



ROCKHAMPTON GIRLS GRAMMAR SCHOOL

Intellectual Property Policy

PURPOSE OF THE POLICY

The purpose of this policy is to provide clear direction in the upholding of any laws relating to intellectual property at Rockhampton Girls Grammar School.

The term 'intellectual property' is used to refer to the rights arising from original creative intellectual activity in the literary, artistic, intellectual and scientific fields. The concept of intellectual property rights is based on the principle that each person has a natural property right in the creation of their intellect. Intellectual creativity is in the public interest and should be encouraged, as it serves to enhance the general store of knowledge and development.

POLICY

The School policy is to uphold any laws relating to intellectual property and it is important that staff are aware of the ownership of materials they work with and those that are created during the course of their employment.

1. For works produced in the course of employment, the School automatically owns copyright to the works. This includes classroom and other resource materials, whether on paper, or in audio visual or electronic form, and computer software. The right of ownership comes about automatically under the Copyright Act.
2. The fact that a copyright work has been produced outside working hours will not necessarily mean that it has been done outside the scope of employment. For example, a teacher who produces a guide to problem solving for use by students in the class room is simply doing their job, and the material belongs to the School as the employer. On the other hand, the school has no rights to a novel written at home, provided it is not done in the course of employment and it is not the reason for a person's employment.
3. Because employees do not own the materials they create as part of their employment, they are not entitled to make use of the materials without the written permission from the Employer. This obligation continues to apply even after a term of employment has ended.
4. In summary, where intellectual property is produced by an employee during the course of performing the employee's official duties, the employer, i.e. the Trustees of Rockhampton Girls Grammar School, will be the owner unless there is agreement to the contrary. Where there is potential for employee ownership of intellectual property, for example, due to specific conditions of employment, there should be agreement as early as possible between the employee and the School as the ownership of the intellectual property that will be created. The issue of employee ownership of intellectual property would need to be considered on a case by case basis.

Student Work. Works produced by students belong to the students and cannot be produced without breaching copyright unless permission is obtained. For example, when publishing a collection of students' poetry, the written permission of the student and their parents/guardians must be obtained.



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POLICY RELEASE DETAILS

Date of Policy	September 2011
Reviewed by	RGGS Executive
Review Date	Biennially
Access	Public Availability – RGGS Website

RELATED POLICIES AND DOCUMENTS

RGGS Staff Handbook

RGGS Copyright Policy