



Preamble

Middleton Grange School wishes to encourage the open and free exchange of information, knowledge and resources, and support the collaborative production of copyright works that are freely available to all. Middleton Grange School encourages both staff and students to support free and open access to copyright works. As a State Integrated School, the Board of Trustees requires that all aspects of this policy be guided by the Special Character Policy.

The preamble gives the general purpose for the policy. It also articulates the school's position in relation to using Creative Commons licences to share copyright works.

Policy

The Board of Trustees of Middleton Grange School:

1. Recognises that the Board of Trustees holds first ownership of copyright of works produced by the Board's employees in the course of their employment.

States that the default ownership settings for copyright works produced by employees of the school under section 21(2) of the Copyright Act 1994 (NZ).

2. Applies by default a Creative Commons Attribution Share-Alike Licence to all teaching materials and policies in which the Board of Trustees of the school owns copyright.

Limits the default application of Creative Commons licensing to teaching materials and policies. While these are broad categories, the clause is intended to refer to those teaching or policy resources that would be of use to other schools, and is not intended to apply to every copyright work produced in the school. Note also that 'default' means that the school can make exceptions to the policy at its discretion.

3. May apply a Creative Commons Attribution licence to other copyright works, aside from those described in (2), with the express agreement of the Principal.

Gives the school flexibility, should it decide to openly release works other than those outlined in 2).

4. May make exceptions to 2) at the discretion of the Principal. Any such exceptions should be limited by a specific time period and should consider the application of other, more restrictive Creative Commons licences, as opposed to simply reserving all rights in a copyright work.

Gives the school flexibility, should it decide to be more restrictive than as outlined in 2).

5. Will transfer to the original creator the copyright in created works licensed by the school under a Creative Commons Attribution or Creative Commons Share-Alike licence.

Recognises the benefits of using the most open Creative Commons licences and provides an incentive to employees to embrace the use of such licences.

6. Does not make any claim over the ownership of copyright works produced by students. The copyright to these works remains with the creator.

Clarifies that the school has no rights over copyright works produced by students.

- Recognises that this policy only applies to copyright works, and not to any other forms of intellectual property.

Clarifies that Creative Commons licensing only applies to copyright works.

- Recognises that the copyright in works produced by an employee other than in the course of their employment by the Board of Trustees of the school remains the property of that employee. Where this is unclear, the process for dispute resolution, outlined below, shall apply.

Recognises that there may be some uncertainty as to what constitutes a work produced in the course of one's employment. It is intended to assure teachers that the policy only applies to works that are owned by the school, and to point to the dispute resolution process, below.

Definitions

Creative Commons

An international non-profit that provides free open licences that copyright holders can use to share their work.

Teaching Materials

Copyright works produced by employees of the school for the purposes of teaching.

Policies and Procedures


Copyright works that determine, and provide guidance around, a course of action adopted by the school.

The definitions around what is and is not covered by the policy should be adjusted by the school, as required.

Disputes

Where the first ownership of copyright in a given work is disputed or unclear, the following process will apply:

- In the first instance the dispute should be documented and presented to the school Principal.
- If the dispute is still not resolved then the documentation should be presented to the chairman of the Board of Trustees.
- If the dispute is still not resolved following 1) and 2), mediation with an appropriate authority will be undertaken.

BOARD OF TRUSTEES	
Board copy of the Policy to be signed by the Board Chairperson	
Name	Glen Buckner
Position	Board Chair
Signed on behalf and with the authority of the Board	
Date	04.08.18