ALGONQUIN COLLEGE

Copyright Fact Sheet

These guidelines are in place to provide for copyright compliance and protect Algonquin from claims of copyright infringement. They have been developed referencing the Copyright Modernization Act, SCC judgment, the ACCC Fair Dealing Policy, and the Access Copyright Model Licence. These guidelines may change based on further analysis. Last update: Summer 2014.

Contact **copyright@algonquincollege.com** if you have any questions.

Fair Dealing Factors

You must consider the following **Fair Dealing Factors** before you copy or distribute a work:

i. The purpose of the copying
   - Is the copying for one of the following purposes: education, research, private study, criticism or review, news reporting, parody or satire?

ii. The amount of the copying
   - How much is being copied? One chapter from a book or one article from a journal may be considered fair.

iii. The character of the copying
   - How broadly will the work be distributed? Will it be accessible only to eligible students?

iv. Alternatives to copying the work
   - Is the same or equivalent work available in the library databases? Is there a non-copyrighted alternative?

v. The nature of the work
   - including whether it is published or unpublished

vi. The effect of the copying on the work
   - Will the copying undermine the market for the work?

Source Material	Copying/Display Allowed?	Explanation and Examples
Print sources *Cite the source	☑ If the portion is insubstantial (e.g. a short quote) ☑ Short excerpts of material for fair dealing purposes ☑ If it does not substitute for the purchase of course texts ☑ For examinations and tests ☒ Workbooks ☒ Materials from personal contracts or licenses	• ACCC Fair Dealing policy allows you to copy short excerpts of material (e.g. up to 10% of a work or one chapter) and distribute them to students. Distribution can be either: a) handouts given out in class b) copies available at the library reserve desk c) a scanned file uploaded to Blackboard • For copying beyond the short excerpt limits, you may still be able to scan and post up to 20% of a work within a Secure Network such as Blackboard (consult the Access Copyright Title Search & Permissions Tool). Copying greater than 20% of a work? Contact copyright@alognquincollege.com to discuss your options.
Coursepacks	☑ Copy up to 20% of any published work in Access Copyright's repertoire for a coursepack	Coursepacks must be produced by the College's Print Shop and sold through the Bookstore.
Work available through Internet	☑ Publicly available material ☒ Work with a "clearly visible notice" prohibiting educational use ☒ Protected by a "digital lock" (e.g. a password, digital watermarking, or encryption)	• You may reproduce, communicate, or perform legitimately posted works that are available through the Internet. • Any reproduced/communicated works must be properly cited.

Images **Tables** **Figures**	☑ From library databases ☑ print sources ☑ From internet sites with no digital lock or clearly visible notice prohibiting educational use	• Copyrighted images (including charts, graphs, photos and diagrams) may be included in classroom presentations without permission (a copy of the presentation can be made available through Blackboard), provided images qualify as "Short Excerpts" under the ACCC Fair Dealing policy. • Images must be properly cited.
Music	☑ Playing of music in the classroom ☒ Uploading copyright protected music to Blackboard or burning copies for distribution	• You can play a song in your classroom but you cannot upload it to BlackBoard and you cannot burn copies to distribute. • There is no technological protection measure preventing you from accessing the material.
Videos and TV	☑ News programs ☑ Showing a live television program or a legally obtained video in class ☑ Showing Algonquin Libraries' collections of VHS/DVDs and streaming videos	• Faculty can show a TV program or play a radio broadcast in class while it is being aired. • News and news commentary programs can be taped while it is being aired and shown in class, besides TV series, documentaries, or films. • A legally obtained video (e.g. a copy purchased or rented from a retail store) can be shown in class. • You cannot copy a work (e.g. burn a copy, convert to streaming without permission from the copyright holder). • There is no technological protection measure preventing you from accessing the material.
YouTube videos	☑ Videos uploaded by the copyright owner ☒ Illegally uploaded videos	• YouTube and other video sharing sites may contain content not uploaded by the copyright owner. It is good professional practice to check the legitimacy of a YouTube video before using it in the classroom. • Many content creators like the CBC have channels on YouTube. The videos found on these channels can be used.
Mash-ups	☑ Copyright-protected works used in the creation of a new work	• Individuals are allowed to use legally obtained works (e.g. images, videos, music, text etc.) to create new works (e.g. modifying a mathematical table, creating an instructional video, slides or documents) and post via social media, **for non-commercial purposes** provided: • The original works are cited. • The new work does not have a "substantial adverse affect" on the market for the original work.

*Any above-mentioned use (except "Mash-ups" and creating coursepacks under the Access Copyright Licence) falls under fair dealing or educational exceptions of the *Copyright Act*. The *Act* allows certain uses of copyrighted works by educational institutions without permission, provided that activities must take place **on Algonquin College premises, for educational purposes and not for profit, before an audience consisting primarily of Algonquin students**.

References

- The Copyright Modernization Act: www.laws-lois.justice.gc.ca/eng/acts/C-42
- ACCC Fair Dealing Copying Guidelines: www.algonquincollege.com/library/files/2014/07/ACCCfairdealingpolicy.pdf
- Supreme Court of Canada Judgment -Alberta (Education) *v.* Canadian Copyright Licensing Agency (Access Copyright), 2012 SCC 37: http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/9997/index.do
- Access Copyright Title Search and Permissions Tool: http://discovery.accesscopyright.ca/ca
- Copyright at Algonquin: www.algonquincollege.com/library/copyright