

Acceptable Use of Material Protected by Copyright Policy

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Approval Authority Board of Governors	
Implementation Authority Provost and Vice-President (Academic)	
Effective Date December 10, 2012	
Last Revision N/A	

1 Purpose

The purpose of this policy is to:

- a) define the acceptable use of material protected by copyright;
- b) outline the responsibilities of users of material protected by copyright; and
- c) establish the framework for responsible practice with respect to the use of material protected by copyright.

2 Scope

This policy applies to Employees, Students, and post-doctoral fellows.

This policy does not apply to material in the Public Domain.

3 Definitions

In this policy:

- a) "Employee" means an individual who is in an employer-employee relationship with the University or a person engaged to work for the University under a contract of service (a contractor).
- b) "Public Domain" means works that belong to the public. Works in the Public Domain can be used free of charge and do not require written permission from the author/creator.
- c) "Student" means an individual registered in a University course or program of study.
- d) "University" means the University of Calgary.

4 Policy Statement

Acceptable Use

4.1 Individuals subject to this policy will only use material protected by copyright when:

- a) the use is permitted under the Copyright Act;

- b) the University has a licence which permits access to specific works pursuant to negotiated contract terms;
- c) written permission from the rightsholder has been obtained; or
- d) the work is designated as open access through a creative commons license or other similar notice.

Violation

- 4.2** It is a violation of this policy to use material protected by copyright except as described in 4.1.
- 4.3** It is also a violation of this policy to instruct, direct, or counsel others to use material protected by copyright except as described in 4.1.
- 4.4** The University reserves the right to audit compliance with all aspects of this policy.

Sanctions

- 4.5** Employees and post-doctoral fellows who use material protected by copyright in violation of this policy may be subject to formal disciplinary action up to and including dismissal.
- 4.6** Students who use material protected by copyright in violation of this policy may be disciplined under the Non-Academic Misconduct Policy.

Advice and Information

- 4.7** Individuals subject to this policy may consult with the University's Copyright Officer for information on specific uses or for help obtaining permission to use material protected by copyright.
- 4.8** Copyright training and workshops will be coordinated by the Copyright Officer and delivered by appropriate experts.
- 4.9** Deans, directors, and department heads will facilitate compliance with this policy and the Copyright Act by:
 - a) distributing instructions and updates to individuals in a timely way; and
 - b) providing Employees with opportunities to access training and/or training material with respect to copyright.

5 Responsibilities

Approval Authority

- 5.1** Board of Governors
 - a) consider appropriateness of the policy.

Implementation Authority

- 5.2** Provost and Vice-President (Academic)
 - a) ensure appropriate rigour and due diligence in the development or revision of this policy;
 - b) facilitate compliance with this policy;
 - c) monitor compliance with the policy;
 - d) sponsor the revision of this policy when necessary.

5.3 Deans, Directors, Supervisors

- a) distribute instructions and updates to Students, Employees, and post-doctoral fellows;
- b) provide Employees and post-doctoral fellows with opportunities to attend training sessions or workshops on copyright or to obtain training material on copyright.

5.4 Employees/Students/Post-Doctoral Fellows

- a) actively familiarize themselves with this policy and the requirements of the Copyright Act.

6 Related Policies [Student Non-Academic Misconduct Policy](#)

7 Related Information <https://library.ucalgary.ca/copyright>

8 References [Copyright Act](#), RSC 1985, c C-42

9 History

December 6, 2012	Approved by the Board of Governors.
December 10, 2012	Effective.
May 15, 2018	Editorial Revision. Updated “Student” definition.
September 17, 2019	Editorial Revision. Removed broken links in Related Information.
January 1, 2020	Editorial Revision. Updated format and links.