

3302: COPYRIGHT (AP)

Approved: 90 10 16
Amended: 04 02 24

POLICY

The Board of Education does not condone or support the unauthorized reproduction or use of computer software, television or radio programs, audio or video software, printed matter or any other copyrighted or patented materials for which the rights are not owned by School District 70 (Alberni) or for which the rights are not in the public domain.

The Board expects all employees to abide by the Canadian Copyright Act.

ADMINISTRATIVE PROCEDURES

1.0 COPYRIGHTED MATERIALS

- 1.1 Copyright works include, but are not limited to, print articles from publications, TV and radio programs, videotapes, music performances, photographs, training material, manuals and documentation, software programs, databases and World Wide Web.
- 1.2 Employees are responsible for informing themselves about copyright regulations. No employee of School District 70 may reproduce any copyrighted work in print, video or electronic form in violation of this law.
- 1.3 The liability for willful infringement of copyright regulations is upon the person making or requesting the copy.

2.0 PRINT MATERIAL

- 2.1 The license agreement with CANCOPY permits teachers to copy a portion of most published print material. The CANCOPY license, however, does not permit any work to be copied in its entirety.
- 2.2 Some types of print material and specific publications are excluded.

- 2.3 Information about the CANCOPY license (including the list of exclusions) is posted at all work sites and additional information can be obtained from the Ministry of Education or CANCOPY.

3.0 VIDEO MATERIAL

- 3.1 No employee of SD 70 may use any rental video in the classroom unless a site license has been obtained. The Visual Education Centre and Audio Cine Film Inc. negotiate site licenses with schools if desired.
- 3.2 With regard to the taping of television and radio programs, two educational exemptions exist for classroom teachers:
- 3.2.1 The first exception permits an educational institution, or a teacher acting under its authority, to make a single copy of a news or news commentary program, and to use the copy on school premises for educational purposes. The copy can only be made at the time the program is aired. The audience must consist primarily of the students from the educational institution. Documentaries are specifically excluded. The following conditions apply:
- i) The copy can be made and shown, without the permission of its copyright owner or the payment of a royalty, an unlimited number of times for up to one year from the date the copy is made.
 - ii) After one year, the copy must either be erased or paid for.
 - iii) The educational institution is required to provide information related to the making, erasing, performing, and marking of the copy to the copyright owner or a collective representing the owner.
 - iv) Copies that are not erased after one year will be subject to payment at a pre-set rate, and to terms and conditions relating to the use of the copy.
- 3.2.2 The second exception permits an educational institution, or a teacher acting under its authority, to make a single copy of all types of broadcast programs (i.e. those that are not news or news commentary programs). The copy can only be made at the time the program is aired. A teacher may review the copy for up to 30 days to determine whether the copy will be used on the school premises for education purposes. After 30 days, the copy must either be erased or paid for. The educational institution is required to provide information relating to the making, erasing, performing, and marking of the copy to the copyright owner or a collective representing the owner. Copies that are not erased after 30 days will be subject to payment at a pre-set rate, and terms and conditions relating to the use of the copy.

- 3.3 Employees must ensure that tariffs arising from news and news commentary programs kept for more than one year beyond the date of taping, and other programs taped for review purposes and kept for more than 30 days are paid to the Educational Rights Collective of Canada (ERCC).
- 3.4 Employees must ensure that information regarding the making, erasing, performing and marking of video copies is recorded on the Data Collection Form available in each school.

4.0 MUSIC

The Society of Composers, Authors and Music Publisher of Canada (SOCAN) is a collective that deals with musical works, collecting royalties on behalf of composers, lyricists, songwriters and music publishers for the public performance or broadcasting of their music. SOCAN license fees are to be tendered for all musical events presented with the exception of concert performances in the furtherance of educational objectives such as in-class teaching or recitals by musical students for the purpose of gaining audience experience.

5.0 SOFTWARE

- 5.1 Installation and use of computer software must comply with the specific licensing of each individual product. Employees must know the licensing status of any product prior to installation or duplication.
- 5.2 Software licensing may include but not be limited to:
 - 5.2.1 Stand-alone licences to be installed on one computer only.
 - 5.2.2 Network licenses granted to a given number of concurrent users.
 - 5.2.3 Site licences allowing school or district-wide use.
 - 5.2.4 Copies installed on multiple computers but only used on one machine at a time.