

Copyright and Fair Dealing

School districts across the country are encouraging awareness and respect for copyright. When teachers and school staff know the basics of copyright law, they set an example for their students and they understand the limits of what can be copied and communicated.

What is Copyright?

Copyright lets creators control and protect their original work and it ensures fair use. Failure to know and respect copyright could result in a lawsuit for copyright infringement.

In June 2012, Parliament passed the *Copyright Modernization Act*, and a few weeks later, the Supreme Court of Canada issued a landmark decision interpreting the meaning of “fair dealing” in an education setting. This set the rules for classroom use of copyright-protected materials. Detailed information can be found at www.FairDealingDecisionTool.ca

How does Copyright affect the use of Internet materials?

Teachers and students can perform routine classroom activities using the Internet, such as downloading, saving and sharing publicly available Internet text or images, incorporating materials into assignments, and exchanging works electronically with one another. This provision applies only to material that is publicly available and has been posted online with the authorization of the copyright owner. It does not apply to pirated music, textbooks or films. Also, teachers and students must respect any digital lock (such as encryption or password-protection) that restricts access or use of Internet content.

What about using “short excerpts?”

Teachers are permitted to copy and communicate short excerpts from a copyright-protected work for each student in a class. Short excerpts may be taken for educational purposes from books, film, TV, audio-visual recordings as well as music. However, using these short excerpts is meant to be a supplement to, not a substitute for, the purchase of a copyright-protected work. Teachers cannot copy whole textbooks and should never reproduce consumables such as student workbooks and other materials intended for one-time use.

How can teachers ensure they are in compliance with Copyright?

The **Fair Dealing Decision Tool** helps teachers decide, with just a few clicks, what material is suitable for classroom use without needing to obtain copyright permission.

Every teacher should visit and bookmark www.FairDealingDecisionTool.ca to learn and follow the full guidelines for copyright law within education. This user-friendly information will tell educators what they need to know about copyright in the classroom.