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*Copyright & Fair Use: Teaching and Learning in the Digital Age*

Most faculty are familiar with and have a general understanding of copyright laws and issues of fair use when such laws pertain to face to face teaching and the distribution of materials and media to your students. (<http://www.copyright.gov/> & <http://www.albany.edu/~ls973/copy.html>). Apple Computers, for example, makes available a PDF file that is a very good summary (chart) of what portions of materials a teacher can use for her/his classroom. (*See attached PDF, adapted from Hall Davidson's chart found at <http://halldavidson.net/>*).

What is less clear to many faculty, is the type and amount of digital material that you can deliver to your students through an online environment. Did you know, for example, that you can copy portions of your analog (VHS) movie for online distribution to your students within a secure network environment, but that same material copied from a DVD may be illegal. That is because DVD copying of commercial media often means bypassing an encryption code that was added to prevent copying. Severe penalties are now in place for those who break the encryption codes of such media as DVDs, iTunes, and eBooks. There is no doubt that Digital Rights Management (DRM) issues have complicated online Teaching for educators.

But all is not lost for faculty. The Teach Act (signed into law in November 2002), provides some relief to faculty who want to use copyrighted material for online purposes. For example, the Teach Act does allow for educators to convert analog materials (VHS, etc.) to digital formats, providing the amount displayed online falls within the proportion allowed under normal Fair Use guidelines. Consult the following web page for more information regarding the Teach Act and the previous example.

([http://www.ala.org/Template.cfm?Section=Distance Education and the TEACH Act &Template=/ContentManagement/ContentDisplay.cfm&ContentID=25939#newc](http://www.ala.org/Template.cfm?Section=Distance_Education_and_the_TEACH_Act&Template=/ContentManagement/ContentDisplay.cfm&ContentID=25939#newc))

Overall, copying and using material for educational purposes is not as easy nor as legal as it has been in the past. To protect yourself and your students (who tend to use a lot of copyrighted material when doing presentations and projects) keep in mind not only the more traditional copyright laws and guidelines for fair use, but the more recent laws related to DRM and the Teach Act.