

Provided by: Council of Ministers of Education, Canada (CMEC) Copyright Consortium for the 2024/25 school year

### **Suggested speaking points for principal**

## **Copyright and the Use of Fair Dealing in the Classroom**

### **Introducing the subject**

- This is a brief, 10-minute presentation on fair dealing – a provision in the *Copyright Act* that is very important for teachers to understand. Performing typical duties, such as preparing lessons for classroom use, could result in costly lawsuits against individual teachers, this school, and the school board.

### **Changes to copyright**

- Canada's copyright law includes a fair-dealing provision that permits teachers to use short excerpts from copyright-protected works in their class lessons.
- While fair dealing provides teachers with opportunities to use copyright-protected materials in their lessons without needing to obtain permission from the copyright owner, teachers also have important responsibilities.
- Teachers need to know the limits to what can be copied and communicated in the classroom under fair dealing.
- Teachers' limits and responsibilities are described in the *Fair Dealing Guidelines*.
- Failure to know and respect the *Fair Dealing Guidelines* could result in a teacher, school, or school board being sued for copyright infringement.

### **Fair dealing website**

- The Copyright Consortium of the Council of Ministers of Education, Canada has developed a website that features a fair dealing decision tool that enables teachers to quickly determine whether a specific use of a copyright-protected work is permitted without needing permission from the copyright owner. If the dealing is fair, copyright permission is not required. This website also provides essential information on the *Fair Dealing Guidelines* and other important copyright information.
- *SHOW WEBSITE* - [www.FairDealingDecisionTool.ca](http://www.FairDealingDecisionTool.ca)  
(Suggestion: Click through one example such as a teacher wanting to copy a single chapter from a book.)
- *ASK TEACHERS TO BOOKMARK THE WEBSITE – AND START USING IT.*

### **Fair dealing**

- Following the *Fair Dealing Guidelines* is important. Teachers can copy and use materials which fall within the guidelines without permission from the copyright owner.
- Teachers should never reproduce “consumables,” such as student workbooks and other materials intended to be used once.
- Copyright laws and the Fair Dealing Guidelines apply to both online and face-to-face teaching. For more information go to the *Copyright Matters!* website:  
[www.copyrightmatters.ca](http://www.copyrightmatters.ca)

### **Conclusion**

- *Why are we taking the time to talk about copyright today?* It is important for teachers to know what they can and cannot do under fair dealing. Teachers must know and respect the limits in the *Fair Dealing Guidelines*.
- If you have questions about whether an intended use of a copyright-protected work falls within the *Fair Dealing Guidelines*, connect with me. Likewise, if permission to use copyright-protected materials is required, contact me to complete the necessary permission request – before the materials are copied or communicated.