

Collaborative Copyright (Intellectual Property) Policy

Rationale:

Maungaraki School encourages the open and free exchange of information, knowledge and resources; and supports the collaborative production of intellectual property that is freely available to all.

The school:

- asserts its copyright over school employees' work created during the course of employment
- applies by default a Creative Commons Attribution 3.0 New Zealand Licence (BY) to all its teaching materials and other work wherever possible.

Intellectual property in relation to work other than teaching materials is protected by default and may only be waived or altered with the express agreement of the principal and on a case by case basis. Considerations will include:

- detailed reasons for limiting the free access to material
- making any restrictions time dependent
- consideration of applying other Creative Commons licences to the work.
- The school will transfer the copyright of created works to the original creator when a licence is applied to them which meets the free cultural works definition, that is, a Creative Commons Attribution License (BY) or Creative Commons Attribution-Share Alike (BY-SA).

Maungaraki School encourages staff and students to support free and open access to intellectual property, and also to apply the Creative Commons Attribution framework to their work as individuals.

Ownership of intellectual property and outputs arising from intellectual activity

- Outputs and intellectual property created by staff in the course of their employment are owned by the school unless otherwise expressly agreed by way of contractual obligations in an employment agreement.
- Outputs and intellectual property will be **jointly** owned by the school and a staff member only where such joint ownership is expressly agreed between Maungaraki School and the staff member.
- The ownership of outputs or outcomes of students' work belong to the students. The school makes no claim over students' work.

Clarity of licensing

1. All published works should be clearly labelled using the appropriate symbol and licensing statement from **Creative Commons**.

Disputes

Where there is a dispute over ownership, including co-ownership of intellectual property, and/or the commercialisation of any co-owned intellectual property, the following process will apply:

1. The dispute will be documented and presented to the principal.
2. If the dispute is not resolved, the documentation will be presented to the chairman of the board of trustees.
3. If the dispute is still not resolved, mediation with an appropriate authority will be undertaken.

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Definitions

Intellectual property: includes the rights to all created work.

Outputs: the products created by an individual or group of individuals, such as artwork.

Outcomes: the consequences or results arising from the development or use of intellectual property as opposed to products that are **created** from intellectual property. Examples of outcomes include exhibitions, websites, and publications.