

COPYRIGHT COMPLIANCE

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| Approval Authority | President |
| Responsible Executive | Provost and Vice-President, Academic |
| Related Policies / Legislation | Intellectual Property (55) Student Non-Academic Conduct (204) Appropriate Use of Computing and Network Resources (14) Board Policy on Academic Freedom (BRP-201.01) Legislation: Copyright Act (R.S.C., 1985, c. C-42) |

PURPOSE

This policy is to ensure the University of the Fraser Valley (UFV) complies with the Copyright Act.

SCOPE

This policy applies to UFV employees, students, and any other person or organization using materials protected by copyright for UFV business, research, governance, and/or educational purposes. This policy does not address copyright for materials produced by UFV employees and students (see Intellectual Property Policy).

DEFINITIONS

In this policy, the following definitions apply:

Copyright: As defined in the Copyright Act, including the rights of reproduction (copying), communication, publication, public performance, adaptation (modification or creation of derivative works), sale, and distribution.

Copyright License: Written commercial agreement between the University and a copyright owner or legal assignee that defines the terms under which a product/material may be used and the terms of remuneration.

Copyrighted Work: All original works of fixed content, whether written or otherwise recorded, as defined in the Copyright Act.

Learning Management System: An e-learning system based on the web that provides virtual access to classes, class content, tests, homework, grades, assessments, and other external resources.

Fair Dealing: A provision in the Copyright Act that permits use of a copyrighted work without permission from the copyright owner or the payment of royalties.

Copyright infringement: The act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 3 of the Copyright Act. These rights include the right to reproduce or distribute substantial parts of, or an entire, copyrighted work.

POLICY

The University of the Fraser Valley respects the rights of copyright holders under the law and supports the lawful use of copyrighted works for academic teaching, learning, and research objectives.

The University of the Fraser Valley recognizes its legal obligation to comply with the Copyright Act and the terms of negotiated Copyright Licenses, and will take all reasonable steps to ensure that its faculty, staff, administrators, and students are aware of, and adhere to, the Copyright Act and UFV contractual obligations.

Copyright compliance is the responsibility of each individual. Individuals subject to this policy shall take reasonable steps to ensure that their activities adhere to the Copyright Act and this Policy.

REGULATIONS

The University of the Fraser Valley abides by the Copyright Act and the Fair Dealing Requirements as developed by the Association of Universities and Colleges of Canada (AUCC) and in accordance with these requirements:

1. University resources, equipment or services shall not be used to support infringement of copyright. All material to be copied by Print Services, sold in the Bookstore, placed on reserve in the Library, or electronically reproduced in the learning management system or other digital repositories must be in compliance with existing copyright law.
2. The university reserves the right to refuse services for activities that involve copyright infringement and/or activities that will require an unreasonable allocation of resources.
3. The Copying Guidelines and Fair Dealing Requirements will be posted on the university website.
4. It is the responsibility of individuals to determine if their intended use of copyrighted materials complies with the Copyright Act and the terms of any Copyright Licenses and to seek permission from the appropriate copyright owner(s) when necessary.
5. Individuals subject to this Policy may consult with the university's Copyright Librarian for information on specific uses or for help obtaining permission to use material protected by copyright.

Violations

UFV employees who are found in violation of this policy may be subject to formal disciplinary action up to and including dismissal.

UFV students who are found in violation of this policy may be subject to formal disciplinary action up to and including expulsion.

Copyright infringement may also involve criminal charges and/or civil suits that may result in the university or an individual being fined or required to pay damages.

APPENDICES

Copying Guidelines, including the Fair Dealing Requirements, can be found on the university website:

Copying Guidelines: Print and Digital

Fair Dealing Requirements