



Introduction

The Ministry of Education has developed a website to support teachers in understanding their rights and responsibilities in protecting their own and others' ideas.

www.tki.org.nz/r/governance/copyright/

As a State Integrated School, the Board of Trustees requires that all aspects of this policy be guided by the Special Character Policy.

Under Section 221 of the Copyright Act

Schools are permitted to copy and use copy-righted material for education purposes:

- a. So long as:
 - i. A reasonable proportion of the work is copied, and in any case no more than 10% (textbooks) and 3% (workbooks)
 - ii. No more than one copy per person in the class is produced.
 - iii. No profit is made.
 - iv. It is used only for instruction.
 - v. It is used for performance so long as the audience is limited to pupils and teachers and do not include parents.
 - vi. Any play or musical score for parent or public performance first has permission from the person holding the performing rights.
- b. National Film Library films and videos are automatically useable as a blanket waiver covers them.
- c. Any staff member showing videos outside of the terms of the Films Act or otherwise failing to comply with the act as defined in this policy is liable to a fine to a maximum of \$10,000.

There has been a tightening of the rules on copyright

It could well be that unknowingly members are infringing copyright laws in various ways. The NZPF intends to follow this up but school should show great caution in the following areas:

- a. Videos / DVDs: It is illegal to hire videos / DVD's from a video outlet and show them in classrooms to children. It is deemed to be a public performance. If the video / DVD is shown and a case is brought against the school, the teacher is held responsible for that act if the school has a policy. If the school doesn't have a policy, the Board of Trustees is liable for the outcome under the Law.

Screening Movies for Educational Purposes

“Movies are often used by teachers as a valuable curriculum resource to engage students and support learning. The Copyright act provides a number of exceptions that allow schools to use films and other copyrighted works for educational purposes.

These allow teachers to:

Screen an entire movie, if it's being used for educational purposes as part of a curriculum-related learning activity, and the screening is supervised throughout by a teacher;
Screen clips or parts of movies in the same circumstances.

Even if your school has the appropriate licence, however, it does not cover unlimited use. Teachers are not allowed to show either whole movies or parts of them in order to entertain students – for example during a wet lunchtime.

Note

Pupils own all copyright for their own work, even if it was submitted as an assignment for schoolwork. This applies to artwork, photography, writing, coding, design work etc. The school must seek permission from pupils when artwork is displayed publicly (eg on new art website). Any proceeds from sold artwork all belong to the artist (the pupil). The school could approach a pupil for permission to sell their work and pass on the proceeds.

All intellectual property created by **employees** (teachers) in the course of their employment, whether physically at school or at home, and whether during school hours or outside school hours, belongs to the employer (the BOT). Staff may approach the Principal for discretion (see Creative commons policy) to (how could we work this section)

BOARD OF TRUSTEES	
Board copy of the Policy to be signed by the Board Chairperson	
Name	
Position	Board Co Chair
Signed on behalf and with the authority of the Board	
Date	20 May 2019
Next Review	2021