

Before, During & After the Pandemic

Challenges in Accessing & Using Media in Academic Settings

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Outline

- Setting the Stage: Video in Higher Ed & Libraries
- The FSAC Connection
- The Key Issues
 - Access & Exhibition: Classroom Challenges
 - Appropriation & Repurposing: Media Studies
 - Advocacy: Copyright Act Review etc.
- Questions, discussion and ideas re: FSAC working groups
- Conclusion & how participate or find out more

Introduction to use of videos in higher education

- Education is not the primary market
- Wide variety of vendors
- Streaming means finding Canadian rights holder
- Low level of perpetual purchasing
- Licensing
 - International students
- Demand driven by Faculty requests
- Booking & show dates
- Captioning and described video

Copyright Act

- 2012 - no more public performance rights needed
- Growth of streaming - locating rights holders
- Questions around use of 30.01
- Cinematographic works excluded from accessibility exceptions
- Conflict with Accessibility legislation
- More detail to come...

The FSAC Connection

- Film (and Media) Studies Association of Canada
- Jun 2021 roundtable: [50 shades of access: Equalizing student access to media for coursework](#)
- Jul 2021 call to form **Media Access & Copyright** (MAC) Working Group
- Sep 2021 FSAC call shared on ABC Copyright list
- Oct 2021 MAC WG monthly meetings
- Mar-Apr 2022 [MAC WG summary report](#) (full report Jun 2022)
- May 2022 workshop: [Challenges in Accessing & Using Media in Academic Settings](#)
- May 2022 AGM: 3 new WGs on advocacy, access, appropriation ([we want you!](#))

The FSAC Connection: Media Access & Copyright WG

Aaron Taylor, U Lethbridge (film studies)
Alec Christensen, U British Columbia (film studies)
Brianna Selman, U Winnipeg (copyright)
Charles Tepperman, U Calgary (film studies)
Charlotte Innerd, Wilfrid Laurier U C (collections librarian)
Jaimie Baron, U Alberta (film studies)
Janelle Blankenship, Western U (film studies)
Jenna Stidwill, Carleton U (film studies)
Kate Langrell, U Saskatchewan (copyright)
Meera Nair, Northern Institute of Technology (copyright)
Owen Lyons, Toronto Metropolitan U (film studies)
Rumi Graham, U Lethbridge (copyright)
Thomas Rouleau, U Ottawa (copyright)
Valérie Rioux, U Montréal (liaison librarian)

Access and Exhibition: Classroom Challenges

- Commercial Streaming Services - Complex Financial Burden
- Educational Streaming Services - Global Cinema - Limited Holdings
- Educational Streaming Services - Global Cinema - Audio Rights
- Duration of Access

Access and Exhibition: Classroom Challenges

Access and Exhibition:

Fair Dealing Rationales

Synchronous or Asynchronous?

Digitization

Personal Subscriptions to Streaming Services

Appropriation & Repurposing

- Filmmaking communities
 - e.g., documentary, experimental, artistic
- Appropriation
 - repurposing ideas, content to create new works, new meaning
- Copyright Act exceptions:
 - narrow, limited to non-commercial
- MAC working group recommendation
 - new group to identify practices and needs of user communities that appropriate/repurpose to develop a best practices guide

Advocacy

- Advocating for changes to the Canadian Copyright Act
- Mandatory review every 5 years, so 2022 is a Copyright Act review year
- Issues we advocated around in the 2017 Copyright Act review are still pressing, and those related to media access include:
 - Contract override of Fair Dealing and other legitimate uses
 - TPM circumvention for Fair Dealing and other legitimate uses
 - Commercial availability limitations (sections 29.4 and 30.1)
 - Revisit exceptions in the “Persons with Perceptual Disabilities” section (effect of cinematographic works being exempt from this section)
 - Technological neutrality

Questions & Discussion

FSAC Working Groups: Would you like to hear more or get involved ?

- Sign-up spreadsheet: <https://bit.ly/mac-signup>
- Or email us:

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