



## Introduction

This policy outlines the school's commitment to comply with copyright legislation and Ministry of Education guidelines. This policy is to be read in conjunction with the Creative Commons policy.

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

## Guidelines

The school will comply with New Zealand copyright legislation including sections relating to educational and library use.

The school will purchase appropriate copyright licences where its use of copyright material exceeds that permitted under current legislation and the school will comply with the terms of these licences.

While acknowledging that the school cannot control all actions of its students, the school will endeavour to educate students on copyright use, including referencing, approved copying, and proper use of electronic material and downloadable music.

The school will set up copyright procedures within the school to facilitate compliance with this policy, including training and education of staff and the appointment of a staff member responsible for copyright.

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/](http://www.tki.org.nz/r/governance/copyright/)

**Student copyright:** Students 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 students when artwork is displayed publicly (eg on new art website). Any proceeds from sold artwork all belong to the artist (the student).

**Employee copyright:** All intellectual property created by employees (eg. 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 Board). Please refer Creative Commons policy for further guidance.

**Third party copyright:** Under Section 221 of the Copyright Act schools are permitted to copy and use copy-righted material for education purposes:  
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 students 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.

### **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 and to screen clips or parts of movies in the same circumstances. Staff intending to use online streaming services (e.g. Netflix) must also comply with any further terms and conditions as specified by the service.

There has been a tightening of the rules on copyright and the school should show caution in the following areas:

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 is liable for the outcome under the Law.

Even if the 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.

<b>MIDDLETON GRANGE SCHOOL BOARD</b>	
copy of the Policy to be signed by the Board Presiding Member	
<b>Name</b>	
<b>Position</b>	Board Presiding Member
<b>Signed</b> on behalf and with the authority of the Board	
<b>Date</b>	November 2022
<b>Next Review</b>	November 2025