



Copyright Guidelines for Faculty



COPYRIGHT BASICS

Canadian Copyright Act falls under federal jurisdiction.

Copyright law protects creative works such as books, computer programs, sound and video recordings, photographs, songs and other printed or digital material and website content. Anyone wanting to use the work in some way may need to get permission first.

Copyright law provides some **exceptions** to these exclusive rights.
This is called the **Fair Dealing** provision.

FAIR DEALING GUIDELINES

Instructors may communicate and reproduce, in paper or electronic form, **short excerpts** from a copyright-protected work for the purposes of research, private study, criticism, review, news reporting, education, satire, and parody.

A **short excerpt means up to 10% or less** of a copyright-protected work, such as:

- one chapter from a book
- a single article from a periodical
- an entire newspaper article or page
- an entire single poem or musical score from a copyright-protected work
- an entire entry from an encyclopedia, annotated bibliography, dictionary, or similar reference work
- an entire artistic work (painting, print, photograph, diagram, drawing, map, chart, plan) from a copyright protected work

It is **prohibited** to:

- copy more than is required to achieve the intended purpose
- copy multiple short excerpts from a work if it results in copying more than 10% of the work

This means you should not copy all, or most, of a book!

Short excerpts **must include a citation** of the work.

Finding it on the internet does not necessarily mean you can use it.

AUDIO VISUAL MATERIAL

You may use videos and sound recordings in the classroom provided they have been legally obtained. **You cannot upload copyright protected music to course management systems.**

Instructors may communicate short excerpts to students:

- **Movies, TV, Video:** Up to 1% of the total or 3 minutes, whichever is less
- **Music, Lyrics and Music Videos:** Up to 10% of the work, and no more than 30 seconds of an individual piece
- **Illustrations, Photographs**
 - Up to 5 images from one artist; up to 10% or 15 images from a collection, whichever is less.
 - If using Google image search, find the original source! Or find copyright-free images.

***YouTube and other video-sharing sites may contain illegally uploaded content. Check the legitimacy of a video before using it.**

Content creators such as CBC have channels on YouTube. The videos found on these channels can be used.

A single copy of a **short excerpt** from a copyright protected work may be provided or communicated to each student enrolled in a class or course:

- as a **class handout**
- as a **posting to a Learning Management System** that is **password protected** or otherwise restricted to students (ie: Canvas)
- as part of a **course pack** *
- as **library Reserve** material *

***NOTE:** these options take time and should always be prepared with considerable lead time!



Dr. John Micallef Memorial Library | St. Mark's and Corpus Christi Colleges
library@stmarkscollege.ca | +1 604 822 4463 ext. 109 | @librarysmc | www.stmarkscollege.ca/library

E-RESOURCES and POSTING TO LEARNING MANAGEMENT SYSTEM

Course materials supplied to students using personal websites, social media, or file sharing platforms such as Dropbox do not comply with Fair Dealing.

Check any online source for the *Terms of Use*, *Terms and Conditions*, *Legal Notices*, or *Copyright Notice* to determine whether work can be used for educational purposes.

Copying of material from a **workbook**, or any one-time use material, is prohibited under Copyright Law.

Any **password protected material** may not be posted to a Learning Management System.

E-journals: Some library databases do not allow copying of PDF files and reposting them. **It is preferable to provide a link.**

LIBRARY RESERVES

Books, journals, or copies of chapters or articles (according to Fair Dealing guidelines), may be placed on Reserve in the library. Reserves are for In Library Use Only and remain on Reserve for the duration of the semester. Reserve materials can be borrowed for up to 3 days, with no renewals allowed.

OTHER SOURCES

Public Domain

Most works enter the public domain 50 to 70 years after the death of the creator and can be distributed or adapted freely. But always check copyright status of works as there are exceptions.

Creative Commons

An image or other work with a Creative Commons license can be distributed freely, but must be cited. Check the license terms before modifying in any way.

<https://creativecommons.org/licenses/>

Open Access

Usually use is freely allowed, but check the Terms of Use.

Government Publications

- Federal works may be freely distributed unless noted otherwise.
- Provincial or municipal works beyond Fair Dealing requires permission.

AN INSTRUCTOR'S RESPONSIBILITY

Set an example of respect for copyright for your students.

Know and respect the limits of the Fair Dealing Guidelines.

Know your rights and obligations under copyright law.

Know the procedure for seeking copyright advice and obtaining permission.

RESOURCES

For information on creating Course Packs contact:

UBC Bookstore at custom.course@ubc.ca

To create Library Reserves contact:

Library staff at library@stmarkscollege.ca or 604.822.4463 ext. 109

NOTE: This service is not available at this time.

For more information on Copyright and Fair Dealing Practices check:

“Copyright at UBC” at <https://copyright.ubc.ca/>

Copyright Decision Tool:

<https://copyright.uottawa.ca/fair-dealing-decision-tree>

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