

# Croydon Community School & OPTIONS

## Copyright and Intellectual Property Policy



### PURPOSE

To ensure Croydon Community School & OPTIONS 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 third party IP, including 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.

### SCOPE

This policy is intended for School Leadership, class teachers and ES Staff.

### DEFINITION

Copyright refers to the legal rights that result when ideas are captured in material form – such as in a book, a report or a software program. These rights give the creator - or copyright owner - the ability to control some ways in which the material is used. For example, the copyright owner can control by whom and in what way the original material is reproduced and communicated (other than to the extent that the Copyright Act 1968 (Cth) allows reproduction and communication without the permission of the copyright owner).

Copyright is the kind of intellectual property most frequently used in schools. Other kinds of intellectual property are trademarks, patents, designs, circuit layout rights, plant breeder's rights and trade secrets.

Copyright is the legal means by which authors and other creators are able to earn a profit from their work.

### POLICY

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.

The Smartcopying website is the official guide to copyright for Australian schools. It provides comprehensive information about copying under the education licences

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](#).

## FURTHER INFORMATION AND RESOURCES

For further information or advice the school may also contact the Legal Services Unit on (03) 9637-3146.

Reference:

[www.education.vic.gov.au/education/principals/spag/management/Pages/copyright.aspx](http://www.education.vic.gov.au/education/principals/spag/management/Pages/copyright.aspx)

Please refer also to the school's:

- Archives and Records Management Policy
- Governance & Management Policy

## REVIEW CYCLE

This policy, first developed in this format in March 2019 and will be reviewed as part of the school's three-yearly review cycle or if guidelines change (latest DET update early February 2019).