

# Copyright and Fair Dealing for Teachers

Teachers and students today have greater opportunities for learning as a result of a Supreme Court of Canada decision in 2012 which clarified how “fair dealing” applies in the classroom. Canada’s copyright law supports learning, fosters innovation, and drives knowledge creation by providing teachers and students with the legal right to deal fairly with the copyright-protected works of others.

It is important for teachers to have a working knowledge of “fair dealing.” Fair dealing permits teachers to communicate or use “short excerpts” from copyright-protected works for students in

their classes without seeking permission from the copyright owner or paying copyright royalties, provided the dealing is for an educational purpose and is “fair.”

To ensure compliance with copyright law, the education community in Canada has established the *Fair Dealing Guidelines* to help educators determine what is “fair.” The *Fair Dealing Guidelines* describe a safe harbour, not absolute limits. Copying or communicating a copyright-protected work within the prescribed limits will, according to the advice of legal counsel, almost certainly be fair. Copying or communicating beyond those limits may, or may not, be fair.

The *Fair Dealing Guidelines* inform educators about their rights – as well as their obligations. For example, the guidelines prohibit systematic copying that cumulatively results in copying beyond the quantitative limits in the guidelines.

Throughout Canada, copyright is respected by teachers, school boards, and government ministries and departments. Respect for copyright is taught in schools. As responsible stewards of copyright and education, teachers understand the importance of complying with the *Copyright Act* and being aware of their rights and responsibilities when they use the copyright-protected works of others.

To learn more about copyright and fair dealing, teachers are encouraged to visit [www.CopyrightDecisionTool.ca](http://www.CopyrightDecisionTool.ca). With this on-line resource, teachers have, at their fingertips, the information they need to decide if a particular use of a short excerpt is fair or not. All teachers need to be aware of their rights – and their limits – when relying on fair dealing in their classrooms. Visit (and bookmark!): [www.CopyrightDecisionTool.ca](http://www.CopyrightDecisionTool.ca).



## Copyright and Fair Dealing

### Can I use this in the classroom?

TEACHERS AND  
COPYRIGHT



CopyrightDecisionTool.ca



## The Copyright Resource for Teachers: CopyrightDecisionTool.ca

There is a great on-line resource to help teachers determine whether fair dealing permits them to use short excerpts from copyright-protected materials for the students in their classrooms.

CopyrightDecisionTool.ca helps teachers decide, with a few clicks, whether the fair-dealing provision in the *Copyright Act* permits copying of short excerpts from print materials, artistic works, or audiovisual materials for students without having to get copyright permission.

So, the next time you wonder, “Can I use this in the classroom? Can I copy it?” the answer is at your fingertips! It takes 30 seconds on CopyrightDecisionTool.ca to have your copyright questions answered. By clicking through this user-friendly resource, teachers will know how to apply fair dealing and whether their use of the copyright-protected materials is “fair.”

### www.CopyrightDecisionTool.ca

CopyrightDecisionTool.ca informs teachers about their rights and obligations when they use copyright-protected works of others. It will ensure that they better understand the law and the application of the *Fair Dealing Guidelines*. There are other important copyright resources all teachers should become familiar with:

- the instructive video “Dealing Fairly with Copyright-Protected Works of Others”;
- the *Fair Dealing Guidelines*;
- the poster prohibiting the copying of consumables; and
- *Copyright Matters!* (“the orange book”) provides key questions and answers on copyright law and education.

All of these resources can be printed for teachers’ easy reference.

CopyrightDecisionTool.ca is a helpful resource to keep teachers on the right side of the law. It is important for teachers to know their rights under Canada’s copyright law, and it is very important for them to know their limits. When in doubt about whether a use is fair dealing, use the Copyright Decision Tool.



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## NLTA TEACHER DISCOUNT PROGRAM

A list of businesses that provide discounts and special services to teachers is available on the NLTA website.

The **QSP MAGAZINE DISCOUNT PROGRAM**, which offers hundreds of magazines at enormous discounts, is still offered to teachers, and discount programs are available for hotels, car rentals and various businesses.

A complete list of discounts can be found on the NLTA website at [www.nlta.nl.ca](http://www.nlta.nl.ca).

Go to “**Programs and Services**” then “**Member Services**”. The Discount Program is listed under “**D**”.

**NOTE:** You may need your NLTA membership card to access discounts from the NLTA Discount List. If you require an NLTA membership card, please visit the NLTA website at [www.nlta.nl.ca](http://www.nlta.nl.ca), click on “Forms” and then “Request a Membership Card”.