



Using YouTube for educational instruction

A guide for WA TAFE Colleges

Use of YouTube videos

YouTube videos can provide valuable input to student learning when used as stimulus material and for explanation or illustration. WA TAFE lecturers may stream YouTube videos to their class under the 'show and tell' exception in section 28 of the *Copyright Act 1968* (Copyright Act), provided:

- the use is for educational purposes and not for profit; and
- anyone in the class is giving or receiving instruction or connected with the TAFE.

See 'Performance and communication of copyright material in TAFE Classes' at smartcopying.edu.au for more information.

Using YouTube videos is not completely without risk, however. This information sheet considers risk management practices when using YouTube videos for educational purposes.

Copying YouTube videos

While TAFE college teaching staff are able to show film clips and films in class for educational purposes, they may only copy YouTube videos in limited circumstances under a special exception in the Copyright Act known as flexible dealing (section 200AB), as long as all conditions of the exception are met.

The flowchart on the last page of this PDF provides guidance on when teaching staff may be able to rely on s 200AB to download and copy YouTube videos.

For more information, see [Department PDF 'Format shifting and section 200AB' or 'Flexible Dealing Exception'](#) at smartcopying.edu.au.

IMPORTANT NOTE

Whether s 200AB applies must be assessed on a case-by-case basis. If you are considering reliance on s 200AB, we recommend that you contact your TAFE college copyright representative in the first instance and seek further guidance from the Department of Training and Workforce Development (the Department) or the National Copyright Unit as required.



Smartcopying information

The general practice of downloading videos from YouTube for educational use should only be undertaken if it is consistent with the copyright advice available on the Smartcopying website.

The Smartcopying information sheet 'YouTube – Using (TAFE)' at smartcopying.edu.au discusses the risks associated with downloading YouTube videos and provides some helpful tips on managing copyright issues when using YouTube. The following information has been extracted from this information sheet.

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Risk-management tips for teaching staff using YouTube

- Link to or embed the YouTube video clip whenever possible, as linking is not a copyright activity.
- Do not use content that is likely to be an infringing copy, that is, content that has been uploaded without the consent of the copyright owner.
- Only use YouTube videos for teaching purposes, not for commercial or promotional activities.
- Only use what you need.
- Check that you cannot purchase or readily license the content you need from another source.
- Do not expose the content to further copying or communication by, for example, giving students access to an electronic file that they could copy.



Online connection to YouTube

As already stated, YouTube videos may be streamed for educational purposes from the YouTube site to a class under section 28 of the Copyright Act. The video use must be part of educational instruction, not-for-profit and the audience must be either giving or receiving instruction or connected with the organisation delivering the instruction. See information sheet 'Performance and communication of copyright material in TAFE classes' at smartcopying.edu.au.

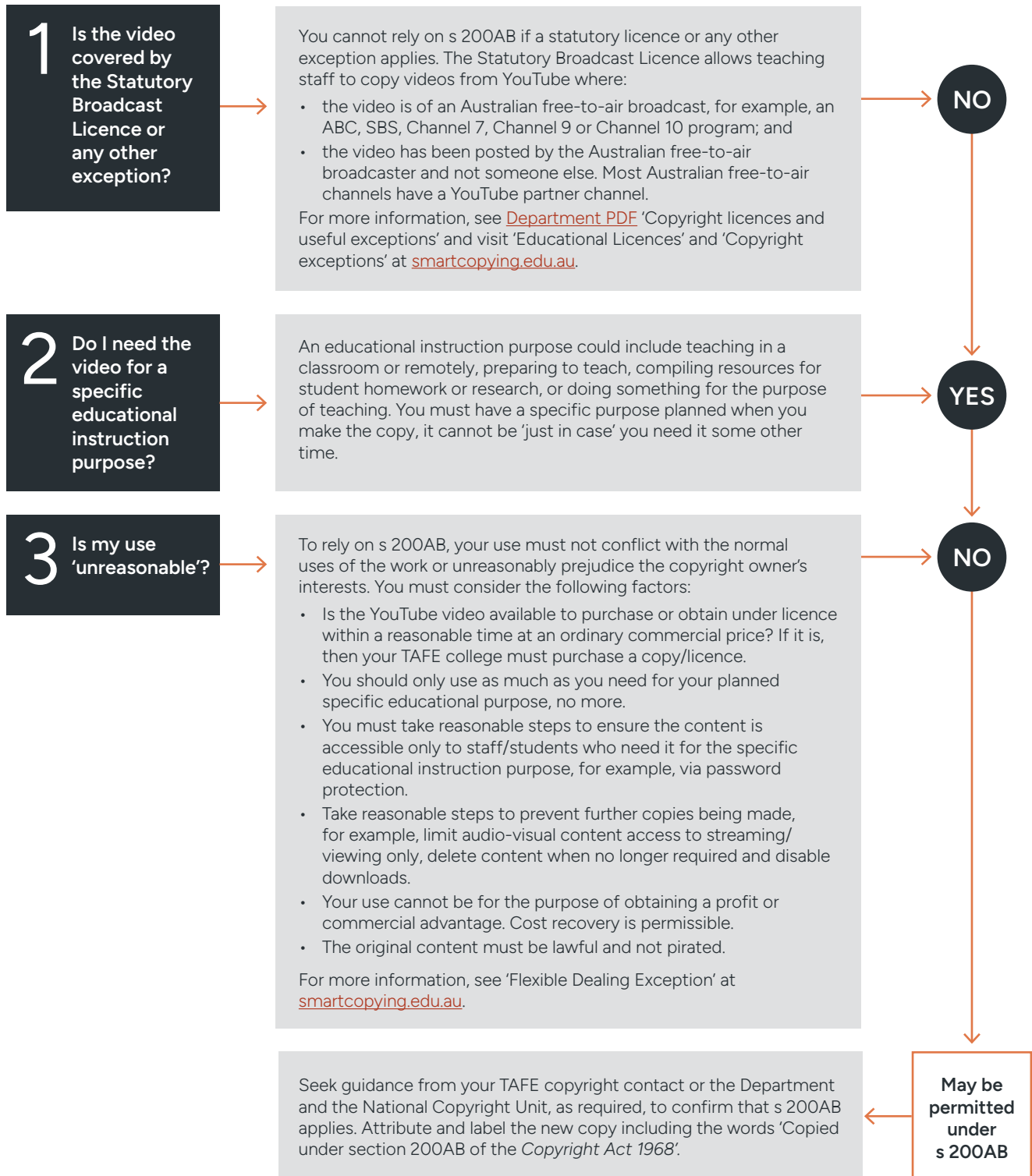
YouTube videos may also be embedded into another non-commercial educational site where an embed code is provided. Embedding a YouTube video is like providing a link to the YouTube video. Linking or embedding is not a copyright activity, as you are not actually making a copy of the material. Therefore, linking and embedding YouTube videos is a practical copyright-management strategy.

For more information on using YouTube, visit the following pages at smartcopying.edu.au.

- 'YouTube – Using (TAFE)'
- 'Performance and communication of copyright material in TAFE classes'
- 'Flexible Dealing Exception'

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Flowchart for downloading or copying YouTube videos under section 200AB



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