



COPYRIGHT & INTELLECTUAL PROPERTY POLICY

Rationale

- In general, copyright materials can only be used in the ways that the owner specifies. For schools, material can usually be used if:
 - it is covered under a Creative Commons licence
 - it is owned by the Department, other state or territory education departments or other Victorian government departments
 - it is covered by a licence held by the Department that permits the intended use
 - a statutory exception applies, such as Fair Dealing
 - copyright has expired (generally 70 years after the death of the author)
 - specific permission has been obtained from the copyright owner.

The Department holds licences for schools' uses of copyright material. Generally, these licences apply only to schools' internal uses of copyright material for educational purposes.

The Copyright Guidelines for Victorian Government Schools (2008) is being updated and will be shared soon.

Purpose

- To ensure Footscray North Primary School complies with DET policy and guidelines and the legislative requirements of the *Copyright Act 1968*.
- To ensure all staff comply with whole of Government requirements when creating or using intellectual property (IP), including:
 - using copyright material in a transparent and efficient way, while upholding the law and managing risk appropriately
 - granting rights to the Department's IP, including copyright material, as a public asset, to maximise its impact, value, accessibility and benefit consistent with the public interest
 - understanding that IP and copyright material created in the course of their work is owned by the Department and employees do not commercialise departmental IP for their own purposes.

Definitions

Copyright is the form of intellectual property most often produced and used by school staff.

Copyright law protects the material expression of an idea, but not the idea itself. Copyright material is described as 'works' and 'other subject matter' and includes:

- art (including photos, illustrations, graphs, charts)
- literature (broadly including all text-based works and web pages)
- music
- films
- broadcasts.

Web pages, podcasts, stock images and teaching resources are all examples of material that may be protected by copyright.

Material not created by teachers or the Department is referred to as third-party content. Third-party content must be attributed when it is copied or communicated.

Attribution:

- is the acknowledgment of the original creator of a work
- is usually displayed close to the work, for example, in the caption to a photograph
- includes the work's title, the name of the creator/owner, the source, and note the terms under which it was copied (for example 'used with permission' or 'licensed under CC BY').

Creators often specify how to attribute their work and these instructions should be followed.

Implementation

- The school will refer to the Department's Intellectual Property and Copyright website for general information about the Department's policy and guidelines see: Intellectual Property and Copyright.
- The school will refer to the Department's Smartcopying website for comprehensive information about educators' rights to use copyright see: [Smartcopying](#).
- This information includes:
 - Information about educators' rights to use copyright including:
 - National Copyright Guidelines incorporating information about the major education licences and an explanation of fair dealing and educational exceptions under the *Copyright Act 1968*
 - FAQs
 - information sheets on topical issues
 - Labelling and Notices and Library Fair Dealing and Copying Notice

Evaluation

- This policy will be reviewed as part of the school's three-year review cycle or if guidelines change (latest DET update late January 2019).

This policy was ratified by School Council 25/3/2019

Reference:

www.education.vic.gov.au/education/principals/spag/management/Pages/copyright.aspx