



INTELLECTUAL PROPERTY & COPYRIGHT POLICY

Policy & Guidance

- This policy sets out the principles that guide schools' management of intellectual property in line with the Department's [Intellectual Property and Copyright Policy](#) and the State's overarching [Intellectual Property Policy](#).
- Schools should refer to the Guidance and Resources tabs on this topic for links to more detailed information on copyright matters.
- Schools typically create and use intellectual property, including copyright, on a daily basis.
- To further promote awareness of the policy and its application in the schools, a conversation card activity has also been developed. The cards are designed to prompt discussion about what is good practice when using intellectual property (IP) in educational scenarios. The cards can be used in a workshop format or during staff meetings. The Intellectual Property and Copyright Conversation Cards can be found on the [Resources tab](#) at the website below

Purpose

- The purpose of this policy is to ensure Footscray North Primary School is provided with information on managing intellectual property in accordance with the Department's [Intellectual Property and Copyright Policy](#).

Definitions

Intellectual property (IP) is a term used to encompass a range of legal rights that protect the creations of the mind and creative effort. Patents, trademarks and registered designs are examples of IP, as is copyright.

Copyright refers to the rights granted to the creators or copyright holders of original works. Copyright protects owners' rights to control how their works are used. Generally, permission must be obtained before using work protected by copyright. Copyright protection lasts for a specific period of time. Once that period has ended (usually 70 years after the death of the creator), the work can be used without the need for permission or payment.

Copyright is the form of IP most commonly created and/or used in the Department and schools. Examples of material protected by IP or copyright that school staff might encounter include:

- curriculum material
- text books and other teaching resources
- software and apps
- films, videos and podcasts

Everyday uses that schools make of material protected by copyright include photocopying, scanning, downloading, screen captures, performances and screenings.

Implementation

- Teachers may copy material if:
 - it is owned by the Department or another Victorian government department
 - it is covered under a Creative Commons licence
 - a statutory exception applies, such as fair dealing
 - copyright has expired (generally 70 years after the death of the author)
 - permission has been obtained from the copyright owner
 - one of the education licences held by the Department permits the intended use

- Teachers also may rely on copyright exceptions to use material without permission, for example, when copying for exams, writing material on a whiteboard, performing or communicating material in a classroom, or in some circumstances where none of the education licences apply. We will visit [Smartcopying's Copyright exceptions](#) for more details.

Licences for schools' non-educational uses of copyright material

Showing films to students for non-educational purposes at lunchtimes, after school or on camp requires a rainy day or 'blanket licence'. Individual schools can [apply directly to Village Roadshow](#) for this annual licence.

Fundraising activities that rely on the use of copyright works are outside the scope of the education licences. A direct 'one-off' licence may be available through the copyright owner's collecting society. (See the website)

Attributing copyright material belonging to others

Material not created by school staff or the Department is referred to as third party material. Schools are advised to attribute third party material whenever reasonable to do so. This is always best practice and, in some cases, is required by licence terms and other rights.

- The school will refer to topics covered in detail on the schools' Smartcopying website, which is the official and primary source of guidance about educational uses of copyright material in Australian schools.
- If deemed applicable, the school will access the Intellectual Property and Copyright Conversation Cards as described above.

Evaluation

- This policy will be reviewed as part of the school's three-year review cycle or if guidelines change (latest DET update late August 2020).

An operational policy

School Council Approval No Longer Required

Reference:

<https://www2.education.vic.gov.au/pal/intellectual-property-and-copyright>