

DIGITAL LITERACY

presented by Lisa Osur
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ETHICAL USE OF INFORMATION

(social responsibility)

Copyright: The author/creator has exclusive property rights to reproduce, distribute, adapt, perform or display original works of art or literature. No one else may use, copy or change the work. In order to qualify for copyright protection a work must be original, creative and fixed/tangible.

Since 1978 copyright protection has been assumed. A work is protected whether or not it carries the copyright protection notice (©).

COPYRIGHT

Fair Use- A copyrighted work may be used for educational purposes with restrictions.

The 4 standards for determining fair use exemption are:

1. Purpose of use: non profit, educational use for classroom only
2. Nature of work: unpublished/highly creative works are less likely to fall under Fair Use
3. Proportion of material used: in general less is better- usually 10% is acceptable
4. Effect on marketability: does use prevent a sale of the work?

Fair Use for teachers-

1. Purpose of use: copies of select parts of copyrighted works for specific educational purpose is acceptable as long as the copies are used temporarily and for the number of students in the class only.
2. Nature of the work: copying a paragraph is OK, a whole chapter is questionable
3. Proportion of material used: As long as only a small portion of the work is copied and it does not reflect the 'essence' of the work it's OK
4. Effect on marketability: This is the most important of the four tests for fair use. Teachers must ensure that the author is not losing a sale- if you didn't copy it, would you have had to purchase it?

Public Domain- When a copyright term has expired, works are considered in the public domain and can be used freely.

Obtaining Permission- The owner of the copyright must be determined and contacted.

NOTE:

- Works published before 1923 are in the public domain
- Copyright protection expires 70 years after the author/creator's death