

<b>ADMINISTRATIVE PROCEDURES</b>	
<i>Administrative Procedure Section</i> <b>PUBLIC RELATIONS/ COMMUNICATIONS</b>	<i>Policy Number</i> <b>718</b>
<i>Administrative Procedure Number</i> <b>AP-PRC-718</b>	<i>Page</i> <b>1 of 4</b>

## **ADMINISTRATIVE PROCEDURE TITLE**

Copyright Protected Works

### **1.0 ADMINISTRATIVE PROCEDURE**

- 1.1 All staff will comply with the Fair Dealing guidelines as developed by the Council of Ministers of Education Canada (CMEC) Copyright Consortium.
- 1.2 The Manager of Communications and Freedom of Information/Protection of Privacy will communicate the fair dealing guidelines to staff on an annual basis.
- 1.3 Principals and Managers will provide direction to all staff to support their understanding of the obligations of the school board in accordance with the Copyright Modernization Act.
- 1.4 Principals shall include these procedures into school-based staff handbooks and review the procedures with staff on an annual basis.
- 1.5 Principals and Managers will post Appendix A or other approved posters at all photocopiers in the school and on Board property that staff use for providing resources for staff and/or students.
- 1.6 Principals and Managers will post Appendix A or other approved posters at all photocopiers in the school and on Board property that staff use for providing resources for staff and/or students.
- 1.7 Staff members may communicate and reproduce, in paper or electronic form, short excerpts from a copyright-protected work for the purposes of research, private study, criticism, review, news reporting, education, satire and parody.

- 1.8 Copying or communicating short excerpts from a copyright-protected work under these procedures for the purpose of news reporting, criticism or review will mention the source and, if given in the source, the name of the author or creator of the work.
- 1.9 A single copy of a short excerpt from a copyright-protected work may be provided or communicated to each student enrolled in a class or course:
- as a class handout
  - as a posting to a learning or course management system that is password protected or otherwise restricted to students of a school or post-secondary educational institution
  - as part of a course pack

A short excerpt means:

- up to 10% of a copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work)
  - one chapter from a book
  - a single article from a periodical
  - an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works
  - an entire newspaper article or page
  - an entire single poem or musical score from a copyright-protected work containing other poems or musical scores
  - an entire entry from an encyclopedia, annotated bibliography, dictionary or similar reference work
- 1.10 Copying or communicating multiple short excerpts from the same copyright-protected work, with the intention of copying or communicating substantially the entire work, is prohibited.
- 1.11 Copying or communicating that exceeds the limits in this procedure may be referred to the school principal manager for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.
- 1.12 Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.

## **2.0 TERMS AND DEFINITIONS**

### **4.1 COPYRIGHT**

The legal protection of a creator's original work. Copyright law does not protect ideas, only the form in which they are expressed.

### **4.2 FAIR DEALING**

A user's right outlined in the Copyright Act that identifies allowable purposes (or dealings) for the use of copyright protected materials without permission or payment of copyright royalties.

### **4.3 COPYRIGHT INFRINGEMENT**

Publishing, adapting, exhibiting, translating, editing, performing in public, communicating by telecommunication, copying or converting to another medium without permission of the creator.

### **4.4 WORKS COVERED BY COPYRIGHT**

All original literary, dramatic, musical and artistic works.

## **3.0 REFERENCES/RELATED DOCUMENTS**

Copyright Act  
Copyright Modernization Act  
Fair Dealing Guidelines – Council of Ministers of Education Canada (CMEC)  
Copyright Consortium

## **4.0 RELATED ADMINISTRATIVE PROCEDURES**

## **5.0 RELATED FORMS**

## **6.0 ADMINISTRATIVE PROCEDURE REVIEW DATE**

May 2018

**7.0 APPROVED BY BOARD**

May 28, 2013

**8.0 EFFECTIVE DATE**

May 28, 2013

**9.0 REVIEW BY**

Communication Services

**10.0 LAST REVISION DATE**

New