

Rapidly Shifting your In-Person Course to Online: Copyright Considerations



Pedagogical and technical issues may make the shift from in-person to online teaching a challenge, but copyright concerns should not be a significant barrier!

Key Points to Remember:

1. Most of the legal issues are the same in both contexts.
2. If it was okay to do in class, it is often okay to do online – especially when your online access is limited to the same enrolled students.
3. You can continue to apply the [UM Copyright Guidelines](#).

Recording Video of Yourself & Live-Casting Lectures

Slide images

Just as it is legal to show slides with images in class, it is generally legal to show them to students using live video conferencing or recorded videos, as long as your new course video is being shared through a password protected course website like [UM Learn](#) or [Entrada](#). This may sound surprising if you have heard there is a big difference between class lecture slides and online conference slides – but the issue is usually less about offline versus online than about a restricted versus unrestricted audience. As long as your new course video is being shared through UM Learn to the same enrolled students, the legal issues are fairly similar.

Many instructors routinely post a copy of their slides as a file for students to access after in-person course meetings. In most cases, faculty will own the copyright or have license to use their slides. However, if you are incorporating third-party materials into your lessons, they should be in keeping with [UM Copyright Guidelines](#) or other license agreements associated with the content.

In-lecture use of audio or video

Here, the differences between online and in-person teaching can be a bit more complex. Playing audio or video of legally-obtained physical media (e.g. music or audio visual materials like DVDs or CDs) during an in-person class session is permitted under [Section 29.5 of the Copyright Act](#). However, that exemption generally doesn't cover playing the same media online.

If you can limit audio and video use for your course to relatively brief clips that you can create without circumventing a digital lock or technical protection measure, you may be able to include those in lecture recordings or live-casts. At the University of Manitoba under the [UM Copyright Guidelines](#) you may use up to 10% of a copyrighted work to be distributed to students in your class. For media use longer than brief clips, or if it would require circumventing a technical protection measure to make the clips, you may need to have students independently access the content outside of your lecture videos. You may contact the Copyright Office at um.copyright@umanitoba.ca to explore alternative options, and some further possibilities are outlined below.

In-lecture use of software or simulations

If you would like to stream or record a simulation or software functionality for your class to view, consider the terms and conditions of use for the software or program you will be using. For example, the end user agreement or terms and conditions for the software may prohibit recording and distributing a video of the simulation. Contact the Copyright Office at um.copyright@umanitoba.ca for assistance determining how software and simulations may be shared virtually with your class.

Lecture recording or streaming platforms

Carefully consider the recording or streaming platform that you are using. UM integrated platforms like Cisco WebEx in UM Learn have been vetted for privacy, security, copyright compliance and other issues. Some third party platforms may acquire rights to reuse material that you or your students record or post to these platforms under their terms of use. If you are using a UM licensed version of Zoom, confirm the version of Zoom you are using with your Dean, or go to your profile at <https://zoom.us> and view the licensed version in your “Account Profile”. The “Education” account is intended for course delivery. Note that Zoom prohibits using copyright protected materials without permission from the copyright owner under its free license and other license versions.

Where to post your videos

UM Learn and Entrada benefit from allowing you the ability to use the greatest selection of UM licensed resources and *Copyright Act* exemptions when used for enrolled students’ educational purposes. Remind students that any posted videos are for their personal educational use and not for redistribution.

Course readings and other resources

As always, [Library Services](#) or [Copyright Solutions](#) can help with obtaining online resources, such as linking to Libraries’ licensed resources, finding eBooks where available, and much more.

Guidelines for Sharing Additional Materials

If you want to share additional materials with students yourself as you revise instructional plans, or if you want students to share more resources with each other in UM Learn or Entrada, keep in mind some simple guidelines below.

It's always easiest to link!

Linking to publicly available online content like news websites or existing online videos is rarely a copyright issue. Avoid linking to existing content that looks obviously infringing itself (e.g. Joe Schmoe’s YouTube video of the entire *Avengers: Endgame* movie). Providing links to most YouTube videos, especially ones that allow sharing and embedding, should be fine.

Linking to subscription content through the University of Manitoba Libraries is also a great option – a lot of Libraries licensed e-resources have terms and conditions that prefer or only allow linking to the resource and do not permit uploading a PDF to UM Learn. Use DOI or “permalink” options for students to access content (even off campus) or consider using the new [Reading Lists](#) tool in UM Learn. Reading Lists is simple to use and makes integrating links to library resources easier than ever: you can search, organize and link to resources in the Libraries’ collection all from within UM Learn.

If you require assistance linking to library licensed content, contact [Copyright Solutions](#) at um.copyright@umanitoba.ca

Sharing copies and scanning

Making copies of new materials for students (by downloading and uploading files, or by scanning from physical documents) can present some copyright issues, but they’re not different from those involved in deciding whether to share something online with your students when you are meeting in-person.

At the University of Manitoba, faculty and instructors must consider the [UM Copyright Guidelines](#) and *Copyright Act* when they are making decisions about when they can make copies for students to post to UM Learn. The Copyright Office is available to help faculty understand the relevant issues.

[Genius Scan](#) and [Adobe Scan](#) are applications that you can use to easily digitize fair dealing amounts of material from your phone to post to UM Learn. Keep in mind that you can make scanned PDF files more accessible for your students by using an online [Optical Character Recognition \(OCR\)](#) tool that can convert "non-selectable" text files into machine-readable or recognized text.

When an instructor needs to make more copyrighted material available to students than the [UM Copyright Guidelines](#) allow, Copyright Office staff can assist faculty in making these determinations and in seeking formal copyright permissions to provide copies to students. Note that there may be some issues with getting permissions on short timelines.

An alternative way to find course materials is to look online for free to use teaching resources like [Open Educational Resources](#). Just remember to attribute!

You can also search the [University of Manitoba Libraries](#), which has a large collection of journals and many eBooks that support online learning. Many content providers have recently increased access to a variety of materials to ensure broader access. Your Subject Librarian can also help!

Use of supplementary textbook resources (PowerPoint slides, figures, question banks, etc.)

If you wish to use materials like PowerPoints, test bank questions, or images from a textbook, you should ensure that you have permission from the publisher. Often when a textbook is required for student use in a course, the publisher will permit sharing the supplementary resources in a password protected online learning environment like UM Learn or Entrada for use in that specific course. Permission to use supplementary materials needs to be confirmed on a course by course basis. If permission is not explicitly provided in documentation from your publisher (for example, in the Terms of Use on the publisher's website where supplementary materials are downloaded), you can use the publisher's permission process to request permission, or contact the Copyright Office at um.copyright@umanitoba.ca for assistance.

Multimedia viewing/listening

Showing an entire movie or film or musical work online does represent more of a copyright issue than playing it in class. However, there may be options for your students to access this content independently online. The University of Manitoba Libraries already has quite a bit of [licensed streaming video content](#), which you are welcome to use in your online course according to the terms of the resource license. Consult the license terms in the library catalogue, and if you have any questions contact the Copyright Office at um.copyright@umanitoba.ca or use the Technical Services link at the bottom of the catalogue record for assistance – but remember, you can still typically link to content!

We may be able to purchase streaming access for additional media, but this takes time. Standard commercial streaming options like Netflix, Crave or Disney+ that students may also subscribe to and can access using their own accounts may sometimes be the easiest option – though some students may not have access to those services (For exclusive content, these commercial services may be the only option.)

What can you do if you have a scheduled screening for a film that is not available online?

Contact the Copyright Office at um.copyright@umanitoba.ca if you have a scheduled screening for a film that is not otherwise available to students through University of Manitoba library e-resources or commercial streaming options to explore alternative options.

Ownership of online course materials

The University of Manitoba's [Intellectual Property Policy](#), collective agreements, and contracts detail copyright ownership in course materials. Individual circumstances need to be reviewed to confirm copyright ownership, however, in general UMFA members retain copyright in course materials while the copyright in materials by sessional instructors belongs to the University of Manitoba. Instructors may want to include language on their course materials or course syllabus that makes it clear that students cannot reuse or re-post their instructor's course materials without permission. Permission may also be required for faculty or instructors to use course materials that they did not author.

The [Intellectual Property Policy](#) also affirms that students own the copyright in work they create in fulfillment of a degree requirement. If a student co-authors, publishes, or writes work also used to fulfill their degree requirements under an employment contract, this may affect the student's copyright ownership. In general student's work cannot be used or shared without their consent except in limited situations under the *Intellectual Property Policy* or if a separate agreement is signed by the student. Students should be aware that posting instructors' content from your course to online course sharing sites like OneClass or Course Hero can be perceived as an academic integrity issue under the [Student Discipline Bylaw](#).

Consult the [Copyright Office website](#) or email um.copyright@umanitoba.ca if you have questions about copyright.



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