



AP 180 – COPYRIGHT

BACKGROUND

The division recognizes the rights of creators and undertakes measures to ensure employees are aware of these rights as required by the *Copyright Act*. Saskatoon Public Schools supports the use of duplicated or reproduced materials to augment the educational learning environment, with the proviso that all pertinent national and international laws are respected and adhered to. To that end, the division has provided schools with copies of the Access Copyright licensing agreement, including the restrictions and exclusion lists that pertain to copyright procedures.

Under no circumstances will the division accept responsibility for any employee who willingly and knowingly contravenes the *Copyright Act* or who copies materials without permission of the authors or publishers excluded from the Access Copyright license, or who violates the Public Performance Rights license.

PROCEDURES

The following is not intended to be a complete list of the rules that apply to copyright law, only to provide some guidelines for the general areas of copyright procedure.

1. Print resources
 - 1.1. Fair Dealing Guidelines
 - 1.2. The following guidelines describe the activities that are permitted under fair dealing in non-profit K-12 schools: Teachers, instructors, and staff members in non-profit educational institutions may communicate and reproduce, in paper and electronic form, short excerpts from a copyright protected work for the purposes of research, private study, criticism, review, news reporting, education, satire, and parody.
 - 1.3. Unless covered by the Fair Dealing Guidelines, all other print duplication must be done with the written permission of the owner of the copyright. For a complete list of the Fair Dealing Guidelines, click on this link: [Fair Dealing Guidelines](#)
For help deciding if something is allowed under fair dealing, click on this link: [Fair Dealing Decision Tool](#)
2. Video Resources
 - 2.1. Videos may be shown on the premises of an educational institution as long as the following five conditions are met:
 - 2.1.1. The showing must take place on the premises of an educational institution.
 - 2.1.2. The showing must be for an audience consisting primarily of students, instructors, or persons directly responsible for setting a curriculum.
 - 2.1.3. The showing must be for educational or training purposes.
 - 2.1.4. The showing must not be for profit.
 - 2.1.5. The copy shown must not be infringing or the person responsible for the performance has no reasonable grounds to believe that it is an infringing



copy.

- 2.2. If all five conditions listed in 2.1 above are met, an audiovisual work may be shown for educational purposes without permission from the owner of the copyright. For more information on copyright law and showing videos in the classroom, click on this link: [Copyright Information](#)
3. Computer software and programs
 - 3.1. Individuals must adhere to procedures as outlined in Administrative Procedure 140: Computer / Online Services Responsible Use.
4. Ownership of Copyright
 - 4.1. The division is the owner of materials and/or resources [Works] created by a staff member within the scope of their employment unless there is an agreement to the contrary.
 - 4.2. The director may enter into a written agreement with employees to produce, in whole or in part, a Works for the division. This agreement shall specifically address the ownership of the Works produced and when possible, shall be entered into prior to their creation.
 - 4.3. The director may grant others the right to reproduce work copyrighted by the division. The reproduction must include copyright and give acknowledgement to the authors.
 - 4.4. The division may enter into an agreement with a private publisher to publish division material for sale and distribution.
 - 4.5. Students are the owner of materials and/or resources [Works] created and legal decision-maker permission to reproduce any Works should be obtained if the student is under 16. Student permission is also required if the student is 16 or over. Permission is not required to display student work within the school.
 - 4.5.1 Each school will request and file permissions from legal decisionmaker(s) at the beginning of each school year in relation to public performance/media consent.
 - 4.5.2 Each school will request and file permissions from legal decisionmaker(s) for approval to display any student work outside the school, such as teacher conventions, conferences, public libraries, central office or retail establishments.
 - 4.5.3 The copyright in photographs taken by students for school publications with equipment and supplies provided by the school is the property of the school.

Reference: Copyright Act, R.S.C., 1985, c. C-42
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