



**SECTION 1000 – HUMAN RESOURCES
FAIR DEALING GUIDELINES**

The Lord Selkirk School Division, in accordance with The Copyright Act and decisions of the Supreme Court, accepts the following guidelines which describe the activities that are permitted under fair dealing in non-profit K-12 schools and provide reasonable safeguards for the owners of copyright-protected works.

1. Teachers, instructors, and staff members in non-profit educational institutions may communicate and reproduce, in paper or electronic form, short excerpts from a copyright-protected work for the purposes of research, private study, criticism, review, news reporting, education, satire and parody.
2. Copying or communicating short excerpts from a copyright-protected work under these Fair Dealing Guidelines for the purpose of news reporting, criticism or review should mention the source and, if given in the source, the name of the author or creator of the work.
3. A single copy of a short excerpt from a copyright-protected work may be provided or communicated to each student enrolled in a class or course:
 - a) as a class handout;
 - b) as a posting to a learning – or course – management system that is password protected or otherwise restricted to students of a school;
 - c) as part of a course pack.
4. A short excerpt means:
 - a) up to 10% of a copyright-protected work (including a literary work, musical score, sound recording, and an audiovisual work);
 - b) one chapter from a book;
 - c) a single article from a periodical;
 - d) an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart and plan) from a copyright-protected work containing other artistic works;
 - e) an entire newspaper article or page;
 - f) an entire single poem or musical score from a copyright-protected work containing other poems or musical scores;
 - g) an entire entry from an encyclopedia, annotated bibliography, dictionary or similar reference work.

Cross Reference:

Board Informed:
February 2014

Procedure Review Date:
September 2023

Procedure Revision Date:

Page 1 of 2



**SECTION 1000 – HUMAN RESOURCES
FAIR DEALING GUIDELINES**

-
5. Copying or communicating multiple short excerpts from the same copyright -protected work with the intention of copying or communicating substantially the entire work is prohibited.
 6. Copying or communicating that exceeds the limits in these Fair Dealing Guidelines may be referred to a supervisor or the Superintendent’s department for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.
 7. Any fee charged by the educational institution for communicating or copying a short excerpt from a copyright-protected work must be intended to cover only the costs of the institution, including overhead costs.

More information regarding the fair dealing guidelines for schools may be found in the document entitled Copyright Matters (3rd Edition). This document may be located at the Council of Ministers of Education, Canada (CMEC) website at <http://www.cmec.ca>.

Cross Reference:			
Board Informed: February 2014	Procedure Review Date: September 2023	Procedure Revision Date:	Page 2 of 2