



Virtual LEARNING ENVIRONMENT

UNDERSTANDING COPYRIGHT

At this time, when in-person learning has paused for many educators because of the pandemic, ETFO is providing this resource to assist members in exercising professional judgement, delivering quality learning and supporting students.

The union's position on in-person learning remains unchanged. ETFO firmly believes that the daily, in-person model of instruction and support best meets the educational, developmental and social needs of students, provides the best experience for support, and is the most equitable learning model for all students.

It is our expectation that elementary virtual learning in any capacity, including through hybrid models of instruction, will end once the pandemic ends.

ETFO will continue to demand action from the Ontario government, school boards and public health units to ensure in-person learning and support can resume quickly and safely.

February 2021



Do copyright laws and the Fair Dealing Guidelines apply to online teaching and face-to-face learning during a pandemic?

Yes. There are no provisions in the Copyright Act and no judicial decisions altering the law on fair dealing in Canada during a pandemic.

Can I read a book aloud to my class online?

Yes. Educators may read books aloud to students, even in an online classroom.

Can I record myself reading a book aloud to my students and share the video on a password-protected platform such as Google Classroom or Brightspace?

Educators may not record themselves reading a book aloud and share the video on a password-protected platform such as Google Classroom or Brightspace. That requires permission from the copyright owner as a recording would be considered a reproduction of the book.

Can I record myself reading a portion of a book and share the video on a password-protected platform such as Google Classroom or Brightspace?

Yes. As outlined in the [Fair Dealing Guidelines](#), sharing a recording requires permission from the copyright owner because it is a reproduction of the book. A portion of the book may be read and recorded, however, the excerpt must be within limits (a chapter of a book, for example, is acceptable). Subsequent chapters cannot be recorded and shared in a manner that equates with the entire book being reproduced over time.

Can I provide links to 'read alouds' within my online class?

There are many 'read alouds' freely available on YouTube that appear to have appropriate sharing permissions. These recordings can be linked or embedded into a password-protected, learning-management system post that is limited to your students. [Here](#) is one example.

What about consumables and reproducibles? Can I share them with my online class?

Consumables that are intended for one-time use, such as workbooks in which a student records answers, cannot be shared. A reproducible that is not intended for one-time use can be reproduced for educational use. If you create your own template, then it can be shared.

Where can I find additional information about copyright?

Information about copyright can be found at [Fair Dealing Guidelines](#). In addition to the guidelines, [The Fair Dealing Decision Tool](#) was created to help educators determine whether their use of a copyright-protected work is fair dealing. If you still have questions, check with knowledgeable colleagues about copyright, such as the Teacher-Librarian.

Visit fairdealingdecisiontool.ca

