



**USE OF NORTH ISLAND COLLEGE DEVELOPED
MATERIALS BY OTHER USERS**

#1-06

Approved: June 15, 1995
Effective: June 15, 1995
Date to be Reviewed: 2003

POLICY

North Island College developed materials may not be made available, either for reproduction or for any use, other than preview purposes, to any person not employed by the College or to any other institution, agency or organization, without an express, written agreement approved by the President (or designate) and signed by the other user.

PURPOSE

This policy defines the terms and conditions under which another agency, institution or individual may use materials developed and owned by North Island College.

While the intent of this policy is to provide terms and conditions under which another user may apply to make use of North Island College developed materials, the College retains the right to refuse the use of materials to others as deemed appropriate.

GUIDELINES

1. Institutions or individuals seeking to make use of North Island College developed materials shall apply to the appropriate Instructional Dean who shall assess and respond to requests.
2. An agreement shall be drawn up with due consideration to applicable conditions of the Copyright section of the current North Island College/North Island College Faculty Association Collective Agreement.

3. The agreement shall:
 - a. Identify the materials;
 - b. Identify the other user;
 - c. Stipulate the period of time for which the agreement is valid;
 - d. Stipulate the process for erasure or other disposal, if required, of the materials upon termination of the agreement;
 - e. State the financial terms of the agreement;
 - f. Detail any constraints or restrictions applicable (ability of the other user to edit, abridge, modify, use in part, reproduce or copy, etc.). This may include an express requirement to change part of the materials, for example, references to specific individuals or addresses within a material that may cause inconvenience to the College or College employee(s); and
 - g. Require the other user to appropriately acknowledge both North Island College's ownership of the materials and any faculty authorship of the materials in accordance with the current North Island College/North Island College Faculty Association Collective Agreement.

4. The financial terms shall be set according to the identity of the other user:
 - a. When the other user is an institution and agency publicly funded through those Ministries of the Government of British Columbia charged with public education, the materials will normally be made available at no cost other than the costs of provision and delivery of a master copy for reproduction by the other user, or where agreed, the costs of provision and delivery of a required number of copies to the other user.

 - b. When the other user is funded by a source other than in Section 4.a. (above), costs set by the College shall be applicable.

5. Other users will not normally* be allowed access to and use of assessment devices (examinations, tests, assignments, etc.) and their corresponding instructor marking guides or answer keys for which credit is determined and recorded for North Island College students. Assessment devices and related marking guides or keys which are no longer current may be made available to other users subject to approval by the Dean or Chair of the Department concerned.

* *Current assessment devices and related marking guides or keys for some specific courses may be made available subject to the approval of the appropriate Dean or Chair.*

6. Many of North Island College's materials are prepared in an electronic format which may easily be modified or customized for other users. North Island College may, upon agreement, prepare camera-ready copy of materials modified or customized to both

meet the terms of Section 3.f. (above) and facilitate the use of the materials for the other use. The costs of such work shall be borne by the other user based on the current per page cost to North Island College of originally processing the materials.

Notes:

1. All materials developed by faculty and staff of North Island College are copyrighted and may not be used by any other person or agency without the written permission of the College. In the past, other institutions have made use of North Island College developed instructional and other materials through informal arrangements. A formal policy is required to govern future usage.
2. Other institutions and agencies publicly funded through the Government of British Columbia have permitted North Island College to use without charge materials developed by and belonging to those institutions or agencies. This policy is intended to reciprocate the cooperation received from fellow institutions and encourage the free exchange of materials for use by agencies funded by the common source.
3. Notwithstanding the intent of Note 2. (above) the use by other agencies of some items, such as examinations, may not be in the interests of North Island College for security reasons. This policy seeks to protect the integrity of the educational functioning of the College through restricted availability of certain items.
4. This policy is to ensure that due process is followed in making arrangements for use of North Island College developed materials. It is in the interest of the College to know how, and by whom, its materials are being used.

Definitions:

For the purposes of this policy, the following definitions are used:

Materials: Any instructional or administrative materials, including but not limited to, written materials, artistic material, computer files, software, video or audio tapes, training aids, audiovisual materials or test equipment developed by assignment of an employee or employees of North Island College and the property of North Island College.

Other User: Any individual, institution, agency or organization not part of, not affiliated with, or not in the normal employ of the College.