

COPYRIGHT

Background

The Division recognizes the rights of creators and is committed to ensuring staff are aware of these rights as mandated by the Copyright Act of Canada. Good Spirit School Division supports the use of legally obtained, duplicated, or reproduced materials to enrich the educational experience, provided that all relevant national and international copyright laws are adhered to. The Division will not assume responsibility for any staff member who knowingly contravenes the Copyright Act, copies materials excluded from the Access Copyright license, or violates Public Performance Rights.

Definitions

In this administrative procedure:

1. Copyright refers to the legal protection of a creator's original work ensuring works are not used without permission unless permitted by the Copyright Act.
2. Copyright Infringement includes the unauthorized publication, adaptation, exhibition, translation, editing, public performance, photocopying, scanning, downloading, uploading, and emailing of a copyrighted work.
3. Types of Copyrighted Works include:
 - Literary, dramatic, artistic, musical works (e.g. books, plays, films, artwork, music)
 - Sound recordings (e.g. lectures, music, etc.)
 - Communication signals (e.g. broadcasts)

Procedures

1. Fair Dealing Guidelines

- In accordance with the Copyright Act, GSSD permits the use of short excerpts from copyrighted work without prior permission from the copyright owner, provided the use is considered fair. Staff may reproduce or communicate excerpts for research, private study, criticism, review, news reporting, education, satire, and parody.
- Short excerpts may be:
 - A single article or chapter,
 - Up to 10% of a work,
 - Entire artistic works like photographs or maps, and
 - Complete entries from reference sources like dictionaries.
- Multiple short excerpts from the same work, intended to replicate the entire work, are not allowed. Staff should consult the Division if they are unsure of fair dealing limits. For assistance, refer to external resources like the Fair Dealing Decision Tool.

2. Video and Audiovisual Materials

- Videos may be shown under these conditions:
 - The showing occurs on Division premises for educational purposes.
 - The audience primarily consists of students, instructors, or curriculum-setting staff.
 - The purpose is non-commercial and educational.
 - A legally obtained copy is used.
- Staff should confirm video use meets these guidelines. Consult the Division's agreements for off-hours or non-educational showings.
- Showing movies from personal video subscriptions such as Netflix, Crave, etc. in the classroom is governed by the terms of the agreement between the subscriber and the subscription service. In most cases, public performance of a video through a personal video subscription, within a classroom/educational setting, is a violation of the service's Terms of Use.

3. Internet and Online Materials

- Publicly available internet resources may be used in classrooms, provided they are not protected by technological measures (e.g., passwords) or notices restricting educational use. Proper citation is required for all online materials used.

4. Ownership of Copyright

- Materials provided by staff within their employment scope are owned by GSSD, unless an agreement states otherwise. The Director may authorize the reproduction or publication of GSSD-copyrighted work, ensuring proper credit.
- Student works are the property of the student. Consent from parents or guardians (for minors) is required for any use outside the classroom, including public displays or online sharing.

5. Review and Compliance

- This procedure will be reviewed regularly, with updates provided to ensure alignment with changes in copyright law. A committee may be appointed by the Director to review and improve copyright practices within the Division.
- Staff will not be asked to engage in any copyright-violating activities.

References: Canadian Copyright Act
Access Copyright Licensing Agreement
Copyright Matters! 5th Edition

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