



Administrative Procedure 2025

Development of Educational Support Materials (Print, Non-Print and Computer Software)

Board Governance Policy Cross Reference: [1](#), [12](#), [15](#)

Administrative Procedures Cross Reference:

Form Cross Reference:

Legal/Regulatory Reference:

[Copyright Matters! - Council of Ministers of Education, Canada](#)

Date Adopted: May 2004

Amended: December 2017

The Brandon School Division encourages the development of educational support materials by its employees.

When an employee produces educational support materials without financial assistance from the Division, on the employee's own time, outside the employee's regular assigned duties and without use of Division resources, the Division shall recognize the employee's exclusive ownership of such materials and shall respect any copyright undertaken.

When an employee produces educational support materials as part of the employee's assigned duties, and/or has used Division resources, and/or has used regular work time, and/or has received financial assistance, the Division shall have access to such materials and it will become the property of the Division.

Employees undertaking the development of educational support materials (print, non-print, including computer software) with the assistance of any of the Division's resources should contact the Superintendent/CEO for the purpose of establishing prior agreement on further ownership of the support materials.

Employees who desire to copyright, patent and to market materials that are related to their work assignment shall submit a copy of such material to the Superintendent/CEO for review. The submission should include:

1. the names of persons who participated in preparation of the material;
2. the percentage of the employer's time spent by these persons during preparation;
3. indication of the employer's resources used to assist with the preparation of the material;
4. an explanation of the individual's intent with respect to the publication or marketing of the material

The Superintendent/CEO may then negotiate a satisfactory agreement with the producer of the material, such agreement to include consideration for the use of the materials by the Division, for copyright or patenting where appropriate, and for distribution of the material publicly where deemed advisable.