**Issue 4 - July 2019 - THE LATEST NEWS IN COPYRIGHT FOR AUSTRALIAN SCHOOLS AND TAFE**

The National Copyright Unit (NCU) is a specialised unit that provides copyright assistance and advice to all Australian government and non-government schools as well as TAFEs in Australia.

NCU is a small secretariat that acts on behalf of the Copyright Advisory Group (CAG) which reports to the COAG Education Council. CAG’s committee members are senior representatives from State and Territory Departments of Education and the Catholic and Independent school sectors.  The NCU was established in 2005 to:

* provide specialist copyright assistance to schools and TAFEs;
* negotiate and administer the School and TAFE sectors licences with Australian Collecting Societies and related copyright surveys; and
* advocate for copyright law reform benefitting education.

For practical copyright advice, information on our national seminar series and Copyright for Educators (C4E) course please contact our team and/or see our [Smartcopying Website](http://www.smartcopying.edu.au/).

**Smartcopying in TAFEs**

The current Statutory Copyright Licence schemes and the educational exceptions in the Copyright Act are expensive, restrictive and complicated.

When teachers download, save, print or email webpages from the Internet, those activities incur fees. The education sector in Australia pays more than $700 million purchasing educational content each year. Often, that content cannot be modified, shared or remixed by teachers and students, except in limited circumstances. This is not sustainable financially or pedagogically

Using Creative Commons licensed content and adopting strategies that avoid unnecessary copying – ‘Smartcopying’ – is the answer!

Five Smartcopying tips for TAFEs are:

1. Use [Creative Commons](http://www.smartcopying.edu.au/open-education/open-education-resources/where-to-find-cc-licensed-material/where-to-find-cc-licensed-images) licensed material.
2. Link to or embed material wherever possible, rather than copying.
3. Use material created by you or your Institute.
4. Limit access to the material to those students who need to access it for class or assignment exercises.
5. Delete or archive material when it is no longer required for class or homework exercises.

For more information, see:

* <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe>
* <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe/smartcopying>

1. **Use Creative Commons licensed material**

Creative Commons (CC) is a suite of free, publicly available licences that enable authors, musicians and other creators to grant rights to the public to use their work without payment.

All CC licences allow the material to be used for educational purposes. Therefore, TAFEs can use CC licensed images, music, film clips, etc in their projects and teaching resources, free of charge.

The NCU encourages teachers to use CC licensed content wherever possible. This is because teachers can do more with CC licensed material as this material is free to access, use, modify and share.

By using CC licensed material, teachers are helping manage copyright cost and have more freedom to collaborate with other teachers, TAFE’s and the wider community without running the risk of breaching copyright and avoiding unnecessary copyright costs.

The best place to start is [CC Search](https://ccsearch.creativecommons.org/). You can also search for CC licensed material on google, flickr and YouTube.

For more information, see:

* <http://www.smartcopying.edu.au/open-education/open-education-resources/where-to-find-cc-licensed-material>
* [www.smartcopying.edu.au/open-education/creative-commons/creative-commons-information-pack-for-teachers-and-students](http://www.smartcopying.edu.au/open-education/creative-commons/creative-commons-information-pack-for-teachers-and-students)
* [http://www.smartcopying.edu.au/open-education/open-education-resources/open-educational-resources-(oer)-a-toolkit-for-teachers-curriculum-and-elearning-developers](http://www.smartcopying.edu.au/open-education/open-education-resources/open-educational-resources-%28oer%29-a-toolkit-for-teachers-curriculum-and-elearning-developers)
* <http://www.smartcopying.edu.au/open-education/creative-commons/quick-guide-to-creative-commons>
1. **Link & embed wherever possible**

Linking is not a copyright activity. This is because teachers are not actually ‘copying’ any material. Rather, teachers are providing students with a path to its location. Providing links to material is a great way for teachers to manage copyright. Teachers are encouraged to provide students with links, rather than copying (e.g. downloading).

Embedding is also not a copyright activity. Embedding a link allows teachers/students to view and access content in its original location without having to leave their website or teaching resource. It is commonly used for displaying online films (e.g. YouTube clips). For example, you can embed YouTube clips into a PowerPoint or onto a website for students to access.

For more information, see: <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe/smartcopying>.

1. **Use material created by you or your Institute**

When TAFE teachers create teaching resources in the course of their employment and the resources only contain TAFE owned material or material created by other employees of your Institute, then you do not need to rely on the Statutory Licences to use this material. This is because the TAFE Institute owns the copyright.

However, do not forget to label the material by including the name of your institute and the year. For example:

* © Batchelor Institute 2016;
* © NSW Technical and Further Education Commission (TAFE NSW – Western Sydney Institute) 2019.

For more information, see:

* <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe/smartcopying>
* <http://www.smartcopying.edu.au/information-sheets/tafe/labelling-tafe-material>
1. **Limit access to the material to those students who need to access it for class or homework**

Limiting access of material to students behind a password-protected system (e.g. LMS, closed class area on an education platform (e.g. iTunesU, Google Classroom)) helps TAFEs to comply with requirements under the Statutory Licences and education exceptions in the Copyright Act.

Access 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 TAFE Institute.

For more information, see: <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe/text-and-artistic-works>.

1. **Delete or archive material when it is no longer required for class or homework exercises**

Clearing out material that is no longer required is a great way to ensure compliance with the Statutory Licences and education exceptions. This can be done in two ways – deleting or archiving.

Material that the TAFE no longer requires for educational purposes should be completely deleted. This will assist in minimising the storage burden on the TAFE as well as ensuring that the TAFE is not incurring copyright fees for material it no longer needs.

Material should be archived where the TAFE expects to use the material again for educational purposes in the future. Archiving involves moving the material into a closed area online where it can only be accessed by one person, such as the TAFE librarian, ICT Manager or teacher who uploaded the material in the first place. Restricting access to the material will ensure that the TAFE is not incurring additional copyright fees.

For more information, see: <http://www.smartcopying.edu.au/information-sheets/tafe/copyright-in-the-digital-teaching-environment-a-manual-for-tafe/appendix-a---information-about-deleting-and-archiving>.

**Additional Information**NCU is always here to provide copyright assistance and advice to schools and TAFEs. If you have any questions or need additional information, please visit the Smartcopying website (http://www.smartcopying.edu.au/) or you can contact us on Tel: 02 7814 3855 and at smartcopying@det.nsw.edu.au

The purpose of this update is to provide a summary and general overview of selected copyright issues. It is not intended to be comprehensive nor does it constitute legal advice. If you need to know how the law applies in a particular situation, please get advice from the National Copyright Unit.