

Access Copyright License

All works copied must be clearly and appropriately attributed.

Whether you are citing work by following the Access Copyright guidelines or the Fair Dealing guidelines, you must cite the work properly.

What Can I Copy?

For published works in Access Copyright's repertoire, you can:

- photocopy, fax, scan and print;
- store copies, such as on a hard drive, USB stick or on a Secure Network;
- transmit by email, upload or post copies within a Secure Network;
- project and display copies, such as on overheads, on LCD or plasma monitors, or interactive whiteboards;
- make copies for the purposes of interlibrary loan, creating alternate format copies;
- manage library collections; or create course collections. Course collections are paper copies of published works assembled into course packs or digital copies of published works that are either e-mailed, linked or hyperlinked to, or posted on, uploaded to or stored on a Secure Network as part of a course of study.

Your Access Copyright license gives you pre-authorized permission to:

Copy up to 10% of a published work or the following, whichever is greater:

- An entire chapter which is no more than 20% of a book.
- An entire newspaper article or a page.
- One short story, play, poem, essay, or article from a book or periodical containing other published works.
- One entire entry from an encyclopedia, dictionary, or reference book.

*Educational Technology
& Curriculum Department*

Copy Right!



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What are the copyright regulations for Olds College?

At the current time, Olds College has a license with Access Copyright that provides Olds College staff and students permission to reproduce copyrighted works. This is in addition to reproductions that are covered by fair dealing and other permitted uses under the Copyright Act. The current license allows for the copying of up to 20% of copyright protected work, for both digital and print. See page 4 for more information.

Fair Dealing

In addition to our Access Copyright license, Fair Dealing policies, recently instated in Canada, allow a developer to not need permission for copying work, as long as you abide by the guidelines. See page 2 for more information.

Exciting times in the Copyright World!

Olds College Copyright Guidelines

In July 2012, the Supreme Court of Canada (SCC) issued a set of landmark decisions on copyright law. These sweeping and significant changes in legislations have changed Canadian copyright law and have a positive impact on Olds College. Nowhere in Canada's Copyright history have users' rights been as strongly endorsed.

There are two sets of regulations to consider in regard to copyright. Olds College has a license with Access Copyright that permits copying of certain amounts of copyrighted material. Also, separate from Access Copyright, the Copyright Act of Canada has created Fair Dealing provisions that permit copying from copyrighted works without permission or payment of copyright royalties.

If you use copyrighted material for courseware development, and are utilizing the Fair Dealing policy, it is important to remember that the use must be "fair". When determining whether proposed copying falls within fair dealing guidelines, refer to the six-factor test on page 3.

Copyright regulations have often been dealt with on a per case basis, which causes some confusion in regard to adherence to copyright regulations. Added to this, changes and cases are being challenged at the present time, which will result in revisions to Copyright policies.

This guide will briefly describe current policy and procedures for Olds College.

What is NOT Covered by the License?

- Workbooks and other single-use materials.
- Unpublished works.
- Letters to the editor and advertisements.
- Instruction manuals.
- Newsletters.
- Publications containing a notice expressly prohibiting copying under license from a reproduction rights organization.
- Sheet music.
- Digital media.

Access Copyright Repertoire Lookup Tool

The **Repertoire Look-Up Tool** is a tool designed to let you know whether a particular publication is in Access Copyright's repertoire. This tool can be used to help you determine whether you can make a copy from a published book, journal, magazine, newspaper or similar publication if your educational institution, board of education or provincial or territorial government is licensed to copy works pursuant to a license or tariffs.

Click here to use the [Access Copyright Repertoire Lookup Tool](http://www.accesscopyright.ca/repertoire-look-up-tool/)

(<http://www.accesscopyright.ca/repertoire-look-up-tool/>)

Your Responsibility

It is the responsibility of the individual to understand and comply with Olds College's policies regarding the use of copyright-protected works. Any copying of a copyright-protected work must originate from a non-infringing copy of that work (published original, licensed copy, lawful online copy, library loan, etc.) Contact Bev Rivet brivet@oldscollege.ca or 403.507.7730 before proceeding with any use of copyright-protected works that exceeds the limits listed in this guide.

Fair Dealing Guidelines

Teachers, instructors, professors and staff members in non-profit 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.

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.

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.



The work must mention the source!

Check Page 3 for assistance in citing work properly.

What is Fair Dealing?

The Fair Dealing provision in the Copyright Act permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties.

To qualify for Fair Dealing two tests must be passed.

First, the “dealing” must be for a purpose stated in the Act: research, private study, criticism, review, news reporting, **education**, satire or parody.

The second test is that the dealing must be “fair”, according to 2004 and 2012 rulings.

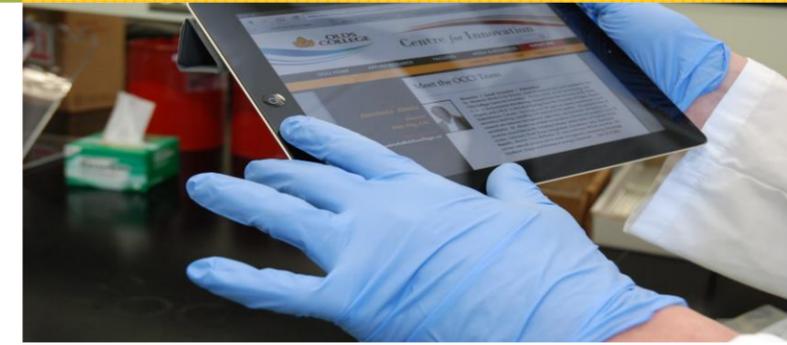
You may communicate and reproduce, in paper or electronic format, short excerpts from a copyright-protected work. Supreme Court rulings have provided guidance as to what the two tests mean in educational institutions.

A copy of a short excerpt may be provided or communicated to each student enrolled in a class or course as:

- a class handout;
- a posting to a course management system (e.g. Moodle) that is password protected or restricted to students of the college; or
- part of a course pack.

A short excerpt means:

- up to 10% of a copyright-protected work (e.g. literary work, musical score, sound recording, and audiovisual work);
- one chapter from a book;
- a single article from a periodical;
- an entire artistic work (e.g. a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works;
- an entire newspaper article or page;
- an entire single poem or musical score from a copyright-protected work containing other poems or musical scores; or
- an entire entry from an encyclopedia, annotated bibliography, dictionary or similar reference work
- provided that no more of the work is copied that is required in order to achieve the allowable purpose.



Fair Dealing Guidelines

Copying or communicating that exceeds the limits in this Fair Dealing Policy 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.

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.

The Six Factor Test

When determining whether proposed copying falls within the Fair Dealing Exception, consider all of the relevant circumstances, including:

- the purpose of the proposed copying, including whether it is for research, private study, education, criticism, review, parody, satire or news reporting;
- the character of the proposed copying, including whether it involves single or multiple copies, and whether the copy is destroyed after it is used for its specific intended purpose;
- the amount of the dealing from the individual user's perspective, including the proportion of the work that is proposed to be copied and the importance of that excerpt in relation to the whole Work;
- alternatives to copying the Work, including whether there is a non-copyrighted equivalent available;
- the nature of the work, including whether it is published or unpublished; and the effect of the copying on the Work, including whether the copy will compete with the commercial market of the original Work.

Sites to Cite Work Properly

Click on the links below to access guidelines for citing work properly.

- [Citation “How To” Guide](http://www.oldscollege.ca/library/writing_tools_APA.htm) (http://www.oldscollege.ca/library/writing_tools_APA.htm)
- [APA Citation Guide](http://www.oldscollege.ca/library/pdf/APA_Style.pdf) (http://www.oldscollege.ca/library/pdf/APA_Style.pdf)
- [KnightCite Citation Tool](http://www.calvin.edu/library/knightcite/index.php) (<http://www.calvin.edu/library/knightcite/index.php>)
- [easybib Citation Tool](http://www.easybib.com) (<http://www.easybib.com>)

When using copyrighted information in your teaching materials (either through the Access Copyright or Fair Use guidelines), use a citation website, like Knight Cite, to create properly formatted citations. These websites will create citations for a variety of sources, such as a website document, book, or even a musical composition. All you need to do is provide information about the copyrighted source and its creator. Be sure to select ‘APA Format’, as that is the citation format used at Olds College, and include the formatted citation in your work that uses the copyrighted information.

