

Copyright Checklist & Flowchart for Instructors

August 2018

1. Apply Fair Dealing

You can copy a short excerpt from a copyright-protected work and distribute it to students as an electronic file on UM Learn, as an email attachment, or as a class handout in hardcopy.

A short excerpt means the greater of:

- ✓ 10% from a copyrighted-protected work.
- ✓ One chapter from a book.
- ✓ A single article from a periodical.
- ✓ An artistic work, such as a diagram, drawing, map, chart, photograph, print, plan or painting from a work containing other such works.
- ✓ A newspaper article or an entire page of a newspaper.
- ✓ An entire single poem or musical score from a copyright-protected work containing other poems or musical scores.
- ✓ A complete entry from an encyclopedia, annotated bibliography, dictionary or similar reference work.

What's not fair?

- × Copying more than is required to achieve the intended purpose.
- × Copying multiple short excerpts from a work if it results in copying more than 10% of the work.
- × Copying materials intended for one-time or individual use (like workbooks, test papers and assignment sheets, instruction manuals or business cases).

2. Include a citation with any work you use

- ✓ To qualify for Fair Dealing, short excerpts of copyright protected works must include the source and, if given in the source, the name of the author or creator of the work.

3. Use e-resources available from U of M Libraries

E-Journals

- ✓ Check the library record of any journal to confirm whether the license agreement permits distribution through course software and/or course packs. Look under **View it** in the library record, or click **Full text available** for licence information. If the journal article cannot be made available as a file, staff can assist in providing a permalink.

E-Books

- ✓ Copy according to the e-book license allowances. Notify students that they may be required to create an e-book account and that there may be publisher-set limits to downloading, copying, printing, etc.

Library reserve system

- ✓ Add a book or journal to library reserve, or add copies of chapters or articles according to Fair Dealing described above.

4. Distribute materials using UM Learn or a BookStore course pack

Journal articles, book chapters & reports

- ✓ Course materials supplied to students using personal websites, social media, or file sharing platforms such as Dropbox do not comply with Fair Dealing or the *Copyright Act*, regardless of whether or not access to the content is password-protected.

Slides and recorded lectures

- ✓ Fair Dealing allows the use of copyright-protected works in PowerPoint presentations, recorded lectures, webinars, or podcasts which are uploaded to UM Learn provided the use is within the short excerpt guidelines described above.

5. Obtain permission from the publisher or copyright holder

- ✓ If the work you need is not covered by Fair Dealing, by a library license, or is not a “free” resource, permission can be requested from the copyright owner. Contact Copyright Solutions for assistance at um.copyright@umanitoba.ca or 204-474-9607.

6. Use your own work

Artistic works such as charts, tables, diagrams, figures, and photographs

- ✓ Acknowledge an original work as your own.
- ✓ If you create a work *based on* someone else’s ideas, facts or data, add a “based on” statement.
- ✓ Modifying or adapting an original work may require permission because creators also have the moral right to the integrity of their work.

Published works

- ✓ Before copying your own published work to any online tool (including UM Learn), to a UM personal website, an institutional repository such as MSpace, a site such as Dropbox or Google Drive or academia.edu, ensure that your publishing agreement allows it.

7. Textbooks and copyright

- ✓ When selecting a textbook, consider supplementary material which might be included (presentation slides, answers to problems, practice exercises, etc.). If the terms of use for the supplementary material are restrictive, try to negotiate with the publisher representative to allow broader use.

8. Free resources

Creative Commons

- ✓ An image or other type of work with a Creative Commons license can be distributed freely without permission as long as it is cited. Check the license terms for details before cropping, adapting or modifying.

Open Access

- ✓ Check the terms of use to determine if distributing an open access work is freely allowed (it usually is).

Public domain works

- ✓ In Canada, most works enter the public domain 50 years after the death of the creator and can be distributed or adapted freely without permission.

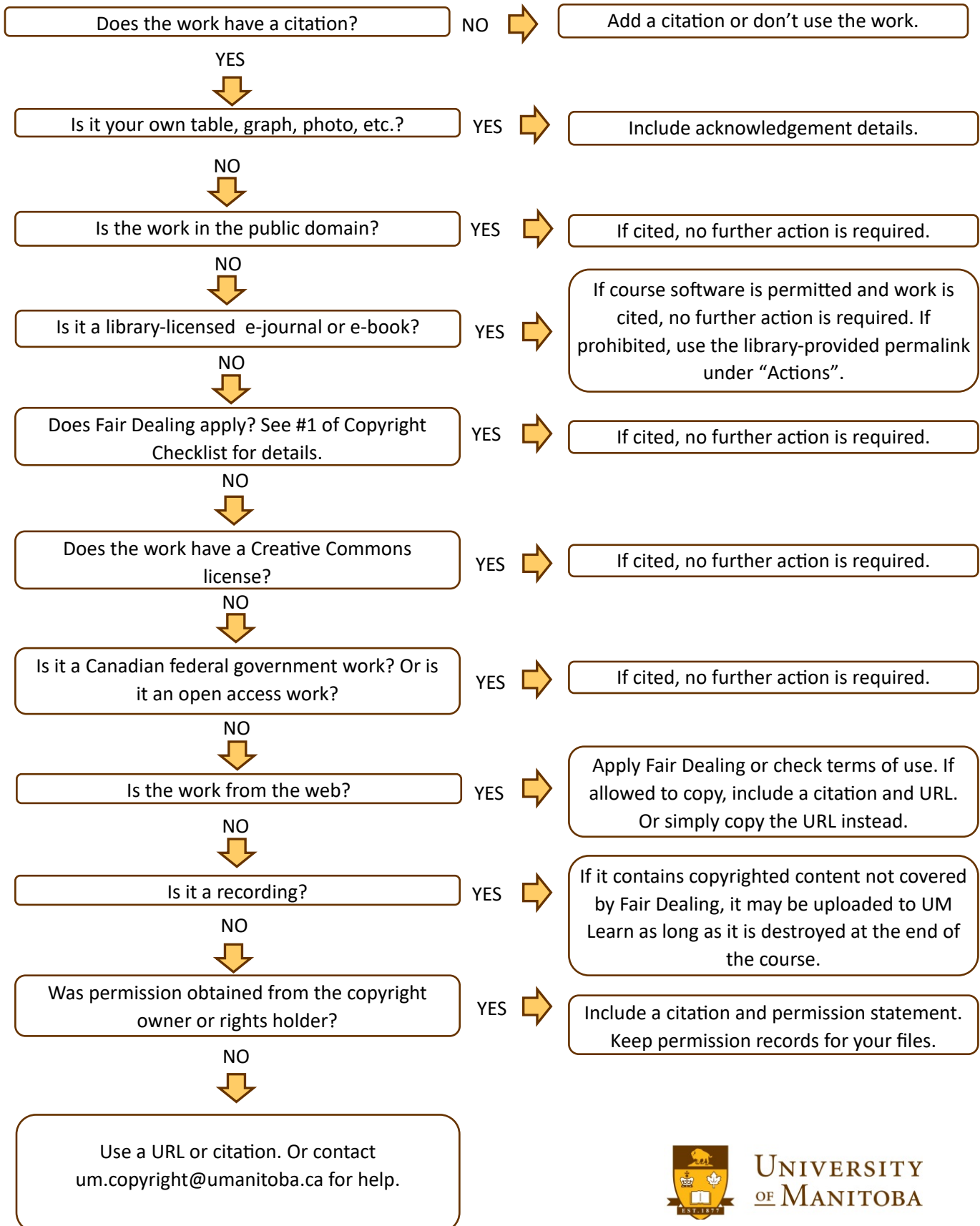
Government of Canada documents and publications

- ✓ Permission is not required to copy and distribute federal Crown work unless the work notes otherwise.
- ✓ Permission is required to copy more than a Fair Dealing amount from a provincial or municipal government work.

9. Online content including images, text, video and audio

- ✓ Whether presenting online content in class or providing a link, ensure the works have been uploaded legally.
- ✓ Apply Fair Dealing, or confirm website terms of use or license details, when sharing content from the web.

Copyright Flowchart for Instructors



How to add citations/permission statements to slides, PDFs, etc.

- ❖ To keep a slide presentation tidy, you may footnote individual works and append a slide with the corresponding citations/permission statements.
- ❖ To add a citation/permission statement directly to a PDF, you may use Adobe Acrobat Pro to create it as a footnote, header, footer, etc.
- ❖ To add a citation/permission statement for a paper-based work, you may create a separate cover sheet with a statement typed on it, then scan the cover sheet with the work to create one document.



Tobe Duggan, Copyright Coordinator

201 Allen Building

204-474-9607

tobe.duggan@umanitoba.ca

um.copyright@umanitoba.ca

Sarah Clark, Teaching Support Librarian

Elizabeth Dafoe Library

204-474-6361

sarah.clark@umanitoba.ca