



Educating the educators - implementing the 2006 copyright amendments

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ACIPA 12th Annual Copyright Conference

16 February 2007



21st century digital learning methods



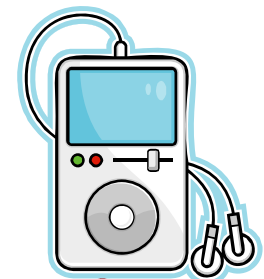
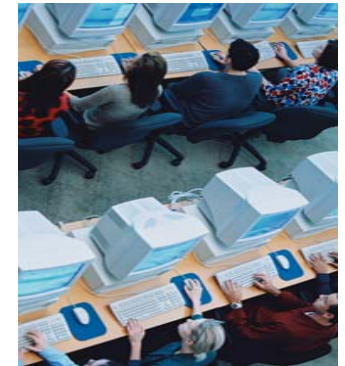
Copyright and education



Copyright Act 1968

Digital Agenda Act 2000

2006 amendments





Digital learning in practice

- ‘Asynchronous’ v ‘synchronous’ learning
 - Asynchronous – online learning objects, lessons
 - Synchronous – virtual classrooms, distance learning
- Learning management systems
- Classroom activities
 - Podcasting, GPS-based learning activities, PowerPoint
- Digital/new media assessment methods

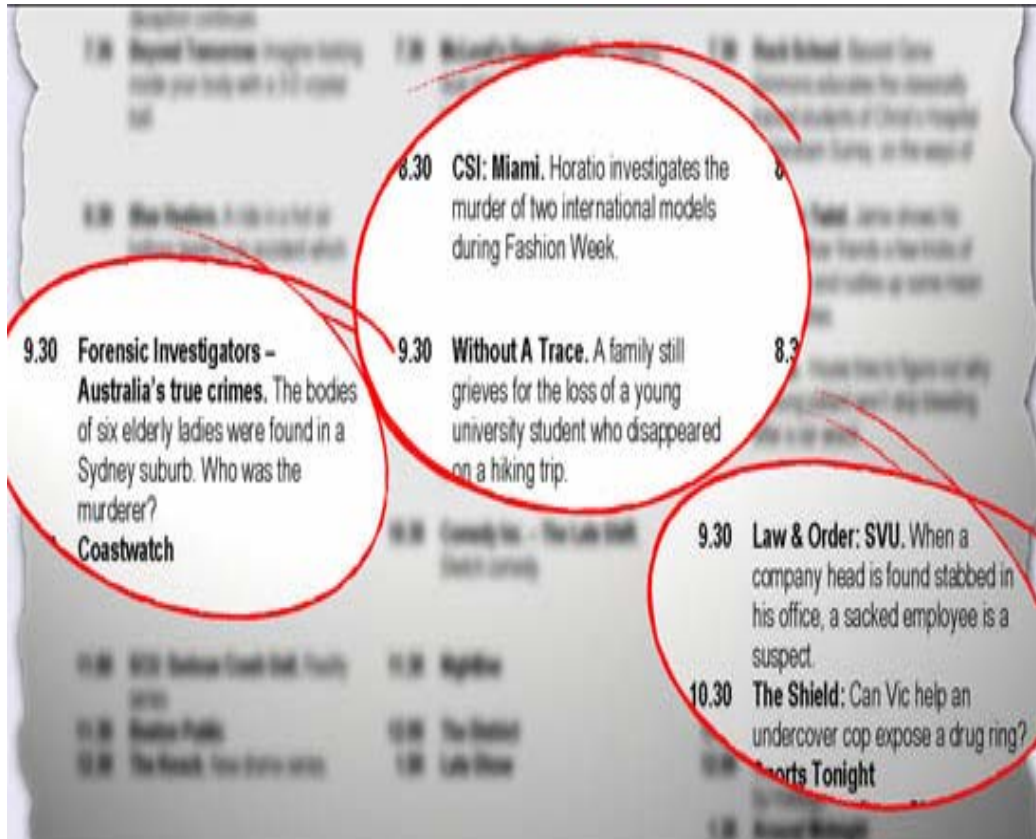


Asynchronous learning

- Online learning resources
- Online lessons
 - Flexible learning for units or subjects
- Online assessment
- Online additional exercises linked to syllabus
- Examples – The Learning Federation, Curriculum Corporation



Crime films – online assignment ...



Ask a few people at random, say three adults and three teenagers, how many programs about crime they think are shown each week. Look through a TV program yourself to see how many there are.

Activity 1

How many programs did you find? List the ones you watch. What is your favourite crime/detective program or film? Give reasons to explain why.

Ask some of your friends what crime shows they watch. You could start an email list with your class group to see which show is the most popular.

Write your list with brief reasons here.



Synchronous learning

- Virtual classrooms – distance education
- Eg, WA School of Isolated & Distance Education Centra System:
 - hear each other, see each other, share a whiteboard
 - use participation tools (raise hand, yes/no, laugh, applaud)
 - use text chat (both public and private)
 - complete surveys, tests and evaluations online
 - share applications
 - transfer files
 - go on a web safari (where the teacher takes the students on a tour of a web site)
 - work in breakout rooms (similar to group work in a regular classroom)



A virtual classroom

The screenshot shows a virtual classroom window titled "Centra Symposium - LOTESIDEItalianAngela (QTD859703)". The interface includes a menu bar (File, View, Insert, Actions, Tools, Markup, Video, Record, Help) and a toolbar with various icons for interaction. On the left, there is a video feed of Angela Signorile, a "Presenters" list with her name, and a "Participants" list including Watheroo PS3, Nungarin PS (2), Nungarin PS(3), Nungarin PS (1), Watheroo PS2, Watheroo PS1, Nungarins (5), Nungarin PS (6), Nungarin PS(4), and Watheroo PS4. The main area is a grid of whiteboards:

- N1 Silvio: Drawing of a green alien with a square head.
- N2 Mario: Drawing of a yellow rectangular shape.
- N3 D+A: Drawing of a red and yellow snake with the text "I'M A SNAKE".
- N4 Daniela: Drawing of a yellow bear-like character.
- N5 Emilia: Drawing of a pink and black figure.
- N6 Isabella: Drawing of a green creature with red eyes.
- M1: Empty whiteboard.
- W1: Drawing of a white horse with the text "I'm a cavallonnamed Jack oned by claudia".
- W: Drawing of a pink and yellow figure.
- W2: Drawing of a yellow sun and green ground.
- W4: Drawing of a lightning bolt.

The Windows taskbar at the bottom shows the Start button, Internet Explorer, and the Centra Symposium application. The system clock indicates 10:01 AM.



Learning management systems





Clickview Digital Media Library

ClickView Library Server

File View Tools Go Help

Video Library

Add Video Add Folder Remove

ClickView School

- Business and Economics
- Careers
- ClickView Digital Video Library
 - English
 - Mathematics
 - Tutorial: Probability
 - Science
 - Science Bulk
- English
- Food Technology
- Geography

Video Details

Video Title: Tutorial: Probability

Duration: 32 Minutes

Year: 1990

Producer: Classroom Video

Item Code: MTPROB/C

Distributor: Classroom Video

Age Group: Senior Secondary

Description: An on-screen probability tutorial with presenter Jacque Hargreaves.

Resources

Resource Title	File Type
Click 'Add' to import a video resource	

Library Server Status: Online Available Videos: 3



Clickview Digital Media Recorder

ClickView Digital Video Recorder

Step 1 - Record 1 2 Video Settings

Manual Recording

Start Stop

Set Duration Recording

0 h 0 m 0 s Start

Scheduled Recording

Add Schedule Item

Status: Recording Mute

Recording Progress: 00 h 00 m 05 s



Clickview Media Centre





New assessment methods

Essays are, like, soooooo old fashioned ...

“You may like to present your work in another medium.

You could:

- develop a PowerPoint presentation
- design and/or build a website
- make a short video or animation
- write a multimedia blog

Discuss your ideas with your teacher.”

Source: The Learning Federation online learning object exercise sheet



The 2006 Copyright Amendment Bill

- Educational provisions:
 - s200AB – flexible dealing - non-commercial uses for purposes of giving educational instruction
 - s28 (5), (6), (7) – exception for communications made to facilitate classroom performance
 - s200AAA – proxy caching
 - Extension of Part VA to communications of free-to-air broadcasts
 - Update Part VB for electronic anthologies and paginated digital works, new limits on electronic insubstantial copying



Communications and s28

- Section 28 a ‘free’ exception to enable copyright material to be performed in class, or otherwise in presence of audience as part of educational instruction
- New subsections (5), (6), (7) extend s28 to communications made to facilitate performance of copyright material to students in class or online
- Eg, use of central DVD player in library to ‘beam’ signals to televisions in the classroom



Section 200AB

- **‘Use’:**
 - Made by or on behalf of a body administering an educational institution
 - Made for the purpose of giving educational instruction
 - Not made for the purpose of obtaining a commercial advantage (cost recovery OK)
 - Circumstances of the use amount to certain special case
 - Does not conflict with a normal exploitation of the work/other subject matter
 - Does not unreasonably prejudice the legitimate interests of the owner of the copyright



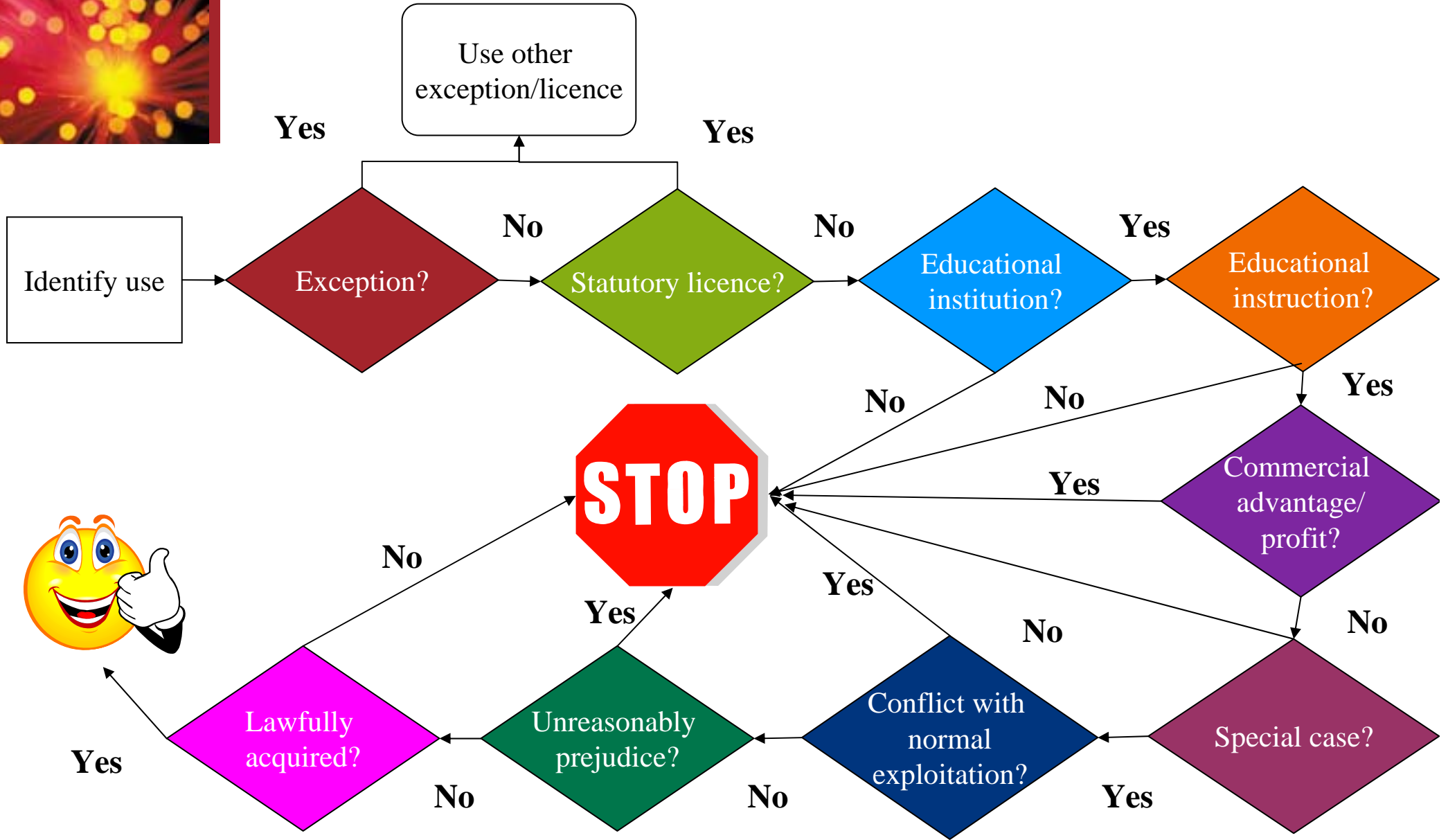
Some questions

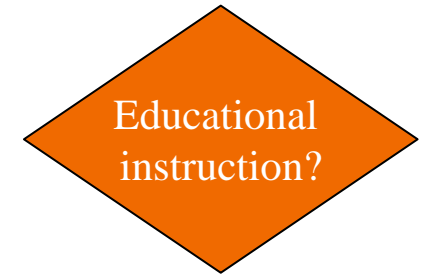
- *We use virtual classroom software for teaching. Is this OK under the new amendments?*
- *Can I upgrade the school VHS library to DVD or Clickview?*
- *Can I include music in my powerpoint teaching notes?*
- *Instead of playing 5 extracts of DVDs in class, can I copy short extracts onto 1 disc for my teaching?*
- *Can I translate a chapter of an Australian book into French for my year 12 French class to study?*



Section 200AB in practice

What's OK and what's not?





Giving educational instruction

- Meaning of term “giving educational instruction”?
- Classroom and remote teaching OK (reference in EM)
- Preparation for teaching?

Can I load a video onto Clickview for my lesson tomorrow?

- Syllabus relevant activities?

Can I give my music students live performance practice to prepare for their exams?

- Student assistance?

Can I copy material and put it in the library for student research?



Special case?

- When do the circumstances of the use amount to a certain special case?
- The use must be “certain and clearly elaborated” – EM
- The use must be narrow in a qualitative and quantitative sense – *Homestyle* case

Can I format shift the resource I need tomorrow?

Can I format shift out of date technology?

Can I format shift the entire library?



Conflict with normal exploitation?

- Does the use conflict with a normal exploitation of the work or other subject matter?
- EM:
 - Whether the use closes off ways copyright owners normally extract value
 - Whether the use enters into economic competition with those ways
 - Whether the use deprives the owner of significant or tangible commercial gains



Some suggested questions

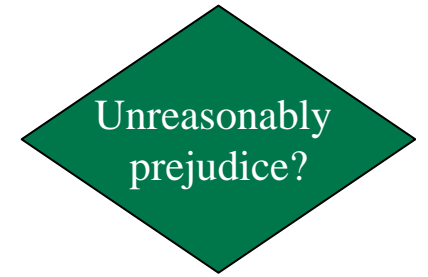
- Is the proposed use a usual method of exploitation by the copyright owner?
- Is there a certain degree of likelihood that the use will be a usual method of exploitation in the reasonably near future?
- Is a voluntary licence available for this use?
- Is making the proposed use entering into economic competition with the copyright owner?
- Are you depriving the copyright owner of revenue or other significant & tangible financial gains?



Unreasonably prejudice the owner?

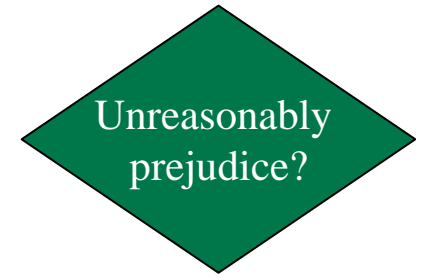
Unreasonably
prejudice?

- EM – requires an assessment of the legitimate economic and non-economic interests of the copyright owner
- Query:
 - are there non-economic interests other than moral rights?
 - what are the legitimate economic interests of the copyright owner other than ‘normal exploitation’?
 - at what point does prejudice become ‘unreasonable’?
 - is an insignificant or intangible impact on commercial gains reasonable?



Some suggested questions

- Does your use cause actual or potential damage to the copyright owner's economic or personal interests in the material? For example:
 - is it likely your use would not be approved by a copyright owner acting reasonably?
 - is the amount taken more than reasonably necessary for the proposed use?
 - does your use interfere with the quality/integrity of the original material?
 - does your use expose the material to a significant risk of copyright infringement?

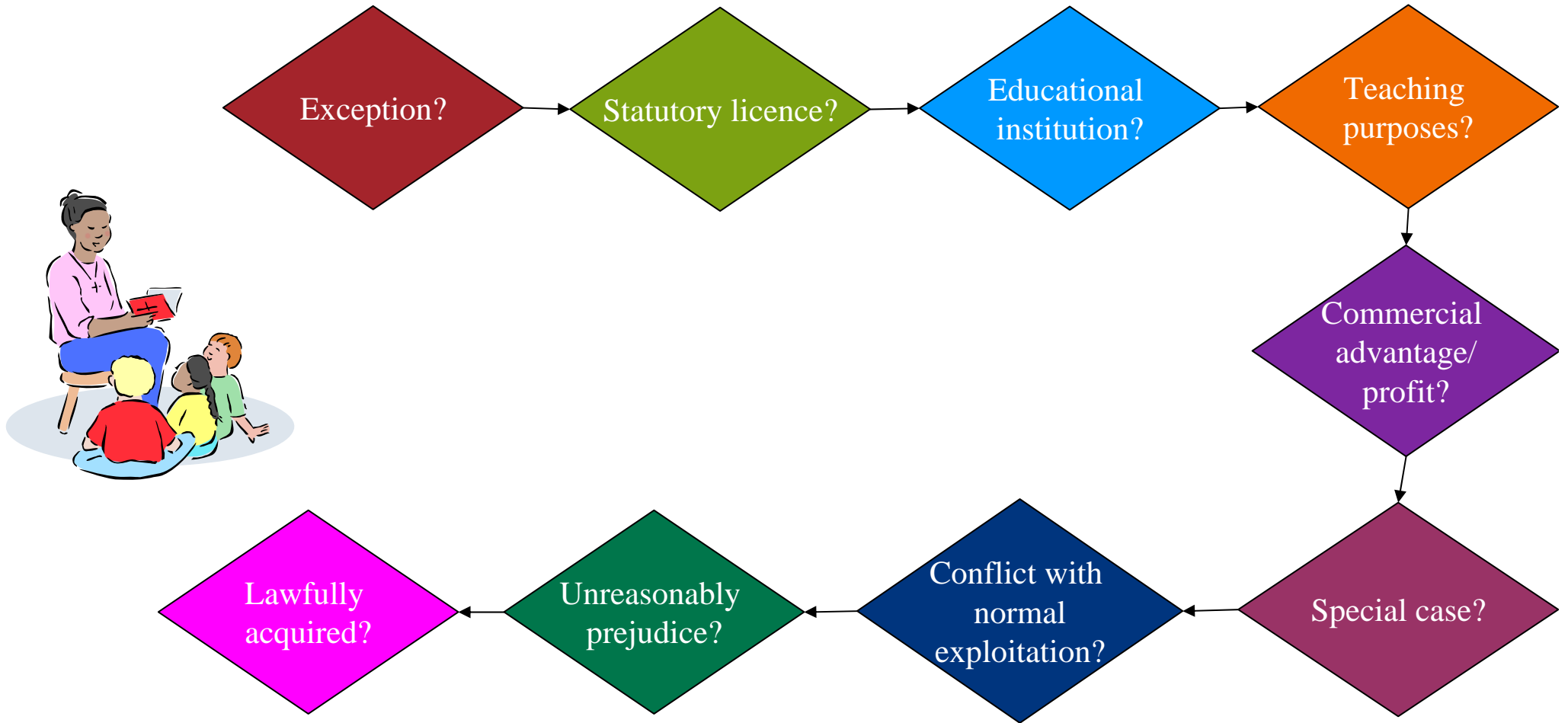


Some suggested questions (2)

- Could any 'prejudice' to the copyright owner be made reasonable if conditions on the use are imposed?
- Eg, would the prejudice be removed/lessened if:
 - any copies are destroyed after the classroom use?
 - students are given copyright warnings in relation to the use?
 - any copies are made available on a secure site where further copies are prevented?
 - digital uses are technologically protected from further copies/distribution?



Section 200AB in practice





Questions?

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