



Title	Curriculum/Educational/Institutional Materials Created within the College
Policy No.	D.1.4
Approval Body	Board of Governors
Policy Sponsor	Vice President, Academic & Research
Last Revised/Replaces	March 2009; November 2003
Effective Date	November 27, 2019

CONTEXT AND PURPOSE

To establish ownership of copyright and/or patent rights for curriculum, educational, institutional, creative and other materials created by employees of Vancouver Community College (VCC; the College).

SCOPE AND LIMITS

This policy applies to all employees of VCC, and is subject to all applicable federal and international copyright and patent laws.

STATEMENT OF POLICY PRINCIPLES

1. The College owns copyright and patent for curriculum, educational, institutional, creative and other materials, in any format, that are produced using College time, services or materials, and/or in the course of employment, unless one of the following exceptions applies

Exceptions:

- a. A written agreement has been entered into with the College which vests copyright or patent with the employee or a third party.
 - b. Where there are collective agreement provisions contrary to this Policy.
2. With regard to the respectful use and protection of Indigenous knowledge, the College will honour the United Nations Declaration on the Rights of Indigenous Peoples, Article 31 (Appendix I).

DEFINITIONS

Copyright: The sole right of the copyright owner of a work to produce, copy, perform, publish, adapt, translate or telecommunicate that work and to authorize others to do the same.

Patent: Defined in the Patent Act as “letters patent for an invention”.

Curriculum, educational, institutional, creative and other materials: Includes physical and digital versions of all materials created by College employees for instructional and College purposes, and includes books, laboratory manuals, exercises, audio and video materials, images, photos, computer software, instructional strategies, PowerPoint presentations, creative work, annual reports, strategic plans, information/decision notes, and other materials.

RELATED LEGISLATION & POLICIES

Legislation

Copyright Act, RSC 1985, c C-42 <http://laws-lois.justice.gc.ca/eng/acts/C-42/>

Patent Act, RSC 1985, c C-4 <http://laws-lois.justice.gc.ca/eng/acts/P-4/>

Policies

D.1.3 Copyright

RELATED PROCEDURES

Refer to D.1.4 Curriculum/Educational/Institutional Materials Created within the College Procedures.

APPENDIX I

United Nations Declaration on the Rights of Indigenous Peoples

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.