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The Golden Rule of copyright

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Early childhood educators love to share ideas and collaborate over resources. Their motivation is to facilitate the best outcomes for children. However, in the process, these same educators often unknowingly or purposely disregard the copyright of others, and also display poor professional ethics. What can you do to avoid this?

First, consider whether you or your colleagues might have been accidentally guilty of any of the following in the past:

- Downloading policies and procedures from other sources or previous centres where you've worked, and replacing the logos and copyright statements with new ones.
- Reproducing program formats, but removing the name of the original author.
- Duplicating or pirating DVDs and CDs.
- Copying images from websites for your own posters, PowerPoints, or newsletters.
- Using sections from published articles without referencing the author or asking permission where required.
- Rewriting articles from other people without consent of the author and publishing them under your own name.
- Using extracts or video clips from training materials with no acknowledgement or permission from the developer.
- Presenting someone else's material as your own, perhaps with a few changes, e.g. on your website.

Almost all of these things are actually against the law and could be subject to heavy penalties, and all of them are unethical and could cause others to mistrust your professional values.

We teach children to show respect for each other's property, and to respect and obey the law and rules of society, but doing those things in the list above contradict those messages. Our industry and professionals everywhere need a mind shift to make sure they are aware of how to respect copyright

and adhere to expected standards of professional practice.

The number one thing to remember is that all material that already exists, or is in the process of being created in written or visual or audio form, belongs to someone.

Depending on the circumstances, it could be the creator, or their publisher/broadcaster, or their employer, or another person or organisation that commissioned or contracted the creation of that material. It is their property, just like any other material object – their handbag, their chair, or their car.

It's your responsibility to find out who owns the copyright and then to act accordingly. If you work for a childcare service, the copyright of any original material you create that is in any way related to your work belongs to your employer, even if you do it at home, on your own computer.

In many cases, you can't use someone else's copyright property without permission from the owner – even if you have access to that material from the internet, or you bought the DVD, and even if you reference the source. However, it's easy to ask for permission, and most copyright owners will happily agree to let you use their content for non-commercial and educational purposes in an early childhood education and development workplace, as long as you make sure to properly acknowledge the real creators and owners of that material and use it only in the ways they have permitted.

Sometimes you will find material you want to use that has a statement

to say you can download and use it for educational or personal purposes. It's important to remember that this means you can copy it and use it in your own work with children and colleagues. Unfortunately it doesn't automatically mean you can change it, and it doesn't mean you can publish it in another work, or put it on a website, for example.

There are several different 'copyrights', and it matters whether you intend to reproduce (copy or download in any way), communicate (distribute the information to others by any means), publish (release it to any public audience), or adapt material (change it in any way). When you find out the copyright status of any material and ask for permission to use it, you must be honest about how you want to use it, and the owner can choose to give permission for some rights, but not all. You must respect their decision, the same as you would if you asked to use someone's car.

Copyright also involves 'moral rights' and this refers to the rights of the creator to be attributed for their work, not to be falsely attributed for their work, and to ensure the integrity of their work has been respected. Moral rights may be held by the original creator, who may not be the same as the owner of the copyright property rights of the material. When you are referencing other people's work, you will typically need to acknowledge both the owner of the copyright (e.g. the publisher) and the holder of the moral rights (e.g. the author).

When you are an employee creating material for your organisation, employers often require as part

of your employment arrangement that the moral rights belong to the organisation and not the individual. However, other employers are happy for creators to be attributed – but usually in the acknowledgements, not on the cover, for example.

Also remember that technology does not exempt you from copyright laws.

Just because you:

- can access copyright material and download it from the internet, doesn't make it legal for you to use it.
- can post someone else's photo or video clip to your Facebook page, doesn't make it legal to do so.
- wrote something for your past employer, doesn't mean you can rebadge it and use it with your current employer.
- could get away with using someone else's article as your own, doesn't make it legal or ethical to do so.

Always show respect for other people's copyright, and you should be able to expect the same in return. That's the Golden Rule of copyright.

For more information:

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