

Using Cloud Computing

What is Cloud Computing?

'Cloud computing' is a term used to describe the delivery of computing services such as software, data access and data storage facilities over the internet rather than through a personal computer or location server. This enables users to access applications and data on-demand through a web browser regardless of their physical location or device (PC, notebook, iPad or mobile phone).

It is likely that you have already used some form of cloud computing. Web-based email services like Hotmail, Yahoo! Mail and Gmail, are common examples of cloud computing. The email service is not attached to any computer, but exists virtually and can be accessed remotely at anytime. Another example of a cloud service is Google Docs. It allows users to create, edit, store and share documents in real time online.

Cloud Delivery Models

There are a number of cloud delivery models that differ depending on who can access and utilise the cloud services and infrastructure. For example, some clouds will only be available for use by one organisation (private/internal cloud) while others will be shared with other organisations and/or members of the public (public cloud). Microsoft, Amazon and Google provide public cloud services. A combination of a public and private cloud can also exist and is known as a hybrid cloud.

Cloud and Copyright

Cloud computing is not dissimilar to many digital products already used in schools and TAFE. Such technologies include intranets, content/learning management systems and media libraries. Indeed, many of these products can be accessed remotely by teachers and students through a web browser. While the IT infrastructure behind these services may vary, these technologies all provide a digital space where content can be stored, accessed and shared amongst a group of people. To this degree, they are the same and can be collectively referred to as 'digital content repositories'. Smartcopying contains a manual on the copyright implications of digital content repositories:

1. Schools: 'Using Digital Content Repositories: Copyright Compliance Manual for Schools'
2. School Authorities:
 - o That rely on the Statutory Licences: 'Using Digital Content Repositories: Copyright Compliance Manual for School Authorities – relying on Statutory Licences'

- That do not rely on the Statutory Licences: 'Using Digital Content Repositories: Copyright Compliance Manual for School Authorities – not relying on Statutory Licences'
3. TAFE institutes: 'Using Digital Content Repositories: Copyright Compliance Manual for TAFE'

This information sheet should be read in conjunction with this copyright compliance manual.

Using Digital Content Repositories

Using digital content repositories usually involves two copyright activities; *copying* and *communicating* material. A communication of material occurs when it is made available online.

There are special licences and exceptions in the Australian Copyright Act 1968 that allow teachers to copy and communicate other people's copyright material on digital repositories. In order to determine whether these licences and exceptions apply to your use, you will first need to determine copyright ownership in the content.

Original Material

If you are using material that:

1. Is your own original work created in the course of your employment and does not contain any material created by a person who is not an employee of your department/administering body; or
2. Was developed by your department/administering body and does not contain material that was created by a person who is not an employee of the department/administering body

you do not need to rely on the special provisions in the Copyright Act to use this material. This is because the department/administering body owns the copyright in this material.

However, you must always label the material properly. For example, if it is your own original work created in the course of your employment, you must include details of your school/TAFE, year and the department/administering body.

eg. Created by Mount Pritchard Public School, NSW Department of Education and Training, 2009

If the material is from the department/administering body, you must state that the material was created by the department/administering body, where it was sourced from and when it was sourced.

eg. Created by the Catholic Education Commission NSW, accessed through the Commission's intranet, 2009

Third Party Material

For all other material that is not owned by your department/administering body, you will need to rely on either:

1. Permission from the copyright owner; or
2. Special education licences and exceptions in the Copyright Act.

Permission from the copyright owner

If you have permission (known as a licence) from the copyright owner you can use the material within the scope of that permission. You should check that the permission allows you upload the material to your content repository and make it available to your intended audience, such as teachers, students and parents.

Check how the copyright owner wants to be attributed, and make sure you attribute the material clearly beside each use of the material.

Statutory Licences and Exceptions

For third party material that you do not have permission to use, you will have to rely on the special education licences and exceptions in the Copyright Act.

A comprehensive discussion of the licences and exceptions as they apply to content available on a digital repository is contained in the following compliance manuals:

1. Schools: 'Using Digital Content Repositories: Copyright Compliance Manual for Schools'
2. School Authorities:
 - a. That rely on the Statutory Licences: 'Using Digital Content Repositories: Copyright Compliance Manual for School Authorities – relying on Statutory Licences'
 - b. That do not rely on the Statutory Licences: 'Using Digital Content Repositories: Copyright Compliance Manual for School Authorities – not relying on Statutory Licences'
3. TAFE institutes: 'Using Digital Content Repositories: Copyright Compliance Manual for TAFE'

Smartcopying Tips

1. Link to and bookmark websites

Linking is not a copyright activity under the Copyright Act. This is because you are not actually 'copying' any material, rather just providing a path to its location on another website.

As a result, providing links to material on external websites is a good way of managing copyright.

Bookmarking websites is a good way of saving and sharing links to websites.

It is generally not necessary to seek the permission of the website owner when creating a link to their website. However, it is important to include an acknowledgement of the source website. The form of acknowledgement that is appropriate will depend on the circumstances. For example, if you are linking to a useful resource and you know the author of that resource, you may wish to include an acknowledgement such as "Mary Smith from X school has provided a useful summary on Y's webpage".

2. Embed material

Embedding a link allows the user to view and access content as it sits in its original location without having to leave their website (e.g. blog or wiki) or intranet. It is commonly used for displaying online films, e.g. YouTube films, on websites.

Embedding involves copying the HTML code of the film, which is often displayed in a box near the film, and pasting it onto your website. The result of this is, rather than displaying the link, it will show a small screen of the film on your website.

The primary advantage to embedding material is that you do not need to copy the material in order to make it available on your website. Further, embedding is a good way to ensure that students only access the specific material you want them to see on a website, as opposed to accessing an entire webpage which may contain other material not appropriate or relevant to class exercise. It also means that the students do not leave the school/TAFE content repository (eg class wiki or blog) in order to see that material.

Some websites, such as YouTube, provide the link for embedding films. This makes embedding an easy and practical alternative to copying. It is important to note that some websites may require you to include a link back to that website from your webpage containing the embedded material. For example, Clause 4 of the YouTube terms of use states:

'If you use the YouTube Embeddable Player on your website, you must include a prominent link back to the YouTube website on the pages containing the Embeddable Player'

3. Use Free for Education material

In some cases, the copyright owner has already given their permission for a teacher to use their material. When this happens, this material is known as 'free for education'.

The advantages of using free for education material include:

1. It is free - the department/administering body does not pay for the use of this material by teachers.
2. There are no mandatory notice requirements (although there are still obligations to properly attribute the material)
3. Access to this material does not generally need to be restricted to students and teachers. Therefore, free for education material can be used on content repositories which are open to the public.

A lot of free for education material is available under a Creative Commons licence.

For further information on Free for Education Material, see the smartcopying website at:

For an information guide on finding, using and attributing Creative Commons material, see the smartcopying website at:

4. *Limit how much you use to what is necessary*

For material that is copied and communicated under the statutory licences or exceptions, it is important that teachers limit how much is used to what is necessary for their educational instruction purpose.

Your department/administering body pays considerable fees for the use of material under the statutory licences. To assist in managing these fees, copying of other people's material should be restricted to only what is required for educational purposes.

5. *Limit access to the material*

Access to material copied and communicated under the statutory licences and exceptions should be limited to those students who need to use the material for class or homework exercises. For example, limit access to one class of students rather than the entire school/TAFE institute.

6. *Remove/archive material from the repository once it is no longer required*

Material copied and communicated under the statutory licences is paid for again every 12 months. This is because another 'communication' of the material is deemed to have occurred. This is known as *anniversary copying*.

Regularly flushing digital content repositories is a good way of managing anniversary copying costs.

There are two ways this can be done:

1. Automatic archiving of material:

- Material that is not currently being used for educational purposes but is likely to be used in the future should be archived.
- Archiving involves moving the material into a closed area on the digital repository or elsewhere online where it can only be accessed by one person, such as the school/TAFE librarian, ICT Manager or teacher who uploaded the material to repository in the first place.

2. Deleting material from the repository:

- Material that the school/TAFE no longer requires for educational purposes should be completely deleted from the content repository.
- This will assist in minimising the storage burden on the school as well as ensuring that the school/TAFE is not incurring anniversary copying fees for material it no longer needs.

For further information see the SmartCopying website at www.smartcopying.edu.au or contact your local copyright manager. You can also contact the National Copyright Unit on (02) 9561-1204 or at email delia.browne@det.nsw.edu.au