



AP 3-703 – COPYRIGHT

BACKGROUND

The Division acknowledges that it has a statutory and ethical responsibility to respect the legitimate copyright claims of creative contributors and their publishers/distributors. The Division also recognizes the need for students to have access to a wide range of resources within the limits of the Copyright Modernization Act (2012).

Accordingly, there exists a need to clarify both the creator's and the user's rights with respect to use of copyright material.

Division employees shall not duplicate, without the permission of copyright holders, print materials, computer software programs, video or audio materials that are protected by copyright; nor shall schools store or use duplicated materials that are in violation of copyright laws.

DEFINITIONS

1. Copyright means the legal protection of a creator's original work. Copyright law does not protect ideas, only the form in which they are expressed.
2. Copyright infringement means publishing, adapting, exhibiting, translating, editing, performing in public, communication by telecommunication, copying or converting to another medium without permission of the creator.
3. Works covered by copyright means all original literary, dramatic, musical and artistic works.

Examples include, but are not limited to: books, writing, encyclopedias, photographs, films, dictionaries, statistical data, newspapers, reviews, magazines, translations, tables, compilations, examination questions, speeches set down in writing, any piece that can be recited, choreographies, harmony, melody, lyrics, paintings, drawings, sculptures, works of artistic craftsmanship, engravings, architectural works of art, maps, plans, charts, records, cassettes, tapes, sound recordings, television programs, and electronic resources such as computer soft-ware, on-line programs, CD-ROMs, laser disks and computer stored on any media.

4. Dubbed off air means making a copy of any television program during broadcast.

GUIDELINES

Division employees shall not contravene the copyright law by illegally copying or duplicating texts, workbooks, periodical materials and/or musical works, printed or recorded. Works covered by copyright may only be reproduced by Division employees with oral or written permission from the copyright owner or authorized agent.

In the event of litigation resulting from copyright violation, the Division will not assume responsibility for actions of an employee who has contravened the school system copyright policy.

PROCEDURES

1. Each site-based administrator shall ensure that reproduction equipment (photocopiers, computers and records) are labeled with warnings that reproduction is not permitted without permission from the copyright owner.



2. All staff shall familiarize themselves with the document, *Copyright Matters! Some Key Questions & Answers for Teachers* (CMEC 2012). It can be accessed at:
<http://www.cmec.ca/140/Programs-and-Initiatives/Copyright/Copyright-Matters-/index.html>
3. All staff will comply with the Fair Dealing Guidelines (2012).
http://www.cmec.ca/docs/copyright/Fair_Dealing_Guidelines_EN.pdf

Reference:

Regulation 213/96, Education Administration Act
Copyright Modernization Act (2012)
Fair Dealing Guidelines (CMEC, 2012)
School Administration Handbook – Cancopy Highlights

Adopted: August 2009

Revised: December 2012