

QUICK REFERENCE GUIDE ON (DIGITAL) EDUCATIONAL MATERIAL

(Digital) educational material is often subject to copyright. Educational material includes articles, images, videos or (parts of) a book or journal. Therefore, educational institutions have often made special arrangements with the copyright holders in order to (re)use these materials in education. If this is not the case, you may usually still use the copyrighted material for a reasonable fee. All the rules for (re)using (digital) educational material and copyright are explained below.

GENERAL RULE

In principle, you need permission (a licence) before publishing or reproducing copyrighted material, unless an exception applies.

For the purposes of (re)using (digital) educational material, the educational institution may have:

- (i) agreed a licence for specific copyrighted (educational) material;
- (ii) made agreements in general for the use of copyrighted (educational) material.
 - For instance, arrangements have been made for university and higher professional education with Stichting UvO (Stichting Uitgeversorganisatie voor Onderwijslicenties, formerly the section for Reader Schemes of the PRO Foundation - section Readerregelingen from Stichting PRO).

LICENCES VIA (THE LIBRARY OF) AN EDUCATIONAL INSTITUTION

Educational institutions may agree licences for the use of specific copyrighted (educational) material.

For instance, if you would like to use extracts from journals or videos, you should, insofar as possible, use the (educational) material for which the institution has a licence. The licensing terms and conditions stipulate what may or may not be copied to the (digital) teaching environment. Would you like to know the options available to you? Then contact the Copyright Information Point (AIP) at your institution.

If your higher professional education or university institution does not have a licence for the specific material you want to (re)use, the terms and conditions of the agreement below with Stichting UvO apply.

HIGHER PROFESSIONAL EDUCATION AND UNIVERSITY AGREEMENT WITH STICHTING UVO

Higher professional education institutions and universities have concluded agreements with Stichting UvO. The use of photographs and images is also regulated thereby. Refer in this regard to the Quick reference guide for the use of photographs and images. We explain these regulations in greater detail in the table below.

Higher professional education - HBO	University education - WO
<p>The reader scheme (Higher professional education - HBO) of Stichting UvO applies thereto. It includes the stipulation that a short extract copy may be included in the digital learning environment without any problem.</p> <ul style="list-style-type: none"> • from non-literary books: a maximum of 10,000 words with a maximum of one third of the work • from journals and other periodical publications with a non-literary content: a maximum of 8,000 words with a maximum of one third of the work • from literary writing: a maximum of 100 lines of poetry or 2,500 words prose, with a maximum of one tenth of the work • from sheet music: a song text: a maximum of one verse and one chorus. Musical notation: a maximum of five staves and a maximum of 20% of the original work • note: all graphs, tables, photographs and other images equal 200 words • images for educational purposes up to a maximum of 25 images from the same source 	<p>Universities have the <u>Easy Access regulation (Universities - WO)</u> of Stichting UvO.</p> <ul style="list-style-type: none"> • copies are subject to a maximum of 50 pages and no more than 25% of the complete work • the correct source reference is obligatory for all copies • this regulation applies to both printed and digital educational material • the regulation became effective on 1 January 2017 and remains in force until 2020 • Stichting UvO inspects three universities annually to verify compliance with the regulation. Any breach of the agreements has financial consequences for all universities! • accumulating copies is prohibited, i.e. spreading sections of a publications over multiple readers for the same course

WHAT IF THE COPYRIGHTED CONTENT IS MORE THAN WHAT IS COVERED BY THE UVO AGREEMENTS?

Would you like to use greater amounts of copyrighted material? If you copy more than the agreed maximum, you must get permission for this. There are several ways to do so:

- As a lecturer, you may choose to ask for permission from the copyright holder, for instance from the author or the publisher. If this permission is granted, it must (usually) be included in writing and in full in the educational material of the copy concerned.
- For longer extracts than permitted, you must request permission in advance from Stichting UvO via a standard form. This often causes additional costs. The local AIP can give further information and assistance. In the event that no permission is requested this may result in a hefty fine.

EXCEPTIONS

There are several exceptions under copyright. This paragraph describes a few of these exceptions.

Right to quote

When quoting copyrighted material, permission is not required from the copyright holder(s) and no fees have to be paid to them.

The condition is that specific requirements must be met. The quotation must: (i) serve a purpose; the quotation must be used as notification or review in an academic paper or for a similar purpose; (ii) be proportionate; you should not quote more than necessary; (iii) the source and creator's name must be stated; and (iv) come from a published source.

When including a quote also take account of the terms and conditions stipulated in the [UvO regulation](#).

Links

If you want to include a link to copyrighted material on the Internet, this is allowed. You do not have to ask permission from the copyright holder(s) and do not have to pay any fees for this. This is on condition that the copyrighted material has been lawfully published.

Licences

Copyrighted material may be distributed under a general licence. In this case, the licence stipulates the terms and conditions under which the material may be used.

The [Creative Commons licence](#) is a frequently used general licence. For more information on the different types of terms of use also read the [Quick reference guide for finding terms of use](#).

Open access

Material may be available free of charge, this is called open access. Open access stands for free access and free use of the material. Two important conditions are attached to its (re)use: the correct acknowledgement of the source and respecting the author's personal rights. Also refer to the [Quick reference guide for basic knowledge of copyright](#)

Laws, regulations, court decisions and administrative decisions

In the Netherlands, copyright does not apply to laws, regulations, court decisions and administrative decisions. Therefore, permission is not required to publish or copy these and no fees apply to them.

Other government publications may be subject to copyright. Would you like to find out more about this subject? Then read the [Quick reference Guide for basic knowledge of copyright](#).

Use in education – screening limitation

A protected work can be shown or played without the copyright holder's permission for an educational purpose. There must be no question of a profit motive. This applies to films, video and television programmes, music and audio recordings and for still images such as photographs and works of art. The publication must be part of the educational curriculum and must physically occur within the educational institution. A film or piece of music must therefore not be put on a digital learning environment for students to view or listen to at home. The Netherlands Association of University Colleges has reached an agreement with [Videma](#) which effectively regulates the screening of all video and television programmes at the University Colleges. This agreement does not apply to universities. For more information, visit the page [Quick reference guide for the use of photographs and images](#).

Use in education – education limitation

Parts of works may be copied and published for the purpose of illustration in non-commercial education (Article 16 of Dutch Copyright Act). In that case, the publication or screening does not have to take place physically in the classroom. Publishing a copy through a secure digital learning environment is therefore permitted, provided that it is intended for educational purposes. The parts of the works are used as an illustration in the education. This means that they must be supplementary to, but do not replace the teaching.

Sometimes, the copyright holders must receive fair compensation for the use of their work, for instance if a work is included in a reader and it is not covered by the right to quote. In higher education, this is arranged by communal regulation via Stichting UvO (formerly Stichting PRO) with a separate reader scheme for higher professional education and university education. For more information about open educational resources, read the [Quick reference guide to Open Educational Resources \(OER\)](#).

ACKNOWLEDGEMENT OF SOURCES

Always ensure the correct acknowledgement of sources. This is always obligatory. There are a lot of different citation styles that may be used to refer to sources. The APA-style is popular in higher education. The [APA guidelines explained](#) page gives more information about this citation style and the practical manual can be downloaded free of charge.

To give a correct attribution according to Creative Commons, see [Creative Commons wiki](#).

THE QUICK APPROACH IN SHORT

- Ask yourself whether adding a link is sufficient.
- Check whether one of the above exceptions applies.
- Reuse the text anyway? Check whether the publication is available as open access and check the terms of use. Check whether the publication has been published lawfully.
- No open access publication available? Check whether the institution (library) has a licence for access and which options are regulated therein for reuse.
- Are these steps insufficient to allow reuse in your educational material? Then follow the rules agreed by your institution with Stichting UvO.

- Is the agreed maximum insufficient for your educational material? Then contact the copyright holder (author or publisher) or complete the permission form available on the Stichting UvO site. Be aware that this last option gives rise to additional costs. Has the copyright holder given permission? Save that permission with the copy in the educational material.

QUESTIONS? GET IN TOUCH WITH YOUR COPYRIGHT INFORMATION POINT (AIP)

Do you have further questions about this quick reference guide? Please contact one of the members of staff at the [Copyright Information Point \(AIP\)](#) of your institution.

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