

## COPYRIGHT COMPLIANCE: A BRIEF GUIDE FOR STAFF

### COPYRIGHT ACT

The permissions and restrictions outlined in this pamphlet are imposed by the Copyright Act of Canada and apply Canada-wide to EVERY person. Only those aspects most pertinent to the RRC community are noted here.

### KEY CONCEPTS

#### Definitions

- *Intellectual Property (IP)* - product of the human mind in a tangible form
- *Moral Rights* – the right to be acknowledged as the creator of IP
- *Copy Rights* – permission to use and to copy IP
- *Infringement* – violation of moral or copy rights

#### Moral Rights

- The creator of any IP has the absolute right to be acknowledged as such.
- Failure to explicitly acknowledge the IP of someone else is *Plagiarism*.
- Plagiarism is academic dishonesty and intellectual theft.
- Plagiarism is morally wrong and is an infringement of the Copyright Act.

#### Copy Rights

- The creator of IP is not necessarily the copyright owner.
- The creator of IP does NOT have residual copy rights unless explicitly stated upon assignment.
- The copyright owner is the only one who can give permission to reproduce that work.
- The copyright owner has the right to limit use or impose conditions on use.
- The copyright owner has the right to fair compensation for use of that work.

### RESPONSIBILITIES

- Be aware of copyright issues & how to comply
- Always acknowledge the source explicitly
- Ensure departmental support for fees if required
- Seek prior permission if necessary – after the fact is not acceptable
- Submit reports as required
- Staff have a duty to make students and other staff aware of their copyright obligations

### OBLIGATIONS

#### Obligation to Cite

Whenever using works protected by copyright, cite the source and the author.

#### Obligation to Restrict Further Use

Whenever copies are distributed each copy MUST include the following statement:

*This item is supplied to you for your personal use in compliance with the Copyright Act, or with permission of the copyright owner under license with Access Copyright or other means. No further reproduction, distribution or transmission is allowed, except as otherwise permitted by law.*

## USING PUBLISHED WORKS

### Fair Dealing

College instructors and staff *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.

### Short excerpts

Up to 10% of a copyright-protected work (including textbooks), or

- a) a single chapter,
- b) a single article,
- c) a single short story, play, poem or essay from a collection,
- d) an entire newspaper page,
- e) an entire artistic work
- f) an entire entry from a reference work

### Copying for Education or Training

- may convert short excerpts to digital for use in PowerPoint or other display format
- may store short excerpts on a learning or course management system such as LEARN
- may send short excerpts by e-mail to Distance Education students

**Multiple Copies** – a single copy of a short excerpt may be provided or communicated to each student enrolled in a class or course.

- as a class handout
- as a posting
- in a course pack

## PROHIBITIONS

### Successive Copying

You may not copy or communicate multiple short excerpts from the same copyright-protected work.

### Motive of Gain

No copying may be carried out with a motive of gain.

### Commercially Available

No copying may be carried out if the work or subject matter is commercially available in an appropriate medium.

### Copies of Copies – not permitted

### Inter-Library Loans (ILLO)

Items obtained through ILLO may NOT be copied or placed on reserve.

### Reserve Readings

- must NOT substitute for the purchase of books, course packs or other published materials

### DIGITAL LOCKS

You are prohibited from tampering with digital locks or other TPMs (technological protection measures) that restrict sharing or copying the content.

## INTERNET MATERIAL

May be reproduced, downloaded, or communicated to students and staff, providing:

- The site is reputable
- The site content is legal
- The site content is freely accessible
- There are no usage restrictions clearly visible on the source site

**NOTE:** Be sure to comply with any posted restrictions. For example, if posted under Creative Commons or similar, use according to the applicable license.

## STUDENT-CREATED WORK

Any original work created by a student is protected by copyright.

Subject to Policy A10, the student must authorize any further use of his/her work.

Any of the following uses typically requires written permission from the student:

- by an instructor,
- in an institutional publication (including pamphlets, videos, etc.),
- posting on a website, or, any similar purpose

## IMAGES / VIDEOS / DVDs

Copyright covers all intellectual property including images, videos, DVDs, etc.

- May be shown in class or streamed
- Must be a legal copy
- May be converted to other formats for class display purposes only

## USER-GENERATED CONTENT

You are permitted to create a compilation of video clips or audio tracks provided that:

- It is used solely for non-commercial purposes
- The sources are legal
- The sources are cited
- The compilation does NOT substitute for the purchase of commercially available recordings

## DESTRUCTION OF COPIES

- Backup copies – a single backup copy is permitted but must be used only in the event the source copy is lost, damaged or otherwise unusable
- Intermediate copies – must be destroyed immediately
- Access to copies – must be removed 30 days after the final course evaluation
- E-mail copies – must be deleted from email immediately after receipt

## FOR ASSISTANCE

Consult with:

Library Reference	ext. 2233 (NDC) or ext. 8371 (EDC)
Library Systems Coordinator	ext. 2417
Manager, Campus Store & Print Shoppe	ext. 2039
Digital Learning Supervisor (LEARN)	ext. 3073
Corporate Counsel	ext. 2946

## PROCESS

Requests for Course Collections in paper format must be made on the form provided by the Print & Graphics Centre. Information required is:

- a full citation for each item to be copied
- a Colleague course code or name of group – e.g. ACCT-1234, College Council
- the number of students or attendees
- a signature attesting that the requested material complies with copyright limitations
- proof of permission as appropriate

## RECORD KEEPING

You should keep track of *any* copyright material that you use, especially if you obtained permission for use beyond the allowances in the Act or license. Make sure you keep all necessary information.

## INDIVIDUALS WITH DISABILITIES

Special permissions are available for the benefit of individuals with perceptual disabilities.

## INFRINGEMENT

Failure to comply with copyright restrictions and obligations violates the Copyright Act.

Any College staff that violates the Copyright Act may be subject to disciplinary action.

**For further details consult the College's Fair Dealing Copyright Policy.**

**Links to this guide and other information are posted on:**

**AIR** web site

<http://air.rrc.mb.ca>

Under the 'copyright' tab

**Library** web site

<http://library.rrc.ca>

Under the 'help/guides' tab