Copyright in the Classroom
(for graduate students employed by UA)

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What do instructors need to know about copyright in the classroom?
pollev.com/copy
What do instructors need to know about copyright in the classroom?
Learning Objectives

By the end of this session, students should be able to:

1. locate copyright-related UAPPOL* policy, procedures, and Fair Dealing Guidelines (*UA policies and procedures online)
2. help students and other instructors create stable urls to UA Libraries (UAL)-licensed resources
3. explain the difference between re-use considerations for UAL-licensed resources and all other copyright-protected works
4. define open educational resources (OER) and describe how they can be beneficial to both students and faculty
5. differentiate between materials that are suitable for sharing in a course content aggregator and materials that are not suitable for sharing in a course content aggregator (e.g., OneClass, CourseHero, etc.)
2 high-level takeaways

**Copyright** is a set of limited rights established by law (attempts balance).

UA interpretation of copyright law is communicated to employees through UA Policies and Procedures (e.g., Fair Dealing Guidelines).

UA Libraries purchase **access** to digital materials for use in teaching and research activities at UA.

The **terms and conditions** of the negotiated contracts guide use of these materials.
See also: Helping Students Understand Copyright and Plagiarism
Options for using copyright-protected content:

- UA-acquired licences (UAL content)
- user rights provided under the Copyright Act (e.g., UA Fair Dealing Guidelines)
- asking permission of rights holder (Copyright Office can help)
True or False? UA copyright policy applies to employees, not students.

True.

False.
Licensed Resources
Link to Resources

Licensed Library Resources
http://guides.library.ualberta.ca/linking-to-library-online-resources

Linking to Library Online Resources

Let the library do it

Direct Links to Articles
Use 'Get It' for Linking
Use 'RefWorks' for Linking
Linking to Articles from Databases
Linking to eBooks
Linking to Databases, Library Guides, ERA, Google Scholar
eClass Integration - Library Resources Block

Linking to Library Licensing Online Resources

The Library provides access to numerous online resources that we license from online vendors/publishers, and it makes sense for instructors to provide links to these resources on their course reading lists/outlines. However, due to our vendor/publisher licensing requirements, links to online resources must include a prefix that prompts for authentication for off-campus access.

The Library uses an application called EZProxy to manage off-campus authentication to our resources. To facilitate off-campus access to our online resources, the EZProxy prefix http://login.ezproxy.library.ualberta.ca/login?url= should be added to any links you provide to your students.

For example, the following is a URL for an online article:

http://pubs.acs.org/doi/pdf/10.1021/bi8006143

Once the EZProxy prefix is included, the link will appear as follows:


While making use of the Reading List Service is the easiest way to ensure that the EZProxy prefix is included in links to licensed online resources on your course reading lists, if you prefer to provide links yourself, this guide provides tips on the various methods for ensuring your links include the EZProxy prefix.

Each tab on this guide provides a different method of obtaining URLs that contain the EZProxy prefix. Which method you choose will depend on the type of resource you wish to link to (e.g. e-journal, e-book) and the vendor/publisher who provides access to the resource. In some cases, more than one method can be used in which case, after trying various methods, you can select the one you find most ‘user-friendly’.
Library Reading List Service

Library staff will create a reading list or place material on reserve
https://web.library.ualberta.ca/reserverequest/readinglist/embeddedlinks/index.cfm

TIP: If UAL doesn’t have access to the eresource and it’s not available open access, contact your subject librarian for assistance (they might know of other access points or have you recommend an ebook purchase).
Other works protected by copyright

Distribute resources to students under the fair dealing exception as interpreted by UA.

PREAMBLE:
The Copyright Act contains a Fair Dealing exception, which permits the use of copyright-protected works without permission from the copyright owner or the payment of royalties. To qualify for Fair Dealing, two tests must be passed:

i) The dealing must be for one of the following purposes enumerated in the Copyright Act: research, private study, education, parody, satire, criticism, review or news reporting; and

ii) The dealing must be fair. The fairness of the dealing is assessed in accordance with a number of specific factors set out by the Supreme Court of Canada.

The purpose of these Guidelines is to provide a simple and straightforward approach to making determinations of the application of the Fair Dealing exception in particular circumstances. While the Guidelines are not intended to be a replacement for the full analysis outlined by the Supreme Court of Canada, use of the Guidelines is expected to yield the same analysis in the vast majority of applicable cases.

GUIDELINES:

These Guidelines apply to all reproductions of copyright-protected works as stated in the Use of Copyright Materials Policy and Procedure. The Guidelines are intended to limit reproductions of works in which the university retains reproductions made in accordance with the terms of licence or rights acquisition agreements.

Under these Guidelines:

1. Course instructors, faculty, researchers and all university employees may reproduce and communicate short excerpts from copyright-protected works for purposes of research, private study, educational purposes or news reporting.

2. Reproductions or communications of short excerpts from copyright-protected works for purposes of criticism or review must mention the source and the author or creator of the work.

3. Users may reproduce the following “short excerpts” from copyright-protected works:
   a) up to ten (10) percent of a copyright-protected work (including a literary work, musical score, sound recording or an audiovisual work) [Note: In cases where the work is an anthology or collection that includes complete works that are otherwise available in separate volumes, this may not be applicable. In such cases, please contact the Copyright Office for clarification];
   b) an entire chapter from a book;
   c) an entire article from a periodical publication;
   d) a single poem from a poem collection;
   e) a single musical composition;
   f) one single other artistic work;
   g) a single page from a work containing other poems or other artistic works;
   h) an annotated bibliography or similar reference

4. Users may NOT reproduce the following:
   a) unpublished works;
   b) proprietary workbooks, work cards, assignment sheets, tests and examination papers;
   c) instruction manuals;
   d) newsletters with restricted circulation intended to be restricted to a fee paying clientele;
   e) business cases which are made available for purchase; or
   f) multiple short excerpts from the same copyright-protected work, with the intention of reproducing or communicating substantially the entire work.

The Copyright Office can provide assistance with questions about the implementation or interpretation of these Guidelines.

Presentation of Course Materials

- Section 29.4 of the Copyright Act allows for the display of images for instructional purposes so long as the images are not commercially available in a format suitable for this use.

- Section 29.5 of the Copyright Act allows for the playing of a non-infringing sound recording or movie for educational purposes.

- Always check the terms of use for conditions, restrictions, or limitations when using resources accessible via licence or personal subscription (e.g., Netflix, Spotify, etc.).
How well do you feel you understand what we have discussed so far?

I totally get this stuff.

I’m feeling pretty confident.

I’m following along ok.

I’m a little lost but mostly staying with you.

I am confused.
Case Study 1: Uploading Content to eClass

You have been assigned to TA a course one week before the start of classes. Students expect to access their readings through eClass / LMS. How do you handle the following items, all of which are important to the course objectives?

2. Article available via a UAL database (e.g., accessed via the main library search interface).
3. Lecture slides created by the previous course instructor. The slides include images (with attribution) copied and pasted from the open Internet.
Case study 1. How do you handle a paper copy of a book chapter?

Scan it and upload the PDF to eClass/LMS.

Scan it and upload the PDF to Google Docs.

Distribute paper copies and sell it as, “kickin’ it old school.”
Case study 1. How do you handle an article available via a UAL database?

- Take screen captures of each page and upload those images into eClass/LMS.
- Google the title and provide the top article URL in eClass/LMS.
- Follow instructions on library website to generate and provide a stable URL to the article in eClass/LMS.
- Provide students with the article citation and instruct them find the full-text on their own.
Case Study 1: Uploading Content to eClass

How can you provide access to the following items via eClass/LMS?

   ○ Scan amount within **Fair Dealing Guidelines** and upload to eClass/LMS. Assumption: book was legally obtained (e.g., UAL collection). Note limits to further distribution (see website).

2. Article available via a UAL database (e.g., accessed via the main library search interface).
   ○ Provide stable link to the article (UAL can provide the link) or upload if the **conditions of the licence / contract** allow for this type of use.

3. Lecture slides produced by the last person who taught the course. They include images (with attribution) copied and pasted from the open Internet.
   ○ **Display** in the classroom but share via eClass/LMS only if images allow for this type of use or you have completed a **fair dealing assessment**. Model good practice by including distribution justification in the references (e.g., CC licence, terms of use, fair dealing assessment).
Practical Points

- You can provide students with links to UA Libraries’ licensed digital resources.
- UA has a Use of Copyright Materials Policy and Fair Dealing Guidelines.
- The instructor/course coordinator must submit a copyright review request form if using a course package.
- Basic questions about copyright in the classroom can be sent to copyright@ualberta.ca.
For Instructors

University of Alberta Policies and Procedures
- Use of Copyright Materials Policy
- Use of Copyright Materials Procedure
- Information Documents

Fair Dealing Guidelines

Course Readings
- Providing Print and Digital Copies
- Production and Sale of Printed Course Materials
- Posting to a Learning Management System

Instructional Materials
- Creating Teaching Tools
- Presentation Slides
- Showing a Movie

Review and Permissions
- Copyright Clearance Service
- Payment of Permission Fees
- Seeking Permission
- Copyright Review Request Form

Resources
- Copyright in the Classroom (Fall 2018)
- New Professor Teaching Orientation - Copyright Information (Summer 2017)
Learning Objectives

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WHY

2 in 3 students say they decided against buying a textbook because the cost is too high.

Less than 1 in 2 students purchase a current edition of their textbook.

1 in 2 students say they have at some point taken fewer courses due to the cost of textbooks.

HOW

Open Education encompasses resources, tools, and practices that are free of legal, financial, and technical barriers and can be fully used, shared, and adapted in the digital environment. -- SPARC*

Make copies and own copies

Use in a variety of ways

Adapt, modify, translate, or change

Combine to create a new resource

Share copies of the work
OER at UA

University of Alberta Libraries

UA Centre for Teaching and Learning

Centre for Teaching and Learning

Teaching Support

Events

Grants

Awards

Resources

ABOUT

Teaching Development

Open Education

Upcoming Workshops

Open Educational Resources Showcase
January 25, 2019
(10:30 a.m. – 1 p.m.)
Cameron Library Basement B-12

Co-creating OER with Students
February 15, 2019
(1:30 p.m. – 3:30 p.m.)
Cameron Library Basement B-12

Exercising and Reusing Free Teaching Materials
April 23, 2019
(12 p.m. – 2:30 p.m.)
Cameron Library Basement B-12

UA OER Awards

University of Alberta OER Awards will support faculty in the cost of open educational resources (OER) in their...
Open Educational Resources (OER): “... any type of educational materials that are in the public domain or introduced with an open license. The nature of these open materials means that anyone can legally and freely copy, use, adapt and re-share them. OERs range from textbooks to curricula, syllabi, lecture notes, assignments, tests, projects, audio, video and animation.” (UNESCO)
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Creative Commons licence elements:
- Attribution
- Share Alike
- Non-Commercial
- No Derivatives

Licences do not restrict or change user rights provisions available via copyright law(s)... like fair dealing.
3 questions

What do students need to know about materials distributed in the classroom?

- Who owns it?
- What can others (I) do with it?
- Did they (Do I) need to ask permission to use it?
Case Study 2: Course Content Aggregators

You receive an email from a student asking you if they can buy a copy of last year's exam directly from you instead of paying CourseStuffPlus*, a course content aggregator. You sign up for an account on CourseStuffPlus and discover that the course coordinator’s lecture slides, course notes, and the examination from a class they taught last year are available for sale via this online service.

1. What are the copyright issues/questions in this scenario?
2. Should you have the content removed? If so, how?
3. How do you prevent this from happening again?

*fictitious service/company
Case study 2. What are the copyright issues in this scenario?

Top
Case Study 2: Course Content Aggregators

...lecture slides, course notes, and the examination from a class taught last year are available for sale via a course content aggregator.

1. What are the copyright issues in this scenario?
   ○ Who owns the content? UA faculty members normally hold the copyright in teaching materials they create. Course content services usually require uploading by the rights holder (but don’t review content).
   ○ Is this an infringement scenario?

2. Should you have the content removed? If so, how? How do you prevent this from happening again?
   ○ If relevant, contact the service provider and ask that the content be removed. Each service has its own protocol for this type of request.
   ○ Make your preferences clear to students. For example, inform them that you hold the copyright in course materials that you create and distribute and that these are provided solely for the use of students registered in the class and that they are not for wider distribution.

See also: Sharing Course Notes and Study Materials Online
How often do you use course content aggregators?

- Every day or so.
- Every week or so.
- Every month or so.
- Maybe twice a year.
- Never but I've heard of them.
- Never heard of them until today.
Questions?

copyright@ualberta.ca
https://www.ualberta.ca/copyright

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