A08.01.01 College Use of Copyrighted Works

Effective Date: October 9, 2012

Replaces: June 18, 2008

New:

Revision: X

Purpose
This policy states the College’s commitment to the Copyright Act which outlines the laws protecting the owners of copyrighted material from infringement without compensation.

Policy Statement
Copyright is the right to reproduce in any form a work or parts of a work, to perform in public, or to publish an unpublished work. Douglas College recognizes the need to balance the benefits of sharing ideas for educational purposes with obtaining just compensation for the creator of the work.

Douglas College respects Canadian and International laws and agreements regarding the use of copyrighted works. The College acknowledges that copyright exists upon the creation, in durable form, of any original expression of ideas, regardless of format - print, digital, graphical, audio or video - in which such expression occurs.

The College will facilitate legitimate educational use of copyrighted materials and will regularly inform College employees and students of copyright law and policy. It is the responsibility of the individual using copyrighted material to ensure they are within the limits of Fair Dealing Policy A08.01.02. This policy applies to all uses of media - print, digital, graphical, Internet, audio, and video. The College recognizes that “fair dealing” allows individuals and institutions limited copying of copyrighted works for private study, research, criticism, review, news reporting, education, satire and parody.

Related Policies, Legislation and Regulations (Administration Policies homepage)
A08.01.02 Fair Dealing Policy
Copyright Board of Canada – Copyright Act  www.cb-cda.gc.ca

Procedures
Permission to use copyrighted material beyond the limits covered under ‘Fair Dealing’ must be secured in writing and in accordance with legislation in consultation with the Bookstore, the Library, or Client & Learning Services, CEIT, depending on the type of material. Questions relating to copyright issues should be referred to the appropriate persons:

- Manager, Facilities Services responsible for the Bookstores, Print Shop and Print Materials.
- Director of Learning Resources for all Library Reserves.
- Manager of Client & Learning Services for Audio/Visual Recording, online content used for instructional purposes and Computer Software (including software site licences).

The Bookstore will facilitate requests to license limited and regulated copying of print material in excess of ‘fair dealing’. The Library and Client & Learning Services, CEIT, will seek similar copyright arrangements to facilitate the educational uses of digital copies and copies of digital materials.
The Bookstore, the Library and Client & Learning Services, CEIT, will be responsible for establishing and publishing procedures for Copyright policy compliance. They will also ensure that records are kept for auditing purposes.

Photocopiers
Members of the College community shall not use any College owned or leased equipment to make copies in violation of the Copyright Act and in excess of the limits established by ‘Fair Dealing’. Works protected by copyright may be copied on College photocopiers if:

- Covered by the Copyright Act for the purpose of fair dealing
- Permission given by the copyright owner

Duplicating Print Material
The Print Shop will copy material only after the requestor has provided written assurance that he/she is aware of and in compliance with this policy and Fair Dealing Policy A08.01.02. Instructors must complete a copyright log sheet before requesting the Bookstore to produce Coursepacks.

Audio and Video Materials
Audio and video materials copyright is protected regardless of the format in which it is stored. College employees and students may use copyrighted materials in accordance with Fair Dealing Policy A08.01.02.

Online Content
Materials posted online have the same copyright protection as materials in print or other physical media. Publication access to College-owned Internet servers and College-rented space on outside servers will be provided only to those who give assurance, in writing, that they are aware of and in compliance with this policy and Fair Dealing Policy A08.01.02.

Members of the College community shall not make unauthorized copies, reproduce any portion of any computer program, or use unauthorized copies of software on computers owned by the College.

Education and Awareness
The Bookstore, the Library and Client & Learning Services, CEIT, will seek opportunities to provide information to the College community regarding copyright procedures, legislation, rights and responsibilities.

Contact information for those responsible for administering this policy and advising on its implementation will be made easily accessible to all members of the College community.

Instructors and other College employees engaged in instructional activities will, where reasonable to do so, inform students how to access copyright information.

The College is required to exercise due diligence in ensuring that College employees and students of the institution adhere to copyright legislation, regulations and limitations.

Any member of the College community who violates this policy may be subject to loss of access to the facilities of production such as photocopiers, printers, audio and video recording devices, scanners, and Internet servers.

The College may take disciplinary action up to, and including, termination of employment or permanent expulsion against any member of the Douglas College community who deliberately breaches copyright law.

This policy will be reviewed, as needed, to reflect changing copyright legislation.