**Text Works**

Teachers regularly [copy](https://smartcopying.edu.au/glossary/copy/) text works for educational or other purposes. Text works include literary, dramatic and musical works. Examples include textbooks, picture books, novels, poems, plays, screenplays, song lyrics, PDF documents and content on websites, such as teacher resources, student worksheets and activities or online newspapers.

Generally, when teachers [copy](https://smartcopying.edu.au/glossary/copy/) text works they rely on the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/) or possibly one of the copyright exceptions.

[**Statutory Text and Artistic Works Licence**](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/)

What uses of text works does the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/) allow?

Schools and TAFE institutes may [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) text in both [hardcopy](https://smartcopying.edu.au/glossary/hardcopy/) and electronic form.

Any copies and communications must be made for educational purposes. This includes:

* teaching purposes (such as photocopying in order to hand to students in class)
* using as part of a course of study (eg uploading material to a [digital teaching environment](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) (DTE) for access by a particular class)
* making and retaining copies for library use (eg as a teaching resource).

**What is a**[**copy**](https://smartcopying.edu.au/glossary/copy/)**?**

All forms of [copying](https://smartcopying.edu.au/glossary/copy/)(of both [hardcopy](https://smartcopying.edu.au/glossary/hardcopy/) and digital/electronic works) can be covered by the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/). Making a [copy](https://smartcopying.edu.au/glossary/copy/) includes photocopying, scanning, printing, taking a photograph or making a video recording that displays the text, downloading works from a webpage or cloud storage drive, or saving a copy to a[digital teaching environment (DTE)](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/), personal computer, USB drive or personal cloud storage service.

**What is a**[**communication**](https://smartcopying.edu.au/glossary/communicate/)**?**

A [communication](https://smartcopying.edu.au/glossary/communicate/) under the [Statutory Text and Artistic Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/) involves making copyright material available online or electronically transmitting copyright material.

‘Making material available online’ can include uploading material to a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) for student access and use via password protected access such as:

* a shared drive/intranet (eg Microsoft 365)
* content or learning management systems (eg Moodle, Blackboard or Equella)
* to a closed class area on an education platform (eg Edmodo, Verso, Google Classroom or iTunes U).

A [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) is an online environment with features that enable students and teachers to store and engage with course content, manage course work, and explore material. Examples used in schools and TAFE include:

* learning management systems (eg Moodle, Blackboard, SIMON, Schoology, Schoolbox, SEQTA or Infrastructure Canvas)
* learning content management systems (eg EQUELLA)
* closed class areas on an education platform (eg Edmodo, Verso, Google Classroom or iTunesU)
* password protected wikis
* portals
* interactive whiteboard galleries and media libraries
* password protected share drives.

‘Electronically transmitting’ includes emailing, [streaming](https://smartcopying.edu.au/glossary/streaming/) or using an electronic reticulation system to share material (eg libraries might have an electronic delivery system to transmit material centrally).

A [communication](https://smartcopying.edu.au/glossary/communicate/) does not include:

* displaying a website live in class for students to read
* bookmarking and sharing links to online articles or resources
* emailing links to online articles and resources, rather than emailing a PDF or word version of the resource.

These activities are not copyright activities and therefore you can do these things without needing a licence or permission.

**How much can I copy and communicate under the**[**Statutory Text and Artistic Works Licence**](https://smartcopying.edu.au/guidelines/education-licences/the-statutory-text-and-artistic-works-licence/)**?**

The [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/) does not contain any rules at all about how much of a text work a teacher is allowed to copy or communicate. Instead, it allows teachers to copy and communicate text works as long as the amount copied or communicated “does not unreasonably prejudice the legitimate interests” of the copyright owner.

This means that there is not a ‘one size fits all’ approach to what teachers can copy and communicate under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/). Instead, there is flexibility to allow teachers to copy and communicate the amount they need where to do so would cause no harm to the copyright owner.

This means that for many works commonly used by teachers with students (for example those that are currently available to buy), only portions of the work can be copied for educational purposes under the licence. For these works, the ‘10% or one chapter rule’ is still a useful guide in making this assessment for many resources that are still commercially available.

For other works, such as older ‘out of print’ works, or works made available on the internet without any expectation of payment, teachers may be able to copy more (or even all) of a work.

**Can I upload materials to our school’s**[**DTE**](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/)**?**

Teachers may upload text works to a [DTE](https://smartcopying.edu.au/glossary/digital-teaching-environment-dte/) as long as:

* the amount copied and communicated does not unreasonably prejudice the copyright owner (see above)
* wherever possible, access to the content is restricted by a password to staff and

students.

We recommend that you:

* always label/attribute any text works you [copy](https://smartcopying.edu.au/glossary/copy/) or [communicate](https://smartcopying.edu.au/glossary/communicate/) under the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/)
* remove any text works that are no longer required by deleting and archiving.

**Copyright exceptions**

Teachers may also be able to rely on one of the copyright exceptions when a copying text work for specific purposes.

[**Fair dealing**](https://smartcopying.edu.au/glossary/fair-dealing/)

Teachers and students may be able to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) some text under the [fair dealing](https://smartcopying.edu.au/glossary/fair-dealing/) for research and study exception. Teachers will only be able to rely on the [fair dealing](https://smartcopying.edu.au/glossary/fair-dealing/) exception in limited circumstances, where it is for their own research and study and not the research and study of their students.  However, students using text as part of their study will generally be able to rely on the [fair dealing](https://smartcopying.edu.au/glossary/fair-dealing/) exception of research and study.

For more information see [Copyright Exceptions.](https://smartcopying.edu.au/guidelines/copyright-basics/copyright-exceptions/)

**Disability exceptions**

If you are [copying](https://smartcopying.edu.au/glossary/copy/) or [communicating](https://smartcopying.edu.au/glossary/communicate/) text material in order to make it accessible to a student with a disability, you may be able to do this under the [disability exceptions](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/disability-access-exceptions/).

For more information see [Disability Access Exceptions.](https://smartcopying.edu.au/guidelines/library-exam-and-disability-copying/disability-access-exceptions/)

**Exam copying**

Teachers are allowed to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) text material for use in online and [hardcopy](https://smartcopying.edu.au/glossary/hardcopy/) exams. This exception does not extend to practice papers.  You can only rely on this exception to [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/) text for actual exams and assessments.

For more information see [Copying for Exams](https://smartcopying.edu.au/copying-for-exams-what-am-i-allowed-to-do-2/).

**Flexible dealing**

If you want to use text works for a specific educational purpose in a way not permitted by the [Statutory Text and Artistic Works Licence](https://smartcopying.edu.au/guidelines/the-statutory-text-and-artistic-works-licence/) or by any of the other copyright exceptions, you may, in limited circumstances, be able to rely on the [flexible dealing exception](https://smartcopying.edu.au/flexible-dealing/).

For example, you may be able to:

* translate an extract of an Australian novel into Japanese for a Japanese language class, where you cannot buy a copy of the book in Japanese
* adapt a short story into a play script
* make an audiobook of a story book, where the story book is not available in an audiobook format (for information on the Story Book Agreement during COVID-19 see the [Storytime Agreement for Schools).](https://smartcopying.edu.au/storytime-agreement-for-schools/)

For more information see [Flexible Dealing](https://smartcopying.edu.au/flexible-dealing/).

**Attribution**

Teachers should always attribute the work they [copy](https://smartcopying.edu.au/glossary/copy/) and [communicate](https://smartcopying.edu.au/glossary/communicate/), whether it is owned by their school, TAFE or educational body or someone else. For information on how to attribute text material see [Labelling and Attributing](https://smartcopying.edu.au/labelling-and-attributing/).