



BOARD OF EDUCATION
POLICY 7060
ROYALTIES

Effective: November 20, 1990

Policy Statement

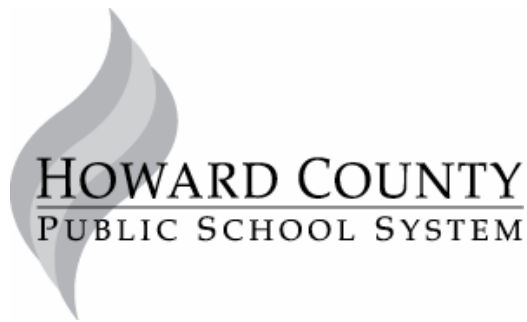
No educational staff member may receive any royalty or other payment of account of textbooks, instructional materials, films, or film strips, audio-visual materials, musical sources, etc., written or developed by him and purchased by the Howard County Public Schools. In any case in which such material so written or prepared is approved for purchasing, it shall be agreed by the author, the publisher, and all others concerned, that the author's royalties and/or reimbursements are to be paid not to the author, but to some educational or charitable enterprise selected by the author and approved by the Board of Education.

If any educational employee objects to these conditions, and prefers that his materials not be purchased, he shall have the right to indicate that preference and it shall be respected by the Superintendent.

The Board of Education recognizes the right of staff members to produce commercial instructional and administrative materials apart from their employment with the Howard County Public School System. In order to avoid conflicts of interest, staff members who receive royalties on annual gross sales in excess of \$7500, or a *pro rata* share of payments of account in excess of \$7500 gross sales annually, for instructional or administrative materials sold to the Howard County Public School System shall donate royalties or their net *pro rata* share of payments of account to an approved charity.

Original Approval: May 5, 1970

Date of Revision: November 20, 1990



POLICY 7060-R
REGULATIONS
ROYALTIES

Effective: November 20, 1990

I. Definitions

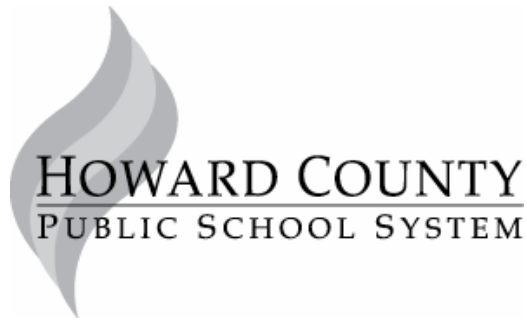
- A. Staff member - an employee of the Howard County Public School System.
- B. Instructional and administrative materials - textbooks, library books, audiovisual materials, computer programs, procedural handbooks, or any other commercially-produced materials used in the instructional process or the process of school and central office administration.
- C. Royalty - a percentage payment on gross sales to an author or producer by a company or producer of instructional or administrative materials.
- D. Payment of account (*pro rata*) - a staff member's *pro rata* share of net profits on sales of instructional or administrative materials to the Howard County Public School System by a company in which the staff member has a 3% or more ownership interest.
- E. Approved charity - any charity recognized as legitimate for federal tax purposes by the U. S. Internal Revenue Service.

II. Regulations

- A. The Board of Education recognizes the right of staff members, on their own time and apart from their employment with the Howard County Public School System, to author or produce commercial instructional or administrative materials and/or to own business interests in companies which produce such materials.
- B. Instructional or administrative materials authored or produced by staff members may be purchased by the Howard County Public School System if they are approved for purchase according to normal evaluation and selection procedures.
- C. In order to avoid conflicts of interest, a staff member who receives royalties on the sale of instructional or administrative materials to the Howard County Public School System in excess of \$7500 gross sales annually, or who receives a *pro rata* share of payments of account for instructional or administrative materials purchased by the Howard County Public School System in excess of \$7500 gross sales annually, must donate royalties and/or net *pro rata* profits to an approved charity.

- D. Any staff member who chooses not to comply with the foregoing regulations may request of the Superintendent that his or her materials not be purchased by the Howard County Public School System. Such requests will be honored.

Original Approved: May 5, 1970
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POLICY 7060-PR
IMPLEMENTATION PROCEDURES
ROYALTIES

Effective: November 20, 1990

I. Staff Members' Obligations

- A. A staff member who receives royalties on the sale of instructional or administrative materials to the Howard County Public School System in excess of \$7500 gross sales annually, or who receives a *pro rata* share of payments of account for instructional or administrative materials purchased by the Howard County Public School System in excess of \$7500 gross sales annually, must report such sales in an annual report to the Superintendent, submitted in July of each year. This annual report must contain the staff member's best estimate of gross sales and royalties, and/or *pro rata* net profits, based on such information as may be available from the publisher, company, or the Howard County Public School System Department of Purchasing, as well as a brief description of the method used to estimate gross sales. This report must include the amount of gross sales (if they exceed \$7500) and the name of the approved charity to which net profits and/or royalties were donated.
- B. A staff member who prefers not to sell his or her instructional or administrative materials to the Howard County Public School System may so petition the Superintendent in an annual request listing all such instructional or administrative materials. This request will be honored.

II. Superintendent's Obligations

- A. The Superintendent (or designee) will maintain a file of the reports of staff members on royalties, payments of account, and charitable donations, and will make this file available to the Board of Education on request.
- B. In the case of staff members who request that their instructional or administrative materials not be purchased, the Superintendent (or designee) will so notify the Department of Purchasing and appropriate school system account managers.

Administrative Approval: November 20, 1990