

## Why is copyright important?

Just as you would want to protect anything that you own, creators want to protect their works. As students, we were all taught the value of original thinking and the importance of not plagiarizing the works of others. Since teachers use copyright-protected materials as well as educate the copyright owners and users of tomorrow, they have a unique responsibility to set the right example. The works of others should not be used without their permission unless the use is permitted by the Copyright Act. Teachers must be cognizant of the copyright status of resource materials in their possession.

## What is fair dealing?

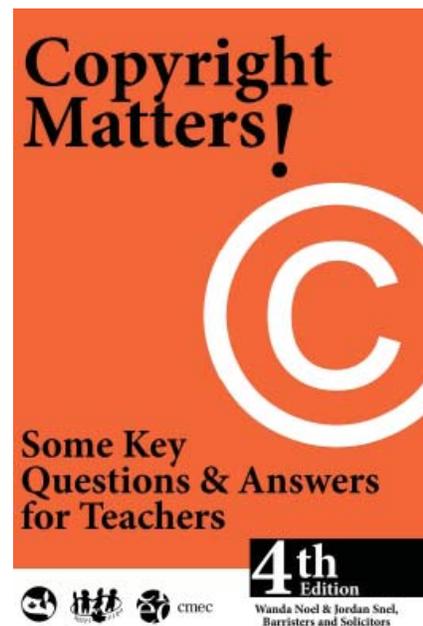
The Copyright Act provides that it is not an infringement of copyright to deal with a work for the purposes of research, private study, criticism, review, news reporting, education, satire, and parody, provided the dealing is "fair."

The following guidelines describe the activities that are permitted under fair dealing in non-profit K–12 schools and provide reasonable safeguards for the owners of copyright-protected works in accordance with the Copyright Act and decisions of the Supreme Court of Canada.

### FAIR DEALING GUIDELINES

1. Teachers, instructors, professors, and staff members in nonprofit educational institutions 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.
2. Copying or communicating short excerpts from a copyright-protected work under these Fair Dealing Guidelines for the purpose of news reporting, criticism, or review should mention the source and, if given in the source, the name of the author or creator of the work.
3. 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
  - a. as a class handout;
  - b. as a posting to a learning or course-management system that is password protected or otherwise restricted to students of a school or post secondary educational institution;
  - c. as part of a course pack.
4. A short excerpt means:
  - a. up to 10 per cent of a copyright-protected work (including a literary work, musical score, sound

- a. recording, and an audiovisual work);
  - b. one chapter from a book;
  - c. a single article from a periodical;
  - d. an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and 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;
  - g. an entire entry from an encyclopedia, annotated bibliography, dictionary, or similar reference work.
5. Copying or communicating multiple short excerpts from the same copyright-protected work with the intention of copying or communicating substantially the entire work is prohibited.
  6. Copying or communicating that exceeds the limits in these Fair Dealing Guidelines may be referred to a supervisor or other person designated by the educational institution for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.
  7. Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.



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