

Title: **Copyright**

Category: **Education**

Number: **1090**

Circulating until January 3, 2019

I. Rationale:

Copyright legislation ensures fair returns on investment for the producers of copiable and mass showing commercially produced work. School districts have an obligation to support these fair practices.

II. The Executive Assistant to the Superintendent is the Copyright Officer for the district.

III. District equipment, material or services shall not be used to infringe copyright as per the *Copyright Act of Canada*.

IV. The Copyright Officer shall distribute information to site managers on the provisions of the *Copyright Act of Canada*.

V. Principals and other site managers shall ensure that appropriate notices are placed on or near equipment which could be used to make copies of copyrighted materials. These notices shall include a warning on copyright infringement and the responsibility of the individual.

VI. Copyrighted computer software, audio and video products, printed matter or any other copyrighted or patented materials may only be reproduced if the rights are owned by School District No. 46 or are in the public domain. CANCOPY has negotiated licenses with school boards in British Columbia and administer the legal rights provided under the *Copyright Act* on behalf of School District No. 46 for photocopying in schools.

VII. Staff may, without the copyright owners' authorization, record radio and television programs at the time they are broadcast and show those recordings in the classroom.

A. Staff may:

1. record and show in the classroom "news and news commentary" programs for one year without having to pay royalties - after the one year, they must pay royalties in an amount set by the Copyright Board by tariff;
2. record "other" programs and keep them for assessment purposes for 30 days - if they keep the recording any longer, or if they show the recording in the classroom at any time, they must pay royalties in an amount set by the

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Copyright Board by tariff.

B. Educational institutions are required to complete the attached form every time a radio or television program is recorded for classroom use. The form shall be sent to the Executive Assistant to the superintendent at the school board office.

C. Educational institutions are not required to complete a form for recording a news program if the recording is erased within 72 hours of its recording.

D. An educational institution must assign a reference number or code to every program copied. The code will be the school name, year and copy number (i.e. KES 2018.01).

VIII. A staff member, for educational purposes, is permitted to copy a work, by hand, onto surfaces "intended for displaying handwritten material." (E.G. flip charts, dry-erase surfaces, etc.) An exception to the *Copyright Act* also permits a staff member to copy a work in order to project it electronically for the purpose of education or training.

IX. If work necessary for a test or examination is not "commercially available" for a staff member's purpose, the rights of a copyright owner are not infringed if the work is copied, translated, performed or communicated by telecommunication.

X. The Copyright Officer shall maintain adequate records regarding all permissions, responses to requests, and license agreements regarding use of copyrighted materials in the district.

XI. School libraries are exceptions to the *Copyright Act*.

FORM ATTACHED: Schedule (Subsection 6 (1)), Information Record

Received:

References: