

# LEADERSHIP UPDATE

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## Teachers' Use of Internet Materials in the Classroom

Changes to our country's copyright laws have established a clearer legal framework for digital technology and use of Internet materials for learning purposes. Updating our copyright law to address Canadians' evolving digital learning needs has been long overdue. So, it is very good news that the new copyright law supports the use of the Internet in classrooms.

### New Internet amendment

A new Internet provision in the *Copyright Act* establishes that teachers and students can legally conduct routine classroom activities such as downloading, saving, and sharing publicly available Internet text or images. Teachers and students can also incorporate Internet materials into assignments and exchange works electronically with one another.

Where the copyright law was once silent on activities like surfing and using online

resources, it is now stated explicitly in the Internet amendment that teachers and students can use publicly available materials on the Internet for educational purposes without having to pay copyright or licence fees.

This Internet amendment is essential in a day and age when our federal and provincial/territorial governments are simultaneously increasing our levels of connectivity and positioning the country to be a leader in the information age.

### Respecting creators

However, this new Internet amendment does not allow teachers or students to use any and all material that they find on the Internet.

The new Internet amendment applies only to material that has been posted to the Internet with the authorization of the copyright holder and without any barriers to restrict access (such as encryption or password

**Every  
problem  
has in it  
the seeds  
of its own  
solution.  
If you don't  
have any  
problems,  
you don't get  
any seeds.**

**—Norman  
Vincent Peale**



Council for  
School Leadership

protection). Teachers and students must respect any digital lock that in any way restricts access or use of the Internet content.

The new education amendment does not apply to materials that are not publicly accessible. Content creators and copyright owners still have a right to continue to sell and receive payment for their works through subscription, password and payment technologies. In this way, the amendment respects the rights of those creators and other copyright holders who post materials online for commercial purposes.

Note as well that the new Internet amendment does not apply to pirated textbooks or films.

The use of pirated materials is akin to plagiarizing works. The education sector teaches respect for creators and copyright. Students are required to cite materials used no matter what the source, as a matter of appropriate use of material created by others. This practice teaches respect for and recognition of intellectual property. Teaching the inappropriateness of pirating materials is one way the education sector re-enforces respect for creators.

## Internet in the classroom

The Internet provides us with access to a wealth of information. Computers and digital technology are invaluable tools in the learning process. With the new copyright law, teachers have wonderful new opportunities to teach and use online materials.

The new copyright law and its Internet amendment ensures that both teachers and students can reap the full benefits of the evolving digital technology without harming the interests of copyright owners.

# Provincial Research Study on Digital Reporting and Assessment Practices for Alberta Teachers and Principals

[WWW.DIGREPORTING.CA](http://WWW.DIGREPORTING.CA)

The Alberta Teachers' Association, in collaboration with researchers from the University of Alberta, is studying how the use of digital reporting and digital assessment tools is increasingly affecting the workload of teachers and principals, student learning and overall assessment practices. This is the third study on this important issue that the Association has undertaken in the last five years.

As used in this survey, the term *digital reporting* refers to software (such as StudentsAchieve, School Zone, Desire2Learn and PowerSchool) that facilitates the gathering and analysis of student data for the purpose of reporting student progress. The term *digital assessment* refers to software (such as Mathletics, SuccessMaker, DreamBox Learning Math and Raz-Kids Reading) that serves as an interactive teaching device. Digital assessment is also known as *adaptive learning* or *real-time assessment*.

The survey, which should take 15 to 20 minutes to complete, is totally voluntary, and you are free to skip questions. You can withdraw from the survey at any time until you click the

Submit button at the end. There are no known risks associated with participating in this study.

All responses will be kept confidential, and only aggregate data will be reported. No data from open-ended questions that could identify individual respondents will be used without permission.

Evaluative researchers from Evaluation and Research Services (ERS) at the U of A's Faculty of Extension will analyze the data and provide a report to the Alberta Teachers' Association in the spring of 2014.

The second phase of this research study will involve focus groups during the winter of 2014. Survey respondents interested in participating in a focus group can enrol by following the instructions at the end of the survey.

Teacher and principal participation in this Alberta survey is important for the profession; this survey will build on three previous studies on this topic undertaken by the Association over the last five years.

If you have any questions about this survey, please contact Dr Phil McRae by e-mail at [philip.mcrae@ata.ab.ca](mailto:philip.mcrae@ata.ab.ca) or by phone at 780-447-9496.



# Supreme Court of Canada Declares Alberta's *Personal Information Protection Act* Unconstitutional

*Anne Côté and Marc Yu*

The Supreme Court of Canada (SCC) has declared the Alberta *Personal Information Protection Act* (PIPA) unconstitutional in its entirety in *Alberta (Information and Privacy Commissioner) v. United Food and Commercial Workers, Local 401*, 2013 SCC 62: <http://canlii.ca/t/g1vf6>. This will have far-reaching effects for organizations subject to PIPA, which now must be redrafted, and for those organizations subject to other Canadian privacy legislation, which is susceptible to similar challenges.

During a strike, the union videotaped and photographed individuals crossing the picket line. An adjudicator with the Alberta Information and Privacy Commissioner determined that the use and disclosure of the information was not authorized under PIPA. On review, the Alberta Court of Queen's Bench found that PIPA violated the union's freedom of expression rights under the Charter of Rights and Freedoms (Charter). The Alberta Court of Appeal dismissed an appeal and granted the union a constitutional exemption from PIPA.

The SCC dismissed the appeal, and focused not only on labour relations issues but also more broadly on whether PIPA properly balanced the protection of personal information with freedom of expression. The Court declared that PIPA did not strike the proper balance and declared that "the Charter infringement is too high a price to pay for the benefit of the law." As a result, the SCC agreed that PIPA violated the Charter and the violation was not justified under the Charter's saving provision.

The SCC declared PIPA unconstitutional in its entirety but, as is common, suspended the declaration of invalidity for a period of 12 months in order to provide time for legislative amendments.

## What does the decision mean for organizations governed by PIPA?

Since the SCC suspended the declaration of invalidity for a period of 12 months, PIPA continues to apply to all organizations that are currently

governed by PIPA, for the next year. However, given the SCC's findings, we recommend the following:

- Organizations should continue to follow the principles set out in PIPA while it remains in force.
- Organizations should continue to monitor the status of PIPA, or any new legislation that is enacted to replace it.
- Assuming that new legislation is enacted, organizations should carefully review the new legislation to determine whether it applies to them, and the impact of the amended legislation.
- Organizations that are subject to proceedings involving the Office of the Information and Privacy Commissioner are advised to seek legal advice regarding whether the SCC's decision impacts the proceedings. This is especially important if the organization is the subject of a complaint alleging that the organization has collected, used or disclosed personal information in a manner that is contrary to PIPA.

To find archived issues of *Leadership Update*, go to [www.teachers.ab.ca](http://www.teachers.ab.ca) and click on Publications > Other Publications > School Administrators.

Feedback is welcome. Please contact Konni deGoeij, associate coordinator, administrator assistance, Member Services, at [konni.degoeij@ata.ab.ca](mailto:konni.degoeij@ata.ab.ca).

# The CSL Has a New Look!

Holly Godson, President, CSL

As we all know, the educational landscape is ever-changing and how learning looks has been transformed in our own province, never mind globally. Change is inevitable, and the same is true for the Council for School Leadership (CSL)—formerly known as the Council on School Administration. The specialist council has been given a facelift, with a new logo and a new name to fit the changing role of education leaders. The CSL will continue to do all the great things it has always done, as well as adopt a broader focus to welcome leaders to join this great learning community we have developed in Alberta.

The CSL

- provides professional development opportunities for school leaders, such as the Leadership Essentials for Administrators (LEA) conference, the annual conference uLead (formerly known as the Western Canadian Educational Administrators' Conference), the Legal Issues for Administrators seminar, the Educational Leadership Academy and a wide range of local area PD opportunities;
- represents and is a voice for school leaders on local, area and provincial committees, such as the School Administrator Issues and Concerns Committee and the Alberta Education forums on Curriculum Redesign and Inspiring Education;
- celebrates exemplary school leadership through the annual CSL Distinguished Leadership Award and the Dr Julius Buski Leadership Grant; and

- actively engages in research directly related to school leadership, such as participation in the recent pan-Canadian study on the role of the principal.

The CSL's contributions are just one example of the profession's efforts to fulfill its objectives as outlined in the *Teaching Profession Act* through representation of school leaders within the Association.

To best represent and meet the diverse needs of school leaders around the province, the CSL has gone through a reconfiguration in both governance and regionalization. Five geographical areas have been established, and each area will be served by an area director, an area secretary-treasurer and representatives from each jurisdiction in the defined area.



## Q & A

GORDON THOMAS  
Executive Secretary

**Q:** I have heard about C2 Committees and reports that have had to be written and submitted. What are these committees all about?

**A:** The Joint C2 Committees on Teachers' Workload, mandated by the *Assurances for Students Act*, were meeting to identify teachers' tasks and determine what can be eliminated or modified to reduce teacher workload and improve teacher efficacy. (The C2 committee, which involves teacher and school board representatives, derives its name from part C and clause 2 of the March 2013 Framework Agreement).

In accordance with the legislation, initial reports were due October 31. However, because of flooding in southern Alberta, in June, the Alberta Teachers' Association, the Alberta School Boards Association and the Alberta government agreed to extend the deadline for the six boards affected by flooding to January 31, 2014. Reports from all other school boards were received by the first deadline.

As expected, the committee reports reveal a wide variation in the structure of committees and the issues discussed. The majority of committees report that significant work and genuine effort from teachers and school boards have resulted in a meaningful process.

But this is only the beginning—committees are required by legislation to operate until at least August 31, 2016. However, this change in approach to teacher work could be rule-changing. The purpose of the committees is to ensure that teacher work focuses on student learning in a way that improves teacher efficacy and reduces or eliminates tasks that detract from that goal. Ideally, at every level, before any new initiative is rolled out, teachers, superintendents and education officials will meet, discuss, assess efficacy and pilot tests, and decide which are the best activities. The goal is to eliminate ineffective activities, not simply add new requirements.

To obtain a copy of the report of your local C2 committee, contact your C2 committee chair or local president.

