


<b>Administrative Procedure Copyright</b>	
	<b>Department:</b> School Operations
	<b>Approved by:</b> Leadership Council
	<b>Date Approved:</b> January 22, 2024
	<b>Revision Date(s)</b>
	<b>Review Date:</b>
	<b>External References</b> <ul style="list-style-type: none"> <li>• <i>The Education Act, 1995</i></li> <li>• <i>The Copyright Act</i></li> <li>• <i>The Copyright Regulations</i></li> <li>• Access Copyright Elementary and Secondary School Tarriff</li> <li>• Audio Cine Films Agreement</li> <li>• Canadian Teachers' Federation</li> <li>• Canadian School Boards Association</li> <li>• Council of Ministers of Education Canada</li> <li>• Society of Composers, Authors and Music Publishers of Canada Agreement</li> </ul>
<b>Internal References</b> <ul style="list-style-type: none"> <li>• Permission to Publish Form</li> <li>• Copyright Permission Form</li> </ul>	

## Purpose

- This administrative procedure establishes guidelines for copyright compliance and management of intellectual property at Saskatchewan Distance Learning Centre (Sask DLC).

## Scope

- This procedure applies to all Sask DLC employees involved in creating, distributing, or using copyright materials in the context of Sask DLC operations.

## Policy Statement

- Sask DLC recognizes the rights of creators and aims to ensure staff members are aware of these rights as required by *The Copyright Act of Canada*.
- Sask DLC will not accept responsibility for a staff member who willfully and knowingly contravenes *The Copyright Act*.

## Procedures:

1. General
  - a) Works covered by copyright may only be reproduced for Sask DLC Office, class or campus use with oral or written permission from the copyright owner or if they are covered by an agreement entered into by Sask DLC or on behalf of Sask DLC by the Ministry of Education.

## 2. Print Resources

- a) The Ministry of Education has entered into the Access Copyright Elementary and Secondary School Tariff agreement on behalf of education institutions which allows copying under certain conditions. An individual may reproduce print resources per the guidelines found in this agreement.

## 3. Video Resources

- a) Sask DLC purchases licensing for video resources on a yearly basis through Audio Cine Films (ACF) and the Visual Education Centre (VEC). An individual may reproduce video resources in per the guidelines found in this agreement.

## 4. Electronic Resources

- a) Electronic resources such as computer software, online programs, electronic bulletin boards, freeware, shareware, resources submitted to Sask DLC Resource Bank and computer programs stored on any media may only be used according to conditions specified on the site or jurisdictional license.
  - i. Sask DLC will make every effort to purchase multiple copies of electronic resources or to purchase site or jurisdictional licenses for electronic resources.
- b) One backup copy, adaptation or translation of a computer program is permitted by law and does not require special permission from the copyright owner.
- c) Where a work has been placed on the internet with the message that it can be freely copied, there is an actual license to copy the work. Sometimes, the terms of the license are subject to conditions.

## 5. Music Resources

- a) Sask DLC purchases licensing for video resources yearly through the Society of Composers, Authors and Music Publishers of Canada (SOCAN). An individual may reproduce music resources per the guidelines found in this agreement.
- b) A sound recording may be placed on sound equipment on campus if the public performance rights were purchased. Sound recordings obtained from Canadian distributors always include public performance rights in the purchase price.
- c) A musical work may be performed by students and teachers in the course of teaching without obtaining permission from the copyright owner.
- d) Where a work has been placed on the internet with the message that it can be freely copied, there is an actual license to copy the work. Sometimes, the terms of the license are subject to conditions.

## 6. Public Domain Resources

- a) Staff members may reproduce works in the "Public Domain." If a work is in the "Public Domain" it means that reproduction is allowed without requesting permission.

- b) Fifty (50) years after the death of a creator, a work becomes part of the “Public Domain”, except when rights are passed to others.
- c) If the work is reprinted in a new edition, only the original text is in the “Public Domain”.

#### 7. Ownership of Copyright

- a) Sask DLC owns copyright in any works produced by a staff member during his/her employment.
  - i. The Chief Executive Officer (CEO) may grant others the right to reproduce work copyrighted by Sask DLC under such terms as may be appropriate. The reproduction must include the copyright and give acknowledgment to the authors.
  - ii. The CEO may enter into an agreement with others to produce, in part or in whole, a work for Sask DLC. This agreement shall specifically address the copyright of the work produced.
  - iii. Sask DLC may market Sask DLC’s material at a cost that shall cover printing, mailing and royalty.
  - iv. Sask DLC may enter into an agreement with a private publisher to publish Sask DLC’s material for sale and distribution.
  - v. If Sask DLC markets a resource profitably, it may choose to compensate the creative staff member.
- b) Students own the copyright on anything that they create and parental permission to reproduce their work is to be obtained if the student is under sixteen years of age. Student permission is required if the student is sixteen years of age or over. Permission is not required to display student work within the campus.
  - i. The Campus Principal or designate will request and file permissions from parents/guardians at the beginning of each school year to record and/or tape their child(ren) for possible performance.
  - ii. Parental approval shall be obtained to display any student work outside the campus at such sites as teachers’ conventions, conferences, public libraries, Sask DLC administrative office or on Sask DLC website.
  - iii. The copyright in photographs taken by students for Sask DLC’s publications with equipment and supplies provided by the campus is usually the property of the campus.

#### 8. Adherence to Copyright Law

- a) Staff members will not be required by their supervisors to perform any service that is a violation of these Administrative Procedures.
  - i. Campus Principals and supervisors shall ensure that copyright information shall be offered to all staff members, to ensure they are made aware of Copyright Law, the copyright agreements, and these Administrative Procedures.
  - ii. The CEO may appoint a committee to review copyright procedures periodically and will continue to provide updated information to all campus.