



COPYRIGHT AND INTELLECTUAL PROPERTY

Page 1 of 1

Context

The Board of Education recognizes that the *Copyright Act* is designed to protect the rights of authors and producers of creative works, and requires its employees to respect these rights and the copyright provisions in district schools.

Policy Statement

The Board of Education will ensure that all staff are supported in abiding by all copyright provisions and protocols.

Guiding Principles

The Board of Education believes that:

1. Creators of copyright materials have the rights of ownership that come with copyright laws related to the nature of the publication.
2. Students have a right to access a wide range of educational resources within copyright rules.
3. Anyone who willfully and knowingly contravenes the rules of copyright including as found in the Copyright Act should be responsible for consequences that might flow from such a breach.
4. Employees are to be guided in their practice by the provisions of *Copyright Matters* and the *Fair Dealings Decision Tool* as described in the Administrative Procedures.
5. Laws pertaining to intellectual property should apply to any materials or resources created by employees contracted for or assigned to the creation of those materials or resources

References

- Administrative Procedures to Board Policy 504: Copyright and Intellectual Property
- [The Copyright Act](#)
- [Copyright Matters](#)
- [Fair Dealings Decision Tool \(developed by the Copyright Consortium of the Council of Ministers of Education, Canada \(CMEC\)\)](#)
- [Copyright Matters: Some Key Questions and Answers for Teachers](#)
- [Government of Canada: Copyright](#)

Dates of Adoption/Amendments:

Adopted: June 22, 2021

Amended:



QUALICUM SCHOOL DISTRICT

ADMINISTRATIVE PROCEDURES TO BOARD POLICY 504

COPYRIGHT AND INTELLECTUAL PROPERTY

Page 1 of 2

Purpose

These Administrative Procedures are written in support of Policy 504: Copyright and Intellectual Property.

For the purposes of copyright law, schools are a public place. Copyright law includes, but is not limited to books, audio and video tapes, computer software, sheet music, photocopies, facsimile machine copies, handwritten or typed copies, translations, adaptations and performances.

Procedures

1. The Board designates a District Resource Centre staff member to act as the Copyright Officer for the district. Responsibilities shall include, but not be restricted to:
 - 1.1 distribution to all staff of current information regarding copyright guidelines and licensing arrangements (e.g. CANCOPY, SOCAN).
 - 1.2 securing copyright permissions and site licenses, and maintaining necessary records regarding use of copyrighted materials in the district.
 - 1.3 development of procedures to ensure that expiration dates are honoured.
2. The teacher-librarian in each school shall act as liaison to the Copyright Officer.
3. The principal or site supervisor shall review with all staff (M.A.T.A. and C.U.P.E.) the school district's Copyright Procedures and the contents of the copyright guidelines.
4. The copyright guidelines shall be kept at all work sites and employees shall refer to the guidelines whenever questions arise concerning copyright.
5. When there are opportunities for copyright violations by students, the Board requires teachers to instruct students about the *Copyright Act*, to make students aware of the ethical and practical problems caused by copyright infringement, and to attempt to supervise students in a manner that a copyright violation does not occur.
6. Persons seeking to copy or have copied items shall ensure that the proper copyright permission(s) have been granted through either a license agreement or written permission of the copyright owner.
7. The Board will not protect individual employees who break, or request another to break, the copyright law.
8. Employees will be guided in their decision making regarding copyright materials by *Copyright Matters*, a publication of the Council of Education Ministers of Canada, the Canadian School Boards Association and the Canadian Teachers Federation (2016) as found at:
https://cmec.ca/Publications/Lists/Publications/Attachments/291/Copyright_Matters.pdf.



QUALICUM SCHOOL DISTRICT

ADMINISTRATIVE PROCEDURES TO BOARD POLICY 504

COPYRIGHT AND INTELLECTUAL PROPERTY

Page 2 of 2

9. Employees will be supported in their decision making in regard to use of copyright materials by the *Fair Dealings Decision Tool* as found at:
<http://www.fairdealingdecisiontool.ca/DecisionTool/>
10. Any materials or resources of monetary value that are created by employees specifically assigned to, or contracted for, the development of said materials or resources will remain the intellectual property of the Board.

References

- Board Policy 504: Copyright and Intellectual Property
- [The Copyright Act](#)
- [Copyright Matters](#)
- [Fair Dealings Decision Tool \(developed by the Copyright Consortium of the Council of Ministers of Education, Canada \(CMEC\)](#)
- [Copyright Matters: Some Key Questions and Answers for Teachers](#)
- [Government of Canada: Copyright](#)

Dates of Adoption/Amendments

- Adopted: 1990.06.13
- Amended: 1991.11.12: 2001.10.23: 2017.01.24: 2021.06.22: **2022.10.25**