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## SAT: Do you ever consider copyright when including images and other content from the web in your digital teaching resources? (Elaine Dalloway)

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 [Elaine Dalloway](#)  
10 January 2016

Do you consider copyright when adding images to your teaching materials or other content?

Two thirds of respondents to this survey question stated either that they didn't, or they weren't sure.

"I'd guess about half [of my colleagues] simply are unaware of copyright issues and the other half are aware but don't have the time or inclination to do things properly."

Survey response, December 2015

Copyright is a legal protection, which grants the creator of a piece of work exclusive rights to how that work is used. Copyright applies as soon as the idea becomes a physical expression and lasts until 70 years after the death of its creator. However, "copyright law in the digital arena ... is something of a minefield. The law is strict in parts and vague in others" Oldale (2015).

"Fair use is a legal exception to the exclusive rights an owner has for his or her copyrighted work" (Hawkins 2011) and there is often a misconception that any copyrighted work may be used freely, under this exception, in an educational context. This is not the case, and there are restrictions on what can be considered 'fair use', although again this is not always clear. Even if you provide an attribution and link back to the original, this does not mean that "you're free and clear" to use any image you find online (Hawkins 2011).

My feeling is that as educators, it is important that just as we would expect to attribute a quote to an author, we must also provide details of images we use, and must ensure that we have permission to use these images.

If an image is subject to copyright and we really must use it, then written permission should be sought from the copyright holder. However, there are various tools available to help us find images that can be used freely. For example there are filters that can be applied to a Google image search to return only images in the public domain or labelled for reuse under the various licensing schemes offered by [Creative Commons](#).

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My research has drawn my attention to the argument, however, that the terms of the Creative Commons licenses "aren't particularly clear to either the people creating CC content or using it [being] torn between the twin aims of making sharing simple and making it precise" (Benton 2011). For example there is much debate around the CC-BY-NC licence, which allows sharing for non-commercial purposes only, and in this regard, what exactly constitutes 'non-commercial' use. It should also be noted that "Creative Commons is not public domain" (Wild 2011).

My project will produce a web resource, which will help educators find images in the public domain, and those labelled for re-use, and will include a guide to using Creative Commons licences.

During the multimedia presentation we will look at this resource and discuss how not to fall foul of copyright law.

## Extra content

## References

Benton, J (2011), 'Wired releases images via Creative Commons, but reopens a debate on what "noncommercial" means' [online]. Available at <http://www.niemanlab.org/2011/11/wired-releases-images-via-creative-commons-but-reopens-a-debate-on-what-noncommercial-means/> (last accessed 29 December 2015).

Hawkins, S (2011), 'Copyright Fair Use and How it Works for Online Images' [online]. Available at <http://www.socialmediaexaminer.com/copyright-fair-use-and-how-it-works-for-online-images/> (last accessed 29 December 2015).

Oldale, R (2015), 'Bloggers Beware: Image Copyright Infringement Is costly', *Website Magazine* [online]. Available at <http://www.websitemagazine.com/content/blogs/posts/archive:2015:04:17:bloggers-beware-image-copyright-infringement-is-costly.aspx> (last accessed 29 December 2015).

Wild, Alex (2011), 'Creative Commons Is Not Public Domain' (online) <http://blogs.scientificamerican.com/compound-eye/creative-commons-is-not-public-domain/> (last accessed 29 December 2015)



[Elaine Dalloway](#)

11:16 on 17 January 2016

## Project resource online

Here's a link to my project resource on finding an using images. I hope you find it useful - please let me know if I've missed anything or if you have any other comments about the resource - e.g. look and feel, ease of use. I've deliberately tried to keep it as simple as possible i.e. not too much information to wade through.

[Finding and using images](#)



[Elaine Dalloway](#)

09:37 on 8 February 2016 (Edited 09:42 on 9 February 2016)

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## Contribute

**Discussion (13)**

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[Dr Carol Waites](#)

5:38pm 17 January 2016 [Permalink](#)

AHHHH Am panicking about how much I am probably violating copyright even though I have tried to keep up to date. I also attended another presentation where they said how clever lawyers can find violations and fine people.

I am unsure about how to reference images I use. I notice you didn't reference images you used on your poster, so is it enough for the author to be aware that they are using which is copyright free or do we need to reference each one?



[Elaine Dalloway](#)

6:37pm 17 January 2016 (Edited 6:40pm 17 January 2016) [Permalink](#)

Hi Carol

There's software specifically designed to search out stock images on the web which companies will use and send out demands for payment.

If you look at my poster I referenced the photograph at the end. I used a couple of bits of clipart in the middle, which I didn't reference. If the images are free to use, as in the case of the clipart (say public domain) you don't actually have to provide an attribution, although it's 'nice' to do so and probably I should have referenced the clipart in my presentation poster to be consistent and avoid confusion. :-)



[Sarah J Sneddon](#)

2:15pm 19 January 2016 [Permalink](#)

May I 'follow' you please?

You are working on an area which I am clueless about - and shouldn't be. It is possible that, in the near future, I am going to be teaching children in an online setting and using images is going to become even more important for me.

I am fascinated by this project as it feeds directly into my own teaching. Looking forward to your presentation!



[Elaine Dalloway](#)

6:51pm 19 January 2016 [Permalink](#)

Thank Sarah - well I've been enjoying your project posts too :-)



[Sarah J Sneddon](#)

2:21pm 25 January 2016 [Permalink](#)

Hi Elaine,

I've been reading through all your project again (thinking forward to the EMA!!!) and just wondered where your web resource will eventually be 'housed'. Is it an OER or is it for a particular institution? Apologies if I've missed this bit of information somewhere!

Sarah



[Elaine Dalloway](#)

4:04pm 30 January 2016 [Permalink](#)

Hi Sarah

I hope to make this resource available to staff at my institution but as an openly available web resource. When I put it online I'll post the link here.

Elaine



[Callum Moore](#)

5:56pm 30 January 2016 [Permalink](#)

Hi Elaine,

You've posed a question which I, along with a number of others by the looks of things, have never considered. I dare say I have never thought about attributing an image that I've used in an educational context. Might need to pull my finger out. Your presentation might be the very push I needed!

Callum



[Lesley Hamilton](#)

5:13pm 4 February 2016 [Permalink](#)

Hi Elaine,

This is an issue that we have been wrestling with in our institution and with the impending

chance that we may be audited at any time. The Library in particular has been taking steps to address copyright issues. Our main problem is getting staff to take copyright seriously - the main issue is that myth that just because an article, image or video is posted on the VLE doesn't preclude it from copyright laws. However, once they participated in workshops they felt that the subject wasn't as daunting and could therefore move towards compliance.

I think an online resource would be a perfect reference tool for staff to use post workshops and I look forward to seeing your web resource. It would help inform staff, aid their information literacy and knowledge about identifying and using materials appropriately. Through their 'good practice' one would then expect students to follow suit.

Do you intend to include information about licensing your own work, i.e. how copyright pertains to resources produced by staff when doing their work but also outwith their work?



[Elaine Dalloway](#)

11:54am 8 February 2016 [Permalink](#)

Thanks for your comments Callum and Lesley.

I've posted the beta version of my project resource online at [Finding and using images](#) - I have a wee bit of editing to do on the finding images page.

The resource is aimed at the use of images in online resources, which would include those in the VLE, rather than copied resources which would come under CLA.

I've mentioned in the resource that it's advisable to check terms and conditions of employment regarding anything you create during the course of your employment. Your employer may retain copyright.

Elaine



[Dr Simon Ball](#)

11:09am 16 February 2016 [Permalink](#)

Hi Elaine

Here is a summary of the questions/comments from your presentation - please respond as you wish:

- ▶ How do you put a copyright symbol on your own work? On every page? At the end?
- ▶ would a take down notice not suffice in most cases?
- ▶ Referencing images seems more complex than referencing authored text. Often there is no individual cited on the site. How should this be managed?
- ▶ If using images for primary (esp infant) resources, is it okay to verbally tell the children where you took it from? What is the point in writing what they cannot read and understand?

- ▶ How is it a contract if you haven't signed anything?  
Is there a document?  
Interesting point - I didn't realise CC was a contract
- ▶ I found this video very helpful. I didn't know how to filter by licence. Thanks for that.
- ▶ What about the other side of the argument, sharing our own work with CC?
- ▶ Will this website be in the public domain or only available in your institution?
- ▶ If someone has decided no attribution is required are we not doing a disservice by attributing, we are not following the wish of the publisher?



[Elaine Dalloway](#)

12:49pm 17 February 2016 (Edited 12:50pm 17 February 2016) [Permalink](#)

Hello, thanks for the questions.

- ▶ If you want to put a copyright symbol in your own work I'd say it would depend on what type of work this is - text would be at the end but images I would add this under each one.
- ▶ Take down notices are all you should have to worry about, but better not to get to that stage in the first place.
- ▶ Referencing for images - yes it's complicated because a lot of them do not have any information with them - and it could be the case that this is because they have simply been copied from another website - you'll find lots of versions of the same image on the web. But if an image does not have a copyright notice and there is nothing on the terms and conditions to say that you can use it, you should assume that it is protected - all rights reserved. You do not have to apply a copyright notice to your own work - however copyright still belongs to you. Creative Commons came into existence to make it easier to share, while still retaining ownership.
- ▶ Regarding children's resources - if an image is copyright protected - you should show that you have permission if permission has been granted. Obviously hyperlinks will not work if the resource is for printed material, but it's good practice to show the attribution required by the owner. Remember the minimum is the 'attribution by' licence which asks that you credit the owner of the image.
- ▶ Regarding contracts - it's a bit like anything else on the web, or in software, you simply agree to the terms and conditions - usually by a click of a button. If the terms state that you cannot alter the image, you shouldn't alter it, for example. Perhaps the owner will never find out if you did, but it wouldn't be professional practice to do so.
- ▶ Glad you found the video helpful - these search tools are really helpful.
- ▶ If you want to share your own work, go along to the Creative Commons website and pick a licence.
- ▶ The resource I created will remain at the link provided - please share and I hope you'll find it useful.
- ▶ That's an interesting question - if someone has decided no attribution required should we still add one? Yes, as a minimum we should provide a link back to the web page providing the image. You don't need to provide the name of the owner, just the name of the site, for example Pixabay. This allows your readers to go to the source of the image, download a larger copy if available, perhaps view other images by the same artist. Particularly in educational resources I think this

information should be provided to students.

Thanks again.

Resource is at:

[How to find images for your learning resources](#)



[Dr Simon Ball](#)

9:07am 23 February 2016 [Permalink](#)

Many Congratulations Elaine! Your presentation has been voted by delegates to be one of the most effective of the H818 Online Conference 2016 and you are officially one of our H818 Presentation Star Open Badge Winners! Please see how to Apply for your Badge here: <http://cloudworks.ac.uk/badge/view/33>

Well done!

Simon

H818 Conference Organiser



[Elaine Dalloway](#)

12:47pm 23 February 2016 [Permalink](#)

Wow, thank you so much!

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