

## COPYRIGHT

### Background

The District believes in the rights of copyright owners and expects all staff to be aware of and uphold these rights as required by the Copyright Act. At the same time, the District recognizes the need for students to have access to a wide range of educational resources. This administrative procedure outlines the district's commitment to educate staff with respect to legal responsibilities associated with the Copyright Act as well as to promote the use of materials under the Fair Dealings Guidelines to support work in schools.

The District will not accept responsibility for a staff member who willfully and knowingly contravenes the Copyright Act or who copies materials without permission of a copyright owner unless covered under the Council Of Ministers of Education Canada's Fair Dealing Guidelines.

### Responsibilities

1. The superintendent of schools will designate district copyright contact(s)
2. The district will encourage staff completion of required material usage surveys
3. School administrators will review the [Fair Dealing Guidelines](#), [Copyright Matters!](#), [Copyright Compliance Checklists](#) & the [Copyright Decision Tool](#) annually with staff to ensure staff copy within the law
4. School administrators will ensure the following materials are posted in their school:
  - a. [Fair Dealing Guidelines](#)
  - b. [Consumables](#) posters

### Procedures

1. Copyrighted materials may be reproduced for office, school, or classroom use only if the reproduction and use of the material is covered under the Fair Dealing Guidelines or if the copyright owner has provided explicit permission to do so.
2. The District allocates funds through school budgets for provision of learning resources and for the payment of copyright permission.
3. It is not an infringement of copyright for schools, students, or staff members to reproduce, perform, and communicate works as allowed under law and under the Fair Dealing Guidelines.
4. Ownership of Copyright
  - a. The District owns copyright in any works produced by a staff member in the course of his/her employment.
    - i. The Superintendent or designate, may grant the others the right to reproduce, perform, or communicate works to which the District owns the copyright according to the rights granted the copyright owner in law, and under such terms as may be appropriate. The reproduction must include acknowledgement of the copyright and

- give acknowledgment to the authors.
  - ii. The Superintendent or designate may enter into an agreement with others to produce, in part or in whole, a work for the District. This agreement shall specifically address copyright of the work produced.
  - iii. The District may market District material at a cost that shall cover printing, mailing and royalty.
  - iv. The District may enter into an agreement with a private publisher to publish District material for sale and distribution.
  - v. If the District markets a resource profitably, it may choose to compensate the staff members(s) who are the authors of the work.
- b. Students own the copyright on anything that they create and parental permission to reproduce, perform, or communicate their work should be obtained if the student is under 16. Student permission is required if the student is 16 or over. Permission is not required to display student work within the school. Permission is required to display student work in a public forum, school publication, teaching workshop, student exemplar, or in a Web posting.

**References:**

[Fair Dealing Guidelines](http://copyrightdecisiontool.ca/fdg/default.aspx): <http://copyrightdecisiontool.ca/fdg/default.aspx>

[Copyright Matters!](http://cmec.ca/Publications/Lists/Publications/Attachments/291/Copyright_Matters.pdf): [http://cmec.ca/Publications/Lists/Publications/Attachments/291/Copyright\\_Matters.pdf](http://cmec.ca/Publications/Lists/Publications/Attachments/291/Copyright_Matters.pdf)

[Copyright Compliance Checklists](http://www.cmec.ca/docs/copyright/Copyright%20Compliance%20Checklists.pdf): <http://www.cmec.ca/docs/copyright/Copyright Compliance Checklists.pdf>

[Copyright Decision Tool](http://copyrightdecisiontool.ca/DecisionTool/): <http://copyrightdecisiontool.ca/DecisionTool/>

[Copyright Act](http://laws-lois.justice.gc.ca/eng/acts/c-42/): <http://laws-lois.justice.gc.ca/eng/acts/c-42/>

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