

## COPYRIGHT GUIDELINES FOR INSTRUCTORS

In accordance with the *Policy on Copyright Compliance* ([VPIRSG-2](#))

Last Updated – April 2010 – Office of the General Counsel

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### INTRODUCTION

Respecting copyright is a direct concern for everyone at Concordia University as outlined in the *Policy on Copyright Compliance* ([VPIRSG-2](#)). These Guidelines aim to provide some basic assistance to instructors. As well, the University Libraries has published a [Copyright Guide](#), which is referred to in these Guidelines.

When in doubt or for additional information, please do not hesitate to contact the [Office of the General Counsel](#).

The legal concept of Copyright is complex in its application but its underlying assumptions are rather straightforward. It means that “all rights are reserved” to the author of the original work. As such, it is prohibited to use [protected works](#) without permission, unless you qualify for the general [fair dealing](#) exceptions and [other specific exceptions](#) as defined in the [Copyright Act](#). For example, a “fair dealing” exception will depend on the exact details of each use (such as: purpose, character, amount, nature of the work, available alternatives, effect of the dealing on the work). In that sense, it is almost impossible to propose concrete guidelines for every academic use for every type of copyrightable work.

### CLASSROOM SHOWING/VIEWING

#### Electronic Presentations (PPT)

Instructors may copy a work onto a board, flip chart or similar surface and project a work using an overhead projector or similar device. The projection must be on the University's premises and be for educational purposes only. [Digital projectors](#) are arguably covered by this section.

#### Films and Movies

Licenses (i.e. permission) are required to show films and movies in the classroom. The University has obtained a collective license for certain [films and movies](#). As well, in certain specific cases, the University Libraries has obtained the public performance rights for some of its holdings of [DVDs or videos](#).

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### TV and Radio

In general, it is permissible to air live TV and radio in the classroom or to record a live broadcast for classroom use for a short period. For more information, please go to:

<http://library.concordia.ca/help/copyright/?guid=radio>

### PROVIDING DOCUMENTATION TO STUDENTS

There are many ways to provide reading materials to your students - some are permitted by law, others are not. This section provides an overview on what is permitted and what should be avoided.

### Licensed Databases and Course Reserves

The Libraries offer a myriad of digital collections and associated services to the University community. In some cases, this entails licenses negotiated directly with rights holders. In other cases, these services are based on fair dealing rights, established in the [Copyright Act](#).

[Licensed databases](#) allow you and your students to access digital documents for classroom use. Please contact your [Subject Librarian](#) for assistance in locating the right resource.

[Course Reserves](#) constitute a service whereby the Libraries will hold paper copies or host digital files for your students. This allows for easy access by your students to digital files. As well, the University Libraries will scan and host a digital copy of a copyrighted work if it qualifies under fair dealing, ensuring legal access to students to digital content.

### Course packs or Custom courseware

The [University Bookstore](#) will prepare a course pack of photocopies for your classroom reading materials, available for sale to students.

The University, like all Quebec universities, is a signatory to an Agreement with [COPIBEC](#), a not-for-profit collective representing authors and publishers. As part of this

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Agreement, the University pays an annual fee to COPIBEC, collected from students, in return for which we are authorized to print course packs for our students.

The [COPIBEC License Agreement](#) requires that all multiple photocopying of copyright materials be executed through the University's accredited digital store. **Course packs must be processed through the [Bookstore](#)** which deals directly with COPIBEC in terms of reporting and obtaining copyright clearance where required. Any photocopying that falls outside the scope of this [COPIBEC License Agreement](#) exposes both the instructor and the University to liability for violation of the [Copyright Act](#). **As such, it is imperative that no instructor utilize outside services for the printing of multiple course materials nor direct students to outside services.**

Compliance with the [Copyright Act](#) and the [COPIBEC License Agreement](#) is the personal responsibility of every member of the University community. Failure to do so can result in personal liability and exposure to the severe penalties provided for in the [Copyright Act](#). All instructors are urged to review the University's *Policy on Copyright Compliance (Policy VPIRSG-2)*.

### Making photocopies yourself

As part of the [COPIBEC License Agreement](#), you are allowed to make limited copies for classroom use at no cost to the student.

You are permitted to make multiple copies of the following:

- the lesser of 25 pages or 10% of a work
- an entire article from a periodical
- an entire chapter from a book provided it constitutes no more than 20% of the book

Exercise books or manuals shall not be reproduced except for short excerpts contained in examinations only.

Photocopying beyond the authorized limits listed above requires special authorization from COPIBEC and payment of a per page fee for every page exceeding the limit.

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### Scanning and posting yourself (Moodle, First Class, email or other means)

In addition, since digitization and scanning are deemed to be copying, it is essential that instructors communicate with the Libraries or the Bookstore prior to creating or making available digital scans of any copyrighted material(s). It is important to note that digitized material is not part of the current [COPIBEC License Agreement](#) and special authorization may be required for such activities which could be subject to additional charges.

**Scanning documents yourself in order to forward them to your students may be an infringement of copyright.** [The Copyright Act](#) does not permit this unless you are the rightful copyright owner of the material (i.e. your personal class notes). Your options are to use [Licensed Databases](#) through the University Libraries [see above], digital or paper [Course Reserves](#) [see above] and [Course packs](#) prepared by the Bookstore [see above].

### Preparing Exams

For the purposes of an exam or test, instructors can reproduce, translate or perform a work when it is not [commercially available in an appropriate medium](#).