Copyright and Course Materials

Please keep the following items in mind when selecting and distributing course materials:

Saint Mary’s University understands both the desire to protect scholarly research and writing, and the need to exchange and advance knowledge. Faculty and Staff must comply with the Copyright Act. The university believes in a balanced approach: use of copyright protected works to support education while ensuring fair compensation for copyright owners.

- Reproducing a work can include photocopying, scanning, downloading or uploading the material.
- Faculty and instructors can be creators and users of copyright protected work. Many of the copyright protected work can be used in the classroom (or LMS) through vendor and publisher licenses signed by the University. Other uses may be eligible for the Fair Dealing exception in the Copyright Act.
- For reproduction limits on day-to-day copying, handouts, and course packs visit: http://libguides.smu.ca/copyright-faculty
- It is legal to copy works when:
  - The work is licensed for this purpose by the library (many electronic journals, ebooks)
  - Copying falls under one of the educational exceptions of the Copyright Act
  - Copying falls under the fair dealing provisions of the Copyright Act
  - It is explicitly allowed by the rights holder through a Creative Commons license or similar statement
  - You own the copyright or have written permission of the rights holder
  - They are in the public domain (50 years after the author(s) death)
- Within Blackboard, whenever possible, it is best practice to electronically link material to students. Most licensed materials such as e-books and electronic journal articles can be linked from licensed databases, Open Access & Creative Commons license sources. In some cases a PDF may be uploaded to Blackboard. If you are in doubt about uploading an item please check with the library.
- Library reserves are a good way to facilitate student access to supplementary course readings.
- When applying Fair Dealing, systematically reproducing content from various editions of the same work is prohibited.

Please Note re: Fair Dealing

Canada’s copyright law pertains to copyright in literary, dramatic, musical and artistic works. The law governs the making of reproductions of copyright-protected works and communicating such works by telecommunication. Certain copying and communicating of those works may be an infringement of copyright. Copyright law provides that fair dealing for the purpose of research, private study, education, parody, satire, criticism, review or news reporting is not an infringement of copyright.

The university encourages the application of the Fair Dealing Policy developed by AUCC to assist in determining what may be copied or communicated without infringing copyright. Subject to various qualifications and safeguards, the Fair Dealing Policy permits copying and communicating short excerpts. The Fair Dealing Policy defines a short excerpt as follows:

A short excerpt means:

(a) up to 10% of a copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work)
(b) one chapter from a book
(c) a single article from a periodical
(d) an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works
(e) an entire newspaper article or page
(f) an entire single poem or musical score from a copyright-protected work containing other poems or musical scores
(g) an entire entry from an encyclopedia, annotated bibliography, dictionary or similar reference work

The university is not liable for any infringing copies made or communicated using copiers or scanners made available by the university. Please note: if the publisher’s license for any content requires the material to be exempt from Fair Dealing this request must be honored.

For information regarding the Fair Dealing Policy and Canada’s copyright law, go to http://libguides.smu.ca/copyright-faculty or contact the Copyright Office at Simon.Bonnell@smu.ca

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