

Use of Copyright-Protected Work Policy

Date of Approval: April 1, 2013;
October 13, 2015; January 10, 2019

Effective Date: January 10, 2019

**Mandatory Review
Date:**
January 10, 2024

Approved By:

- Board of Governors
- President and Vice Presidents
- Senate

1. Purpose

The purpose of this Policy is to:

- Define the responsibilities of The Sheridan College Institute of Technology and Advanced Learning (“Sheridan”) Employees and Students regarding copyright compliance;
- Define the responsibilities of Sheridan in providing policy and guidance intended to educate and inform Sheridan Employees and Students on acceptable uses of Copyright Protected Works; and
- Outline acceptable uses of Copyright-Protected Works when used for the purpose of teaching, learning, education, or other activities required and/or mandated by Sheridan.

2. Scope

This Policy applies to all Employees and Students of Sheridan.

3. Definitions

“**Copyright Act**” means the federal statute governing copyright practice in Canada, including case law that further interprets the *Copyright Act* (R.S.C., 1985, c. C-42).

“**Copyright-Protected Work**” means any original literary, dramatic, musical, or artistic work as set out in the *Copyright Act*.

“**Copyright Holder**” means the person who has the legal right to authorize the use of a Copyright-Protected Work.

“Copyright Infringement” is defined as the use of a copyright-protected work without permission of the Copyright Holder, a licence that grants the particular use and/or not covered by an exception in the *Copyright Act*.

“Copyright User” means a person who uses a copyright-protected work.

“Employee” means a person under the employment of Sheridan either:

- a) On a full-time, ongoing basis either under the terms of the Academic Employees Collective Agreement, the Support Staff Collective Agreement, or the Terms and Conditions for Administrative Employees; and/or
- b) On a less than full-time, and/or temporary basis under the terms of an employment agreement

“Student” means any individual who is admitted, enrolled, or registered for study at Sheridan. Individuals who are active in a program, but not enrolled in classes for a particular term (e.g. on vacation or coop term) are considered to have a continuing student relationship and are included in the definition of Student.

4. Policy Statement

Sheridan respects the rights given to Copyright Holders and Copyright Users in the *Copyright Act* of Canada. Sheridan is committed to providing relevant education and services that support Employees and Students with copyright compliance.

This Policy addresses the uses of Copyright-Protected Works owned by third-party Copyright Holders when used by Employees and Students at Sheridan. It does not deal with uses of works owned by Sheridan and/or produced by its Employees and/or Students in the course of their employment and/or studies at Sheridan (Please refer to the Intellectual Property Policy for further information).

4.1 Responsibility for Copyright Compliance

- 4.1.1 An Employee or Student is individually responsible for ensuring they are in compliance with the *Copyright Act* and Sheridan licences that are related to Copyright-Protected Works.
- 4.1.2 An Employee or Student is personally responsible for Copyright Infringement through noncompliance.

4.2 Sheridan Responsibilities

- 4.2.1 Guidance on copyright compliance including fair dealing applications and assistance with permissions can be obtained from the Sheridan Library and Learning Service’s Copyright Coordinator by email at copyright@sheridancollege.ca.
- 4.2.2 The Copyright Coordinator will make reasonable efforts to provide information and services to support Employees on copyright compliance and to offer educational resources to help Students learn about copyright.

4.2.3 All Managers will take reasonable and timely steps to inform those reporting to them any copyright update from the Director of Library and Learning Services and/or the Copyright Coordinator and to provide Employees access to resources, services and training related to copyright.

4.3 Acceptable Uses of Copyright-Protected Works

4.3.1 Sheridan Employees and Students may use a Copyright-Protected Work only if at least one of the following conditions is met:

- a) The use is permitted under the *Copyright Act*;
- b) The material is in the public domain;
- c) Written permission, where required, has been obtained from the Copyright Holder;
- d) The use is permitted through a licence or contract, such as licensed material provided by the Sheridan Library and Learning Services;
- e) The material has been copied under a licence arranged between a copyright collective and Sheridan, and the material is used for Sheridan business or student learning;
- f) The material has been copied under an open access, Creative Commons, or similar model of licence.

4.4 Policy Implementation

4.4.1 All Managers are responsible for taking reasonable steps, as appropriate, to implement the Policy and to ensure those reporting to them have the support required for copyright compliance.

4.4.2 The Director of Library and Learning Services and Copyright Coordinator are responsible for the development, review and update of this policy.

4.4.3 Non-compliance with this Policy may be pursued under the applicable Sheridan policy, or law.

5. Related Documentation

[Copyright Services Guide](#)

[Intellectual Property Policy](#)

[Intellectual Property Procedure](#)

[Acceptable Use Policy](#)

[Code of Professionalism and Civility](#)