

## **II. Policy for Use of NBCT and Veteran Candidate Assessment Performances**

### **Policy**

The National Board *Policy for Use of NBCT and Veteran Candidate Assessment Performances* is to restrict use by NBCTs and veteran candidates (those who have applied but never achieved) of their responses (including video recordings, written commentary sheets, instructional materials, essays, classroom plans, assignments, and comments and, as applicable, student work). As part of the application and assessment process, candidates assign to NBPTS all of their copyright and other intellectual property rights (including rights of publicity) in the responses and authorize broad use by NBPTS, its agents, contractors, designees and licensees, of the responses, as described in the candidate, student and adult releases.

### **Explication**

In keeping with the policy, the following provisions shall prevail:

- NBPTS prohibits NBCTs from making commercial use of their responses.
- NBPTS grants permission to all NBCTs and veteran candidates the right to use their personal copies of portfolio responses for personal, non-public, nonprofit, educational purposes consistent with NBPTS' ethics guidelines.
- NBCTs are required to obtain NBPTS's permission to use their personal copies of portfolio responses for any purpose other than personal, non-public, nonprofit, educational use.
- NBCTs are prohibited from assigning or licensing the right-of-use of their personal copies of portfolio responses to another.

### **General Guidelines**

#### *Access to Performance Assessment Data*

NBPTS has established a Policy, General Guidelines and Procedural Requirements for Release of NBPTS Held Data for Educational Research. A copy of that policy may be obtained from NBPTS.

#### *Use of Assessment Performances by NBCTs and Veteran Candidates*

NBPTS grants permission to NBCTs and veteran candidates who have a copy of their assessment performances the right to use their performances for personal, non-public, nonprofit, educational purposes consistent with NBPTS' ethics guidelines. Granting such permission to NBCTs and veteran candidates should not be construed in any way as review or endorsement by NBPTS for the nonprofit, educational purposes carried out by NBCTs or veteran candidates. Further, the NBCT may not in any way convey the message that he/she represents or is an agent of NBPTS.

Candidates must seek permission from NBPTS to use a performance for any other purposes. The letter of request must specify the purpose and the time-period, during which the performance will be used, which may not exceed one year. NBPTS does not provide to NBCTs or veteran candidates a copy of their performance. Further, NBCTs and veteran candidates may not assign the right of use of their performance to another.

*Access to and Use of NBCT and Veteran Candidate Performances by NBPTS and Others*

Candidates who apply for National Board Certification grant to NBPTS through the application process the right to use their performances for any purposes consistent with the mission of NBPTS and with the student, candidate and adult releases.