during a time when the employee has assigned duties.

3.0 Expectations

3.1 All Board Owned Materials are the exclusive property of the Board.

3.2 All Board Owned Materials shall be:

3.2.1 Clearly marked with the Near North District School Board logo.

3.2.2 Clearly marked with the statement "Not to be reproduced without the written permission of the Near North District School Board".

3.2.3 Given formal approval by the Executive Council of the Board.

3.3 All Partnership Materials shall have a clearly articulated agreement signed by the appropriate Supervisory Officer or designate prior to embarking upon any process of development and production to outline the rights and responsibilities of all parties.

- 3.3.1 An employee shall have written permission of the appropriate Supervisory Officer or designate before engaging in any activities to develop partnership materials.
- 3.4 All Board Owned Materials shall be appraised by Board officials and given a market value in the event that other Boards or agencies request copies of the material.
- 3.5 Other boards or agencies shall be required to pay market value or provide materials of similar value to the Near North District School Board.

4.0 Procedures

- 4.1 Should a request for a copy of Board Owned Materials be made, an appraisal committee will be established consisting of a Superintendent of Program and Schools, Superintendent of Business, two Program Co-ordinators, one Manager and two Principals/Vice-Principals to do price setting for Board Owned Materials. Before price is set it is imperative for the committee to seek input from the author(s) of the materials. Recommendations will be forwarded to Executive Council for approval.
- 4.2 Requests for purchase of the materials will be made to the appropriate program co-ordinator or manager who will process the sale or trade. All Conditions of Sale or Trade agreements will be signed by a co-ordinator/manager that processes the transaction and the appropriate superintendent (Appendix 1).
- 4.3 Any money generated by the sale of materials shall be directed to the code of accounts relating to the department responsible for the generation of the materials. Appropriate co-ordinators or managers shall arrange such transactions with the Finance Department. Costs for printing the saleable items will be charged to the revenue.



Near North District School Board
Conditions of Sale or Trade Agreement

The agreement made this _____ day of _____, 20

between

Near North District School Board
and

1.0 The Near North District School Board hereby offers for purchase/trade to **(Receiving Board/Agency/Institution)**the following Board Owned Materials:

1.1

2.0 Purchase price or trade agreement for each of the above:

2.1

3.0 Conditions of the agreement

3.1 The receiving Board/Agency/Institution shall use the material in accordance with the following conditions:

Use as a reference without any photocopying rights.

Distribute and use only the number of copies defined by the agreement without any photocopying rights.

Have full photocopying rights within the only within the jurisdiction defined by this agreement. Each photocopy must include:

3.1.1 A prominent display of the Near North District School Board logo

3.1.2 A prominent display of the statement *Not to be reproduced without the written permission of the Near North District School Board*

3.2 The receiving Board/Agency/Institution is not allowed to sell or give copy rights to any other Board/Agency/Institution.

3.3 If the receiving Board/Agency/Institution fails to operate within conditions identified above, the agreement will be terminated and all permitted rights will be revoked.

Signed and sealed on _____.

Manager/Coordinator Near North District School Board.

Superintendent Near North District School Board

Official of

Official of