

**MOUNTAIN HOME SCHOOL DISTRICT NO. 193
MOUNTAIN HOME, IDAHO 83647**

POLICY

SCHOOL DISTRICT INTELLECTUAL PROPRIETARY OWNERSHIP

Intellectual Property is a legal concept which refers to creations for which exclusive rights are recognized. Under intellectual property law, Mountain Home School District No. 193 (owner) is granted certain exclusive rights to a variety of intangible assets, such as musical, literary, and artistic works; discoveries and inventions; and words, phrases, symbols, and designs. Common types of intellectual property rights include, but not limited to, copyright, trademarks, patents, industrial design rights, trade dress, and in some jurisdictions trade secrets.

MHSD Intellectual Property includes, but is not limited to, MHSD and school district employees designed/created educational materials, designed/created curricular material, designed/created forms/spreadsheets, designed/created computer programs, designed/created website/webpages; MHSD and school district employees designed/created musical materials, designed/created literary materials, designed/created artistic works materials; MHSD and school district employees designed/created discoveries and inventions, designed/created words/phrases, designed/created symbols, and designed/created designs.

All works of any kind that an employee of the district creates on the network or district computers shall be the Intellectual Property of the district, as such property shall be deemed “work for hire” as defined in 17 USC Section 1001(1). Student works prepared pursuant to an assignment for any class, project, school-sponsored activity or club shall be the property of the student, if it represent original work.

- a. All web pages hosted by the District are the property of the Mountain Home School District.
- b. Students may create and publish web pages to be hosted on the District's web site for educational purposes directly related to a course that the student is currently enrolled. It is the responsibility of the instructor to ensure that student web sites are in total compliance with District rules and procedures before the material is published.
- c. Only active files that are required for the proper operation of a web site will be stored on the District's site. It is the responsibility of the page's author to maintain and/or delete files.
 - Staff web pages will be deleted when the staff member leaves the District.
- d. Staff web pages will be moved when the staff member changes locations due to an assignment change.

The District's technology administrator or District Webmaster will have the authority to remove any content deemed inappropriate. All works on the network, computers, or storage devices are subject to the monitoring/scrutiny of district and building administrators, information system personnel, and/or designees of administrators. All files, materials, or documents may be reviewed and may be deleted by designated technology staff.

The Superintendent will have final authority for issues related to the content of all pages on the District's web site.

For the purpose of this policy, “works” shall mean “an original expression, in fixed and tangible form, that may be entitled to common-law or statutory copyright protection. Works may take different forms and include, but are not limited to, art, literature, music, software, and photography.”

Legal Reference: 17 USC Section 1001(1), *et seq.*
Eberharter-Maki, & Tappen, P.A.

ADOPTED: April 15, 2014