

LIBRARY

Guidelines Copyright for lecturers

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Bibliotheken UvA/HvA

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DISCLAIMER

These *Guidelines for lecturers* have been compiled with the greatest care by the Library in cooperation with AUAS Legal Affairs and Stichting PRO. No rights may be derived from these guidelines. If you have any questions, please ask them via the [Copyright Information Site](#) of the Library.

Introduction

The use of DLWOs and other digital learning environments makes it easy for lecturers to share (teaching) material with each other and with students. When sharing material, either digital or print, one must comply, however, with the limitations posed by Copyright and with agreements with publishers (represented by [Stichting PRO](#)). If AUAS does not observe the rules, this will lead to high fines.

*These Guidelines show which regulations we should observe, but also which **extra options** there are **within an education environment**. This summary is not complete. If you have any questions on copyright matters concerning teaching or research, please contact the [Copyright Information Site](#) of the Library:*

Copyright Information Site



Welcome to the Copyright Information Site of the UvA and HvA Libraries

Is it allowed to cite other people's work or to use an image found on the internet for your Master's or PhD thesis? Who owns the copyright to a thesis that has been submitted or to finished

Go to: www.uba.uva.nl/en/cis

Copyright

The copyright law states that “the right to duplicate and publish is held by the copyright holder”. In other words: the copyright holder is entitled to decide whether a (part of the) work may be copied (photocopied, printed, but also scanned and digitally copied) and/or published (made available to one or more persons, digitally or non-digitally). That is, you need permission from the copyright holder to copy and/or distribute a work or part of a work

Please note:

- The author is not necessarily the copyright holder; permission from just the author is usually not sufficient. Often the copyright is held not by the author but by the publisher.
- If you have permission from the rightful owner, then make sure you have it **in writing**.

Copyright in education: the education exception

In general you need permission from the copyright holder to share material. This does not mean that you must *explicitly* obtain permission. The education exception in the Copyright law regulates that within the education environment a number of things are allowed without *explicit* permission. In fact, you have this permission automatically. However, on certain conditions only:

- the material must be used in the education environment (both digitally and physically within buildings).
- it must concern short passages (see [Conditions](#) from Stichting PRO).
- the material must have been lawfully published: it is not allowed to make available illegal material.
- it is mandatory to acknowledge the author and the source.
- the personality rights must be observed (you are not allowed to mutilate or change a work beyond recognition, etc.).
- a reasonable fee must be paid to the party entitled (see [Conditions](#) of the Stichting PRO).

And finally: during a lecture/in a non-commercial education environment you are allowed without permission and payment of a fee to:

- show (fragments of) films.
- hand out documents, for example a poem or fragment of prose.
- show news broadcasts.

On the following conditions:

- the material must be relevant to the course.
- it serves as an addition to, not as a replacement of the lectur0065.
- you are not allowed to record or distribute it, therefore you are not allowed to place it on the DLWO.

For more information on the use of work protected by copyright in an education environment, see the [Vuistregels](#) (rules of thumb) on the website www.auteursrecht.nl.

Reader agreement

To prevent lecturers from having to deal with all these matters themselves for each short passage quoted, the Vereniging Hogescholen has concluded a **Reader Agreement** with Stichting PRO. The universities of applied sciences pay an annual fee for the use of [short passages](#). So lecturers no longer have to report and pay for these short passages separately.

Please note:

- **Long** passages may also be quoted, but for these permission from [Stichting PRO](#) must be obtained **in advance**.
See the [AUAS Reader procedure](#) for more on the difference between long and short passages. Here you'll also find a flowchart for compiling a reader and making it available.

Creative Commons

With a [Creative Commons](#) license, an author can give others permission to distribute or share his/her work and with some types of license even to modify it. For any license, attribution (i.e. acknowledging the author) is a prerequisite. The author always retains the full copyright.

Ways to distribute material

Lecturers use all kinds of media and platforms to make material available to students. The copyright conditions may vary per medium/platform, but as soon as you **share** any material, whether on the internet, intranet, a DLWO with restricted access or via social media or email, the copyright law applies. Below we briefly comment on the different media/platforms.

Readers - the Reader procedure

When distributing material by means of a reader, the [AUAS Reader procedure](#) holds. This has been drawn up in consultation with Stichting PRO and lists what is and what isn't allowed when making a reader. If you have any questions about the Reader procedure, please contact the [reader coordinator](#) of your faculty.

DLWOs / intranet

It is a misunderstanding that when distributing material on a DLWO / intranet with restricted access (login required) the Copyright Law is no longer valid. Even when putting material on a DLWO or an intranet, there are certain conditions. AUAS will face high fines if these conditions are not complied with.

Make sure to:

- Use the DLWOs / intranet for **short passages** only (See [Conditions](#) of Stichting PRO)
- or
- **link to material** in a lawful source, for example to the Library databases
- or
- obtain permission for longer passages beforehand from [Stichting PRO](#).

Websites

For (study) material put on a **public website**, conditions differ from those for placing it on a DLWO / intranet. The education exception does not hold for public websites.

It is forbidden to place any copyrighted material on a public website without permission from the copyright holder.

Please, contact the communication staff of your faculty for the conditions.

E-mail / social media

From a copyright point of view it makes no difference whether you make material available to students via a web environment or social media. There are always certain conditions when distributing material.

If copyrighted material is sent to AUAS students, then the conditions of the [AUAS Reader procedure](#) hold:

- for short passages it is not necessary to obtain permission (See [Conditions](#) of Stichting PRO)
- for longer passages permission must be obtained **beforehand** via [Stichting PRO](#).

If copyrighted material (whether short or long) is sent to persons **outside AUAS**, this is not covered by the **Reader procedure**. For both short and long passages permission must be obtained **beforehand** from Stichting PRO and a reasonable compensation must be paid.

Copying

There are also certain conditions to copying and distributing (parts) of paper articles.

- Copying from paper content is allowed if it concerns a short passage. (See [Conditions](#) of Stichting PRO.) These copies may be distributed singly or as part of a reader.
- For copies of longer passages permission must be obtained **beforehand** via [Stichting PRO](#).
- If the lecturer owns a book / journal, then a copy **for personal use** is allowed. As soon as this copy is distributed to others, such as students, the Reader procedure holds and permission must be obtained **beforehand** via [Stichting PRO](#).

What is allowed for specific types of text?

Texts which are FREELY available in public sources

- **LINK to the source** instead of downloading the text to put it in your own environment. There is a risk that the text will disappear from the source website, for which the copyright holder may have a legitimate reason.
It is always permitted to link to material that has been published **lawfully** on the internet
- If possible, check the **conditions on the source website**; perhaps the copyright holder gives permission to download the text.
- Check if the copyright holder gives permission to download in any other way (for example, in an accompanying textbook).
- Check if the text is perhaps available under a [Creative Commons license](#) (and then, of course, comply with the license conditions).
- If you absolutely wish to download the text, you can obtain **written permission** from the copyright holder. The Library has sample letters for obtaining permission. Make sure permission is given in writing (for example in an email) and save it.

Material from databases of the Library

- **LINK to the source** instead of downloading the material and placing it in your own environment. It is always permitted to link to a lawful source. If necessary, the user will find the link after a login screen: after logging in with an AUAS account, access is in agreement with the copyright law.

Journal articles

Do not download and place in your own environment, but:

- add it to a (digital) reader, according to the [AUAS Reader procedure](#).
- or:
- **link** to the article in one of the databases of the Library.

Whole books

It is **not** permitted to copy whole books or place them in a DLWO, unless:

- under a specific [Creative Commons license](#).
- or:
- with written permission from the copyright holder. The [Library](#) has sample letters to obtain permission. Make sure you obtain it in writing (for example in an email) and give it to the [secretary of the AUAS Library](#) to archive in the UvA/AUAS central archive.

Books which are out of print

These may be copied completely after having obtained permission beforehand via [Stichting PRO](#) on payment of 4.5 eurocent per page. The only condition is that the copyright holder (usually the publisher) has declared **in writing** that the work is out of print. The [Library](#) has sample letters.

Reference works which are available electronically

These can be acquired by the Library under license, on request of the faculties / programmes. The available budget, however, must be taken into account. Please, contact the information specialist of the Library.

What is allowed for specific types of audio-visual material?

Illustrations and audio and video material

The copyright is held by the copyright holder, usually the maker, but it may also be the publisher or a broadcasting corporation. VIDEMA, BUMA/STEMRA, PICTORIGHT and similar [corporate organisations](#) manage the exploitation of the copyright for the holders.

The following condition always holds

You must always acknowledge your source, including the name of the copyright holder(s). Also if it concerns 'free' material.

The following is always allowed, without permission and/or compensation

- It is always permitted to LINK to a file or to EMBED it in your document / presentation / film, provided the material is legal and has been lawfully placed on the internet.
- In a *non-commercial educational setting* it is permitted to play audio/video material if it is part of the course plan. The material serves as an illustration, not as replacement of the course material. It is not allowed to record the material or distribute it, and thus it is not permitted to place it on a DLWO.

SURF's ['Guidelines for using images and sound'](#)

give a clear summary of the general rules for using audio-visual material. The following paragraphs briefly comment some specific examples. If you still have any questions, please consult [the Copyright Information Site](#) of UvA and AUAS, and if necessary put specific questions there.

Images which are available in publications and public sources

Images are: pictures, photographs, graphics, tables etc. One image, also when taken from the internet, is equivalent to a short passage. Short passages are covered by the annual compensation fee paid by AUAS to Stichting PRO.

However, please note: it is not allowed to use more than 25 images/graphics etc. from a single source in your own work. If you use more than 25 images from the same source, this counts as a long passage and permission must be obtained beforehand from [Stichting PRO](#).

Free images

There are many sites where you can find images that are free from copyright. However, you are still required to acknowledge the source. The list below is not exhaustive:

- [Pixabay](#): uses a CC0 license (Creative Commons Zero, i.e. Public Domain) and even says: “no attribution required”. The maker/author is not mentioned there, either. Any lawful use is permitted. The Library recommends that you mention the source and the date on which you copied the image.
- [Pexels](#): see Pixabay: same story.
- [Pics4learning](#): says it is *copyright-friendly*. The maker keeps the copyright and attribution of the source is obligatory. You find these data by clicking the image. This site is especially intended for an educational setting.
- [www.freeimages.co.uk](#): in their [terms](#), they explicitly require attribution.

With Google many more sites can be found with copyright-free images.

Images with a Creative Commons license

Flickr, Wikimedia, Google

- On [Flickr](#) you can search for images with a CC license. These images can then be used in accordance with their [CC license](#).
- See also [Wikimedia Commons](#) for images with CC licenses.
- Or use Google to find images with a CC license: images > click *Tools* > click *Usage rights*

Free films and video fragments

The list below is not exhaustive:

- [Wikimedia Commons: Video](#)
A video clip may be used under the same Creative Commons license which the maker has assigned to it.
- [Vimeo](#)
A video clip may be used under the same Creative Commons license which the maker has assigned to it.
- On [www.dutchfootage.com](#), the [Instituut voor Beeld en Geluid](#) makes visual material available for which the copyright has already been dealt with for a number of usage types, viz. online browsing through the images, watching films, free downloading in a low resolution.

Non-Free films and video fragments

The list below is not exhaustive:

- Fragments taken from [Academia](#), a database to which the AUAS Library has a license. It is permitted to LINK to a fragment and to EMBED a fragment, but not to download it.
- Fragments or broadcasts from the [NOS](#). LINKING and EMBEDDING is permitted. For other types of usage, permission must be obtained from the NOS beforehand and any copyrights of others must

be dealt with by you yourself. The proper organisation to do this is [VIDEMA](#). For older material from the NOS it is best to use the [Academia](#) database.

Free audio material

The list below is not exhaustive:

- **YouTube: the audio library** of YouTube (background) music and sound effects can be used and downloaded freely. To get there: log into YouTube > click your account (top right) > click 'Creator Studio' > in the left menu click 'Create' > click 'Audio Library'. Or [watch this video](#) [text in Dutch]. Use the attribution as indicated by YouTube.
- [Wikimedia Commons, sound](#): The sound fragments may be used under the same Creative Commons license the maker has assigned.
- [Instituut voor Beeld en Geluid](#): At the [Geluid van Nederland](#) and [Soundcloud](#), a selection is made available of their Own Recordings from the unique [Geluidenarchief](#) of the Instituut voor Beeld en Geluid under a CC-BY-SA license (Creative Commons, Attribution and ShareAlike).

Non-free sound material

There is no fee agreement for copying short passages of sound/music. For the use of sound/music, permission must always be obtained from [BUMA/STEMRA](#). This organisation protects the interests of affiliated composers, lyricists and music publishers.

APPENDIX – Examples from the field of education

In all cases **correct attribution** is mandatory, also when the material used is free or royalty-free, since the user of the material must be able to check the source. See the [Library website](#).

In all of the cases listed below, it concerns material used on a AUAS DLWO

<i>Example</i>	<i>DOs and DON'Ts</i>
<p>0. Uploading a document or article or (part of a) book to a DLWO</p>	<p>The rules for short / long passages apply.</p> <p>AUAS pays an annual fee for short passages, so lecturers are free to upload them.</p> <p>Short passages are:</p> <ul style="list-style-type: none"> • from non-literary books max. 10,000 words, provided it is not more than one third of the total work; • from journals, newspapers or other periodicals max. 8,000 words, provided it is not more than one third of the issue; • from literary works max. 2,500 words or max. 100 lines of poetry, provided it is not more than one tenth of the work; • photographs and/or illustrations, graphics, tables and diagrams count for 200 words. <p>(Digital) copies of short passages may be placed on a DLWO or other virtual learning environment or distributed among students who are enrolled for the course. Here, too, clear attribution information is mandatory.</p> <p>For longer passages the lecturer must obtain permission beforehand via Stichting PRO. These passages may then be used on payment of the fee.</p> <p>Please note: the use of several short passages (e.g. chapters) from a single publication will be counted by PRO as a long passage. Therefore permission beforehand is required.</p> <p>The online request form on the website of Stichting PRO has a word counter.</p>
<p>1. Uploading a document or article of AUAS or someone affiliated to AUAS to a DLWO</p>	<p>The copyright is probably held by AUAS, but this should be checked carefully.</p> <p>If it is, you are allowed to use the article without further permission and/or charges.</p>

2. Uploading a document to a DLWO by someone affiliated to AUAS which has been published in a journal	Copyright is held by the publisher of the journal. When using a whole article, i.e. a long passage, permission is required beforehand from Stichting PRO.
3. Linking to an article from AUAS or someone affiliated to AUAS	Linking is always allowed, without further permission and/or payment.
4. Linking to a document or article by someone affiliated to AUAS published in an (electronic) journal/website outside AUAS	<p>On condition that you link lawfully to lawfully placed material:</p> <ul style="list-style-type: none"> • it is not allowed, for example, to link to material containing hatemongering, for in the Netherlands this is illegal; • it is not allowed, for example, to link to material to which the one who placed it on the site has no copyright, such as an illegal version of an e-book or film, for this material has been put there illegally. <p>If you do link to it, you risk that it will be taken offline sooner or later, in accordance with the right of the copyright holder. Downloading it just in case is not an option: you are then violating the rights of the copyright holder.</p>
5. Linking to a website	
6. Linking to an illustration	
7. Linking to a document or article in an (electronic) journal/website. Also: databases of the Library.	
8. Linking to a (YouTube) clip	
9. Linking to an online module outside AUAS	
10. Embedding a (YouTube) clip (i.e. play it in a frame within your own DLWO / document / presentation)	Is equal to <i>linking</i> . See above.
Embedding a slideshow (e.g. SlideShare)	Is equal to <i>linking</i> . See above.
11. PowerPoint/Prezi with pictures taken from the internet	<p>For each picture the rights must be checked:</p> <ul style="list-style-type: none"> • royalty-free picture > attribution information required • picture with a CC license > attribution information required and the conditions in the CC license must be met, see: https://creativecommons.org/share-your-work/ • copyrighted pictures > the conditions for short / long passage must be met. <p>If you have properly dealt with all the rights for all of the contents, then you have a PowerPoint/Prezi to which the rights:</p> <p>a. are held by AUAS (for created when employed by AUAS)</p> <p>or:</p> <p>b. are held by the author (for created when not employed by AUAS).</p>

	See also examples 16 and 17
12. PowerPoint/Prezi with pictures which all have a Creative Commons license	<p>Then the whole PowerPoint/Prezi presentation is under the strictest CC license.</p> <p>Example:</p> <p>In your presentation there are some pictures with a CC license CC-BY (only name attribution is required), but also a few pictures with a CC-BY-NC license (name attribution required; only non-commercial use is permitted).</p> <p>The second license is more strict and then holds for the whole presentation.</p> <p>See also: https://creativecommons.org/share-your-work/.</p>
13. PowerPoint/Prezi with a picture of an article	<p>This is equal to copying an article.</p> <p>See the AUAS reader procedure.</p>

14. Illustrations or pictures taken from the internet	For each illustration / picture the rights must be checked. See 11.
15. Illustrations or pictures with a CC license	For a single illustration / picture the CC license in question holds. For a whole presentation: see 12.
16. Illustrations or photographs made by yourself (in AUAS employment)	Copyright is held by AUAS.
17. Illustrations or photographs made by yourself (not in AUAS employment)	<p>Copyright is held by the author, unless agreed differently.</p> <p>Check the contracts between AUAS and freelancers carefully for conditions on copyright and any transfer of copyright. Also check if a CC license is used and what it entails.</p> <p>State in the contracts who is the target group, for what period and in what setting (DLWO with login) material from freelancers is used.</p>