

# **145 COPYRIGHT AND INTELLECTUAL PROPERTY**

## **Belief**

The Maskwacis Education Schools Commission (MESC) follows cultural and traditional teachings of the Maskwacis Cree, in particular Wahkohtowin. Wahkohtowin is the belief that all things are related and connected, that all of existence has spirit and that living in a good way requires us to maintain good relationships with each other and other aspects of existence. We recognize that respect for mother earth, elders, youth, and the Treaties are paramount to planning ahead and making decisions for future generations.

In order to ensure that the students continue to benefit from Maskwacis Cree knowledge and protect the intellectual property of Maskwacis Cree Knowledge Keepers, there is a requirement by MESC to retain both the resources that are developed by teachers, instructors and support staff, as well as the rights for the utilization and modification of such resources.

## **Definitions**

Intellectual Property, means the intangible rights protecting creations, inventions and other products of human intellect including, but not limited to, Copyrights, Trade-marks and patent rights in inventions.

Creator of Materials and Resources is any person who develops information related to an educational program.

Educational Materials and Resources includes all print, computer and multimedia applications, programs, templates, etc., designed to operate on a computer or multimedia hardware, that are capable of being used in a teaching and learning environment.

## **Procedures**

1. All educational materials and resources created by employees during the course of their duties with MESC shall be released by the creator to MESC for unlimited use, modification, duplication and distribution within MESC

2. All employees shall be asked to declare all educational materials and resources as being the property of MESC and as being subject to all laws pertaining to intellectual property and copyright as of the date of the adoption of this Administrative Procedure by MESC.
3. All materials and resources created or modified while the creator is in the employ of MESC shall be subject to this Administrative Procedure.
4. All new materials and resources shall be submitted to the Learning Services Branch: Curriculum Instruction and Assessment department for identification.
5. Credit to creators of the materials and resources shall be given on the materials and resources. However, this does not in any way mean that copyright protection is not being given first and foremost to the owner (MESC).
  - 5.1. The Elder/Knowledge Keeper must be identified in the materials and resources, and must provide permission for use, distribution or sale of the materials and resources.
  - 5.2. The credit frame shall contain the statement, "*This material is the property of the Maskwacis Education Schools Commission. This material may be MESC Staff released for unlimited use solely within MESC and shall not be copied, distributed or used in any form whatsoever without the written permission of MESC.*"
6. The creator of educational materials and resources shall not receive any remuneration from MESC other than contracted salary for the creation of educational resources. MESC shall provide for the physical costs of storage devices and manuals used to retain official copies of the resources.
7. All computer software packages, multimedia materials and AI tools used in the process of creating educational materials and resources are subject to copyright laws regarding the use of these materials, the networking of technology and licensing agreements. All employee created materials and resources shall be in compliance with such laws and agreements.

8. Students hold exclusive Title to and Intellectual Property rights in original Works created or invented by them, whether or not created or invented in the course of MESC studies and whether or not using MESC resources, funding, facilities or materials.
  - 8.1. Submission by a student to a MESC teacher/instructor of any student work related to the course of study shall be considered to include the student's permission to the teacher/instructor to photocopy the materials for his or her future instructional and/or assessment use.
  - 8.2. Unclaimed student work will be retained by MESC personnel for a maximum of 30 days after the return date, after which it will be disposed of as determined by MESC personnel.

Reference:

[Copyright Act](#)

[Copyright Regulations](#)

[Administrative Procedure 134 COPYRIGHT](#)