

# Copyright in the Classroom

## Fall 2019

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### Journal of Academic Ethics

Full/Alternate Title(s): Journal of Academic Ethics

Format: Journal

Published: Dordrecht

ISSN: 1570-1727

Subjects

- Arts and Humanities
- Social Sciences

Subscriptions
<b>Canadian Research Knowledge Network SpringerLink Current</b> coverage: Available from 2003 volumes: 1 issue: 1. our usage rights: eClass? <input type="checkbox"/> Course Packs? <input type="checkbox"/> Link? <input type="checkbox"/> Print? <input type="checkbox"/>
<b>Education Research Complete</b> coverage: Available from 2003. Most recent 1 year(s) not available. our usage rights: eClass? <input type="checkbox"/> Course Packs? <input type="checkbox"/> Link? <input type="checkbox"/> Print? <input type="checkbox"/>
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### LIBRARY SEARCH RESULTS

## Take note:

- UA has a *Use of Copyright Materials Policy and Procedure* (see UAPPOL, [policiesonline.ualberta.ca/](http://policiesonline.ualberta.ca/)).
- The *Copyright Act* includes limited use exceptions for educational institutions.
- The UA Library negotiates and purchases access to resources for use in your classroom.
- Content openly accessible on the web is not necessarily in the public domain or available for re-distribution. Learn about **terms of use**, educational exceptions, and permissions before sharing.
- Open licences (e.g., Creative Commons) make it easy to understand what types of re-distribution and re-use are acceptable to rightsholders.
- Copyright terms don't last forever. Works generally enter the public domain 50 years after the year of death of the author / composer / artist.

## As an instructor, you can:

- Provide **stable links** to articles and ebooks instead of distributing PDFs or printed copies. TIP: UA Library can provide stable links for inclusion in syllabi / eClass / LMS.
- Follow the **Fair Dealing Guidelines** (see other side of this sheet) when providing students with copies of resources via print handouts or digitized eClass / LMS postings.
- Rely on *Copyright Act* exceptions to display content in the classroom, as well as perform films.
- Submit a **Copyright Review Request Form** if you are preparing a course package, are unsure of the terms of use for the material you want to copy, or would like the Copyright Office to seek permission for you to use the material in your classroom.
- **Keep track** of use permissions and check for changes each time you teach the course.
- Review your publishing agreement(s) carefully and ensure that your own work(s) can be re-used for educational purposes in the future.

Need to submit a Copyright Review Request Form? It's on the Copyright Office website. Please allow 6 - 8 weeks for processing.



## Need more information?

Email [copyright@ualberta.ca](mailto:copyright@ualberta.ca) or visit [ualberta.ca/copyright](http://ualberta.ca/copyright)

# Fair Dealing Guidelines

## 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 outlined 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 a result consistent with such a full analysis in the vast majority of applicable cases.

## Guidelines

These Guidelines apply to all reproductions of copyright-protected works under the university's **Use of Copyright Materials Policy** and **Procedure**. They are not intended to apply to reproductions made outside the scope of that Policy. Additionally, these Guidelines are not intended to limit reproductions of works in which the university holds the copyright nor reproductions made in accordance with the terms of licence agreements that apply to specific resources.

### Under these Guidelines:

1. Course instructors, faculty, researchers, and university employees (**users**) may reproduce and communicate short excerpts from a copyright-protected work for the purposes of **research, private study, education, parody, satire, criticism, review, or news reporting**.
2. Reproductions or communications of short excerpts for the purpose of news reporting, criticism or review must mention the source and, if given in the source, the name of the author or creator of the work.
3. Users may copy the following **short excerpts** under these Guidelines:
  - a. up to ten (10) per cent of a copyright-protected work (including a literary work, musical score, sound recording, or an audiovisual work) [Note: in cases where the work is in an anthology or collection that includes complete works that are otherwise available in separate volumes, this may not be applicable. In such cases, contact the Copyright Office for clarification];
  - b. an entire chapter from a book;
  - c. an entire article from a periodical publication;
  - d. an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, or plan) from a copyright-protected work containing other artistic works;
  - e. an entire newspaper article or page;
  - f. an entire single poem or musical score from a copyright-protected work containing other poems or musical scores; and
  - g. an entire entry from an encyclopedia, annotated bibliography or similar reference work;

provided that in each case, no more of the copyright-protected work is copied than is required in order to achieve the allowable purpose.

4. Users may NOT reproduce the following:
  - a. unpublished works;
  - b. proprietary workbooks, work cars, 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.