

Labelling School Print Course Material

It is important to properly label all print course material published by and for schools. The purpose of labelling is to assist with the distribution of copyright royalties under the statutory licence scheme, and to ensure that schools do not pay to copy material that they own or have permission to use.

Labelling Print Course Material Owned by the School or Educational Body

If you publish print course material that your school or educational body (education department, association or diocese) owns, you must label the material with the copyright symbol, the name of your organisation and year of publication. This is best done in the footer of each page.

For example:

‘© NSW Department of Education 2007’

‘© Catholic Education Office of WA 2007’

‘© Association of Independent Schools of SA 2007’

‘© Sydney Grammar School 2007’

Why Do We Need to Label Our Material?

Material created by and for schools is a valuable asset, and it is important to properly identify it. In 2006, Australian schools paid over \$51 million in copyright fees to the Copyright Agency Limited (**CAL**) to distribute to copyright owners. It is possible that a significant proportion of these fees were paid to copy material owned by schools and educational bodies.

How Do We Know if the Material is Owned by Schools?

Schools and educational bodies own copyright in all material created by their employees as part of their duties. Schools and educational bodies also own copyright in material created by a person or organisation who has agreed in writing to assign copyright in the material they create to the school or educational body. For example, a resource developer (an independent contractor), who has been engaged to write a module, may have been required to assign copyright in the module to the school or educational body as part of their contract of engagement.

Why Can't We Just Include the Name of the Author?

The author is often different from the copyright owner. For example, an individual teacher may be the author of the material, but copyright in it may be owned by their education department. It is important to include details of the copyright owner so that CAL knows that copyright in the material is owned by the school or educational body and should not be counted in the survey.

Labelling Material Under NEALS

In an effort to reduce copyright fees, the State Departments of Education, Catholic Education Offices, independent schools associations and DEST have entered into the National Educational Access Licence for Schools (**NEALS**), which allows schools to copy and communicate publicly available educational materials produced by other educational bodies without payment. Although individual independent schools are not currently members of NEALS, they obtain the benefit of NEALS (that is, they can copy and communicate publicly available educational materials produced by other educational bodies without payment).

Although they are not required to do so, independent schools may elect to make some, or all, of their documents available under NEALS by labelling them as set out below. If an independent school puts a NEALS logo on their publicly available material, independent, government and catholic schools can copy and communicate that material for free and the school will not receive remuneration under the Part VB Statutory Licence.

NEALS applies to all available print materials (hardcopy and electronic) published by schools and educational bodies. These materials may be published in print publications and on websites, and will include works such as curriculum materials, administration documents and policy materials.

Publicly available educational materials produced by schools and educational bodies are available free of charge to other member schools and educational bodies under NEALS, *unless specifically excluded*. Material is excluded when it is judged to be of significant commercial or strategic value to the educational body.

It is strongly recommended that all available materials carry the NEALS logo to confirm that the material is licensed under NEALS and should not be counted in the copyright surveys conducted in schools. Material to be excluded from NEALS should be marked **“Not Part of NEALS”**.

For example:

If it is available under NEALS:

‘© NSW Department of Education 2007 ’

If it is not available under NEALS:

‘© Catholic Education Office of WA 2007 **Not Part of NEALS**’

For more information about labelling material under NEALS see the **NEALS Implementation Kit** available from your local Copyright Manager.

Labelling Print Course Material Owned by Someone Else

If you publish material owned by someone else, such as independent contractors, commercial publishers, government bodies or students, you should always clearly indicate the source of the material in the footer of each page.

When you incorporate works, such as illustrations, photographs or charts which are owned by someone else, into a resource, you should include the copyright information next to the actual work.

What if I Have Permission from the Copyright Owner to Reproduce the Material?

If you have permission from the copyright owner to reproduce the material you should check with them how they would like to be attributed. The permission should allow the school or educational body to reproduce the material, and for the material to be subsequently copied, and, if appropriate, communicated, by the school or educational body for its educational purposes.

Ideally, you should also seek permission to make it available under NEALS.

You should clearly indicate next to the work or in the footer of each page that you have permission to reproduce the material.

For example:

If it is available under NEALS:

'Reproduced with the permission of Crown Publishing '

If it is not available under NEALS:

'Reproduced and made available for copying and communication by [Insert name of school or educational body] for its educational purposes with the permission of Educational Publishers Australia'

If you are using free-for-education material, such as content from The Learning Federation or material made available under a Creative Commons licence, you should label the material according to the terms of the licence under which it has been made available. For more information see the 'Creative Commons Resources for Schools' and 'Using Material from The Learning Federation' Information Sheets at www.smartcopying.edu.au.

Accurate labelling ensures that schools and educational bodies do not pay copyright royalties to CAL, to copy works which the copyright owner has already given them permission to use.

What If I am Relying on the Part VB (Photocopy and Electronic) Statutory Licence?

In this case you should always label the work as “**Copied under Part VB**”.

It is important that you also include enough information to enable CAL to identify the copyright owner. These details may include the name of the author, title, publisher, edition or date of publication and ISBN or ISSN.

If you are copying from a website, you should include the full URL address. If you are using artwork from a search engine, such as “Google Images”, double-click on the image to find the correct URL address.

For example:

‘Copied Under Part VB, Edgar, S, *Mathematics Unplugged* , Bristol Press, Castle Hill, NSW 2002, ISBN 0456315634, pp 62-71’.

‘Copied Under Part VB, www.abc.net.au/science/news/stories/2007/1892736.htm, accessed 15 May 2007’

If you are communicating the work in an electronic form, such as by email or by making it available on an intranet, it must include the prescribed Part VB notice, which is attached as Attachment A.

A flowchart, setting out how material should be labelled, is attached as Attachment B. Labelling examples are attached as Attachment C. If you would like more information on labelling material or other copyright issues please contact your local copyright manager, [INSERT DETAILS]. For general copyright information please go to www.smartcopying.edu.au.

Attachment A
Notice Required When Communicating Part VB Material

COMMONWEALTH OF AUSTRALIA

Copyright Regulations 1969

WARNING

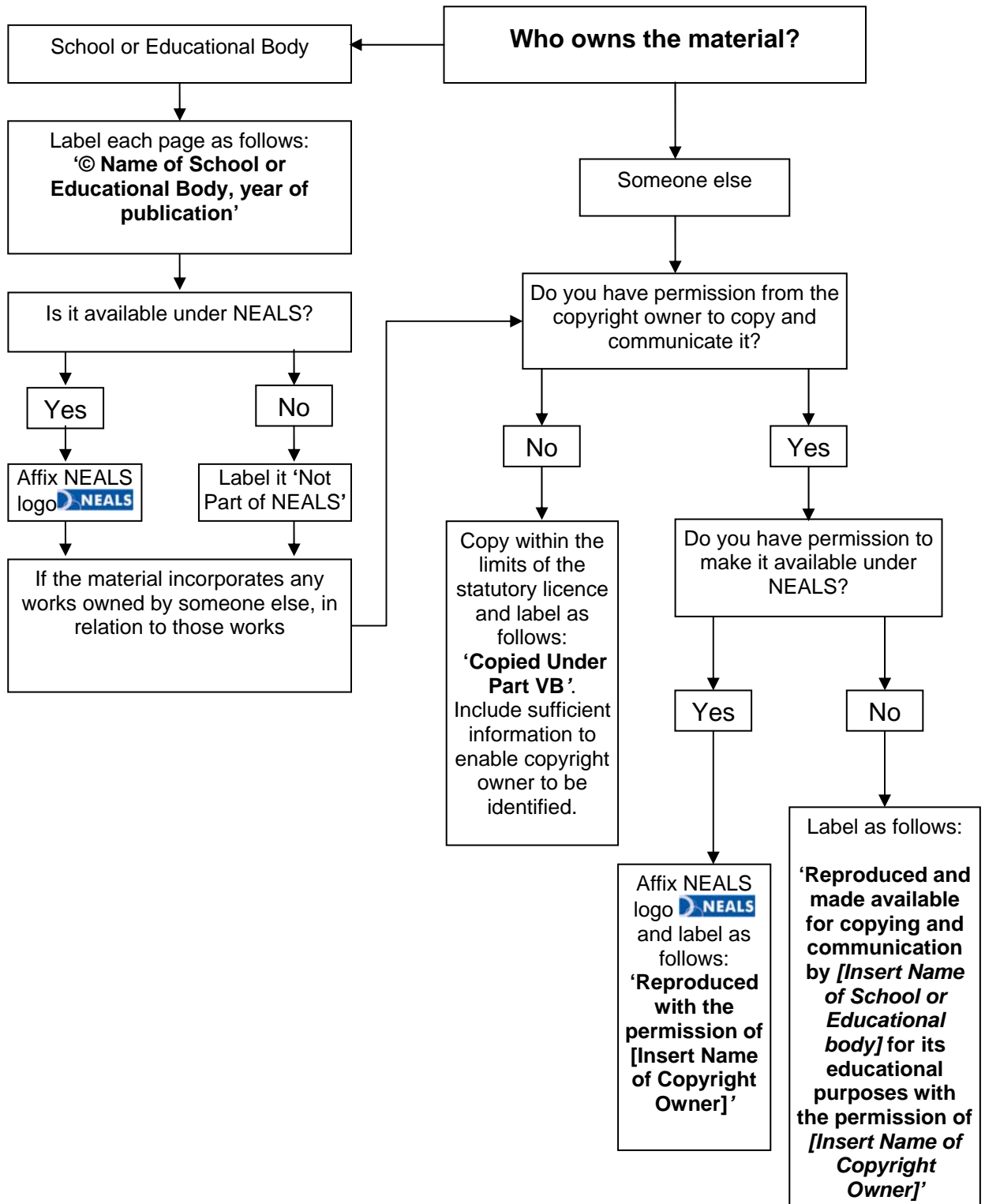
This material has been reproduced and communicated to you by or on behalf of [INSERT NAME OF SCHOOL OR EDUCATIONAL BODY] pursuant to Part VB of the *Copyright Act 1968* (***the Act***).

The material in this communication may be subject to copyright under the Act. Any further reproduction or communication of this material by you may be the subject of copyright protection under the Act.

Do not remove this notice.

Attachment B

Labelling Print Course Materials in Schools




Attachment C

Labelling Examples

Example 1: Copyright Owned by NSW DET (available under NEALS)



© NSW DET 2007 

Example 2: Licence Obtained from Copyright Owner (not available under NEALS)



Reproduced and made available for copying and communication by
NSW DET for its educational purposes with the permission of Planet
Publishing Pty Ltd

Example 3: Copied Under Part VB (from a print publication)



Copied Under Part VB, Migan F Urban
Landscapes, Planet Publishing Pty Ltd, Sydney,
NSW, 2007, ISBN 0897362739, p 65

Example 4: Copied Under VB (from the Internet)



Copied Under Part VB, F Migan,
www.animalfarm.com.au/photos/2007/htm,
accessed 10 May 2007