

Copyright Compliance and Online Delivery

It is important to remain copyright compliant when teaching online, especially when recording and uploading a lecture/class to the LMS.

Fortunately, an institution's existing Statutory Educational Licence and other exceptions under the Copyright Act will generally apply to online teaching. This means that if online classes adhere to the usual copyright guidelines, then recording those classes does not create additional copyright issues.

However, the Copyright Agency has advised that we should take a "common sense approach" to ensure that risk of infringement is minimised. This means we should do the following:

- Limit the types and amounts of material as per the Copyright Act.
- Acknowledge all material with a proper and accurate citation.
- Restrict access to the recorded lecture to only staff and students involved in the subject.
- Only make the recording available for the time needed for the course of study. Archive or disable access to the recording once it is no longer needed by the students.
- Warn students that they must not make any further copies of any of the recording provided to them, including sharing with friends, via social media, or uploading to the internet.
- Add the copyright warning notice to the beginning of the lecture recording.
- Ensure staff check the image/video/webpage/software licence before using it in a lecture. For example, if the material is licensed under Creative Commons (CC), then providing you adhere to the terms of the licence, it is likely that you are able to show the material in a lecture that is being recorded.
- Where possible, use Creative Commons licensed materials, openly licensed materials and materials obtained through the institution's Library.
- If there is any doubt as to whether copyright material is being used, pause the lecture recording while copyright material is in use, and resume the recording once completed. Alternatively, remove any copyright material from the lecture recording before uploading to the LMS.

Here's some more specific information for different types of materials that are likely to be used by academic staff:

PowerPoint presentations

Images and short quotes in PowerPoint slides are able to be captured in the lecture recording but must be properly acknowledged/attributed on the relevant slide (which should

be standard practice anyway). In other words, recording a PowerPoint as part of the lecture does not raise additional copyright issues.

Audio-visual material

It is usually acceptable to record short excerpts of content from sites such as YouTube for educational purposes under the fair dealing exception of the Copyright Act. In other words, incidental capture of short clips shown in class does not raise practical concerns. The more extensive the use, the greater potential for issues.

If the full content of the video is played in the lecture, then it is advisable to pause the recording while the video is being played. Alternatively, you can seek permission from the creator of the video to use their work in a recorded lecture.

Some full videos may be licensed for more flexible, educational or open use, so staff should always check the licence. For example, permission does not need to be sought for videos published under a Creative Commons licence.

Also be aware that the lecture recording process will only make a very low grade copy of any videos, so it is preferable to provide a link to the videos in the LMS so that the students can access the video directly themselves.

Web pages

Displaying and recording web pages is a bit of a grey area. Generally speaking, freely available web pages may be displayed and recorded during a lecture. Like audio-visual material, incidental capture of websites shown in class does not raise concerns, but the more extensive the use, the greater potential for issues.

Some websites have a 'Copyright' section which indicates what you can and can't do. For example, the [Copyright page of the Australia Bureau of Statistics](#) states that the site is licensed under Creative Commons which allows the webpage to be freely shared, but it must be properly attributed.

For licensed/subscription websites, you should consult the licence terms and conditions.

If in doubt, you should either pause the recording when showing the webpage or gain permission from the creator of the webpage.

Your institution's websites (e.g. library, learning support resources, LMS) and journals, databases and content subscribed to by the institution's library are able to be displayed and recorded during a lecture.

Guest lecturer

Advise the guest speaker in advance that you would like to record their lecture. If they do not grant permission to be recorded, either stop or pause the recording during their presentation.