

New copyright law - what can be used in the classroom?

Since June 2012, Copyright law has become clearer and easier for teachers and students.



The use of Internet materials

Teachers and students can now legally download, save, and share Internet text or images, incorporate Internet materials into assignments.

Teachers and students can use **publicly** available materials on the Internet for educational purposes without having to pay copyright or license fees.

This Internet provision applies **only** to material that is **publicly** available on the Internet and that has been posted on-line with the authorization of the copyright owner. (Note: this does not apply to pirated materials.) Also, teachers and students must respect any digital lock that restricts access or use of content. Students are required to cite materials used.

Fair dealing and the use of “short excerpts”

The Supreme Court permits teachers to copy and communicate short excerpts from a copyright-protected work for each student in a class. (ie. a book or magazine) without having to ask for copyright permission or pay royalties. Short excerpts can be taken from books, film, television, audio-visual recordings, as well as sheet music.

The ruling does not allow the copying of a whole copyright-protected work, only a “short excerpt.” It does not mean teachers can copy whole textbooks. (For example, teachers cannot copy or communicate multiple short excerpts from the same copyright-protected work with the intention of copying the entire work.)

The *Fair Dealing Guidelines* describe a “short excerpt” as:

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| a. up to 10% of a work | containing other artistic | other poems or musical |
| b. a chapter from a book; | works; | scores; |
| c. a periodical article; | e. a newspaper article or | g. an entry from an |
| d. an entire artistic work | page; | encyclopedia, annotated |
| from a larger work | f. a poem or musical score | bibliography, dictionary, |
| | from a work containing | or similar reference work. |

Video/AV use in the classroom

Teachers can use an AV resource (ie. DVD or video) for educational purposes if it is not an infringing copy (ie. legally obtained). The AV resource can be purchased, or rented from a retail store, borrowed from the library, borrowed from a friend, or streamed via YouTube. (At the moment, subscription services such as Netflix are not permitted under the agreement.)

Teacher resource available

- *Copyright Matters!* - a helpful guide to copyright law and education. (www.cmec.ca)