

On behalf of Provost Mark Green, **please distribute the information below to all faculty members and instructors within your portfolio.**

Thank you.

Online materials

Queen's University continuously strives to raise awareness of the *Copyright Act* and its regulations, fulfill our legal obligations set out in the Act, and protect the intellectual property that we both use and create on campus. With the move to remote course provision we want to remind you the Copyright Advisory Office is here to provide assistance. Copyright concerns should not be a barrier in a remote learning environment, but as an institution that manages its own copyright compliance it is imperative that our community is compliant in all areas of copyright.

Update on the York University appeal

The Federal Court of Appeal issued a [decision](#) in the Access Copyright v York University lawsuit appeal on April 22, 2020. The decision confirms that participation in Access Copyright tariffs is not mandatory, however, clarity around the application of fair dealing guidelines remains outstanding. A statement about this decision is available here: [Access Copyright Tariffs Confirmed Not Mandatory: A Positive Outcome for Universities and their Libraries.](#)

Copyright at Queen's University

We remain committed to maintaining a balance between creator and user rights, and the application of fair dealing in the materials used in our teaching and research. Students, faculty and staff must adhere to the Queen's University [Fair Dealing Policy](#) and are encouraged to seek assistance from the Copyright Advisory Office.

What does this mean for you?

*Copyright automatically applies to all original works, regardless of whether they are electronic, sourced from the Internet or in print format. All third-party materials, except for purchased textbooks, may be reviewed by library staff before they are used in teaching. This includes materials sourced from the Library, Internet or elsewhere that you intend to post to OnQ or distribute to your students. The library can help you ensure the educational exceptions in the *Copyright Act* are appropriately applied and will arrange for copyright permissions, as needed.*

Copyright guidance for remote courses can be found on the [Copyright and Remote Instruction](#) webpage. Visit [Copyright & Teaching at Queen's University](#) or [Frequently Asked Questions](#) for more general information about ensuring copyright compliance when teaching at Queen's University. The Copyright Advisory Office will also conduct virtual webinars over the summer, starting with a webinar on Tuesday, June 23, 1:30 – 2:30 pm as part of the [Transforming Teaching Toolkit Webinar Series](#) on **Copyright and Remote Instruction: How to use the course materials you want while respecting and complying with**

copyright ([register now](#)). Future webinars will be listed on [Copyright & Fair Dealing workshops and events](#). Mark Swartz – the Copyright Manager at Queen’s – is available to attend and answer questions at departmental meetings. Email mark.swartz@queensu.ca for more information.

What do you need to do?

Using [Library eReserves](#) continues to be the most effective way to ensure that your course materials are copyright compliant. You can create an eReserve course shell at the same time as you create your OnQ course in the [Course Creation Tool+ \(CCT+\)](#). When you create your course, make sure that **Enable eReserves** is selected. Library staff will email you with instructions after your course has been created.

Review your course materials each semester, as permissions need to be renewed, and licensing agreements and links may have changed. **Do not assume that previously used materials are still cleared for use.** Using Library eReserve will ensure that the library can renew permissions as needed and confirm your materials are copyright compliant for the upcoming term.

If you have a Teaching Assistant aiding with your selection and/or development of course materials, please share this information with them. It is that they are aware of these obligations and the Copyright Advisory Office services.

The [Campus Bookstore](#) continues to process online textbook and course-pack orders and will ship orders to students and will offer curbside pick-up of prepaid orders. They are working hard to source digital course materials for students whenever possible.

Why do you need to do this?

It is important that we are compliant in all areas of copyright, in accordance with the *Copyright Act* and related [legal court decisions](#). The Copyright Office aims to mitigate risk to the university and our campus community by continuing to provide timely copyright-compliant access to required material. We need all members of the Queen’s University to work collectively towards this goal to meet our obligations in the use of third-party materials.

On behalf of myself and the Copyright Advisory Office, thank you for your continued support in our efforts to ensure best practices in copyright compliance.