EDUCATION ISSUES IN BILL C-32

Submission to Canadian Parliament

Canadian School Boards Association

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1. INTRODUCTION

The *Copyright Modernization Act*, Bill C-32, was introduced in the House of Commons on June 2, 2010. This bill is a fair and balanced approach towards meeting the needs of the education sector. The Canadian School Board Association's (hereafter 'CSBA') key position on copyright expressly authorizing the educational use of the Internet was reintroduced. The bill proposes to add "education" to the purposes for which a work protected by copyright can be used under fair dealing. Although this will make it clear that fair dealing can apply in an education context, in order to claim the benefit of the fair dealing provision it will also be necessary to demonstrate that the dealing is "fair." There are a number of other proposed changes to the copyright law that will increase the scope of what schools, teachers, and students can access for educational purposes. These include allowing schools to transmit lessons that include copyright material over the Internet. Schools will be able to share copyright material—such as course packs— with their students online provided compensation is paid to the copyright owner. Several existing exceptions in the *Copyright Act* have been amended to make them more technologically neutral by removing references to specific technologies. The existing requirement to pay copyright owners for showing films and recordings of radio and television broadcasts for educational purposes will be removed. Educational institutions will be permitted to record news and news commentary programs for later viewing by students.

On balance, CSBA supports Bill C-32 because it is the most fair and balanced approach for education of any of the copyright-reform bills introduced (but not passed because of election calls) in the past four years.

2. EDUCATION ISSUES IN BILL C-32

Many of Bill C-32's provisions, if enacted, will have a direct impact on the delivery of education to Canadians. Although all the amendments addressed below will have an impact on the education of Canadian students, two amendments are particularly significant. The first is the amendment providing for a new users' right to educational use of publicly available Internet material. The second is the proposed amendment to add "education" to the list of allowable purposes in the fair dealing provision. Since these amendments are the most important from an educational perspective, they are addressed first. Other issues assessed are the reproduction for instruction exception, performing audiovisual materials in schools, the news and news commentary programs exception, new sections for online learning, digital delivery of course materials,

technological protection measures, circumvention services and devices, changes to the provisions for persons with perceptual disabilities, rights management information, Internet service provider liability, and remedies.

3. EDUCATIONAL USE OF THE INTERNET

Reference

Clause 27, pages 28 to 30, creating a new section 30.04 in the *Copyright Act*.

Explanation of Change

Canada's current *Copyright Act* makes it an infringement for students and teachers to participate in routine classroom activities where they download, save, and share Internet text or images that were *intended* to be downloaded and shared.

The educational use of the Internet amendment in Bill C-32, if enacted, would permit educational institutions, teachers, and students to use publicly available Internet materials. The amendment would permit routine classroom activities such as incorporating text or images into homework assignments, performing music or plays online for their peers, exchanging materials with teachers or peers, or reposting a work on a restricted-access course Web site. To encourage copyright awareness and respect in all circumstances, students and educators would be required to cite the source of the Internet materials they use.

The amendment applies strictly to the use of **publicly available materials** on the Internet. Publicly available materials are those posted online by content creators and copyright owners without any technological protection measures, such as a password, encryption system, or similar technology intended to limit access or distribution, and without a clearly visible notice prohibiting educational use. These publicly available materials, intended to be widely accessed and shared, may include text, images, music recordings, audiovisual works, theatrical performances, or instructional demonstrations. The proposed education amendment will have no application to materials that are not publically available. This therefore allows content creators and copyright owners to continue selling and receiving payment for their works.

The proposed educational use of the Internet amendment provides necessary clarity in the copyright law. Parliamentary passage of this amendment will avoid litigation to determine how fair dealing and an implied licence may apply to educational uses of Internet materials.

Background and Analysis

Copyright infringement is of key concern to educators and education authorities across the country. National education organizations representing seven million Canadians—from teachers to school boards, parent groups to educational institutions—have been vocal about the need to have fair and reasonable access to publicly available Internet material. The educational use of the Internet amendment has been advocated by the Consortium for more than nine years and it remains the Consortium's key "ask" in the copyright-reform process.

Many other national educational organizations—the Council of Ministers pf Education Canada (CMEC), the Canadian Teachers' Federation, and the Canadian Home and School Federation (CHSF) to name a few—strongly support Parliamentary passage of the educational use of the Internet amendment in Bill C-32.

Rapid advances in technology-enhanced learning call for a modern *Copyright Act* that serves the public interest by permitting reasonable access to, and use of, Internet materials for purposes such as education, teaching, research and innovation, and the dissemination of knowledge.

The educational use of the Internet amendment makes it clear that common everyday activities currently occurring in our schools, colleges, universities, and technical institutions are legal. This includes activities such as copying publicly available material from the Internet, incorporating it into assignments, and exchanging it electronically with teachers or other students. The amendment is essential in a day and age when federal, provincial, and territorial governments are simultaneously increasing the levels of connectivity, positioning the country to be a leader in the information age, and supporting the use of the Internet in classrooms.

Furthermore, the cautionary comments of the Supreme Court of Canada in the CCH decision relating to the distribution of multiple copies of works make the educational use of the Internet amendment necessary.[1]

The Bill is a fair and reasonable approach for copyright owners and users because it is conditional. The proposed amendment would not apply to Internet materials that are not publicly accessible. This allows content creators and copyright owners to continue selling

[1] CCH Canadian Ltd. *v.* Law Society of Upper Canada, 2004 SCC 13, paragraphs 55, 67, and 68.

and receiving payments for their works as they intend. The amendment would apply only to authorized educational use of publicly available materials posted on the Internet with no expectation of payment for their use, materials such as those on web sites of The Canadian Encyclopedia or the Canadian Space Agency. The proposed amendment has struck an important balance between rights of creators and collectives and the needs of the Canadian education community.

Recommendation

1. CSBA supports the Parliamentary passage of the educational use of the Internet amendment, as proposed in Bill C-32.

The Knowledge Requirement

Bill C-32, section 30.04(5), on page 30, provides that the proposed educational use of the Internet amendment does not apply if the educational institution, or a person under its authority such as a student or teacher, "knows or should have known that the material was made available through the Internet without the consent of the copyright owner." A wording change to the knowledge requirement is needed.

The standard of knowledge in subsection 30.04(5), "knows or should have known," is different from the standard of knowledge in other sections of Bill C-32. For example,

- clause 24, page 21, amending section 29.5, uses "has no reasonable grounds to believe";
- clause 27, page 26, subsection 30.02(8) uses "it was reasonable for the person to believe";
- clause 46, page 41, replacing subsection 38.1(2), specifies a standard of knowledge requiring that "the defendant was not aware and had no reasonable grounds to believe";
- paragraph 41(1)*(a)* of the current *Copyright Act* specifies a standard of knowledge that requires the "plaintiff knew or could reasonably have been expected to know."

The difference between these standards is unclear. There is a need for consistency in the wording of knowledge standards in the *Copyright Act*.

The knowledge standard is significant. In 2001, education organizations identified potential copyright infringement problems arising from the posting of some materials on the Internet without the knowledge or consent of the copyright owner. Their original

proposal to address these problems suggested that if educational users actually knew publicly available Internet materials were posted without consent of the owner, they could not use them for educational purposes. Educators acknowledged that this standard may represent too high a threshold. As a result, they modified their original proposal to a threshold of "reasonable grounds to suspect" that materials were posted without consent.

Recommendation

2. CSBA recommends, for consistency with the wording of the current *Copyright Act*, an amendment to subsection 30.04(5) that provides the following:

   (5) Subsection (1) does not apply if the educational institution or a person acting under its authority knew or could reasonably have been expected to know that the work or other subject matter was made available through the Internet without the consent of the copyright owner.

Relating Fair Dealing and Specific User Rights

Enacting a specific statutory exception such as the educational use of the Internet amendment would not narrow fair dealing for those outside the education community. The Supreme Court in the 2004 CCH case directed that a fair dealing analysis be conducted first, and only if the use did not fall within fair dealing should a further analysis be conducted to see whether the use could fall within a specific user right.

To make it explicitly clear that enacting a specific statutory exception such as the educational use of the Internet amendment would not narrow fair dealing, the Act should be amended to state that specific exceptions do not narrow fair dealing. This amendment could be inserted into the part of the Act headed "Exceptions," immediately following the fair dealing provision, and provide that "Nothing in sections 29.4 through 32.2 of this Act is intended to limit or otherwise alter the scope of fair dealing."

Recommendation

3. CSBA recommends clarifying the relationship between fair dealing and specific user rights by amending the Act to provide the following:

   Nothing in sections 29.4 through 32.2 of this Act is intended to limit or otherwise alter the scope of fair dealing.

4. FAIR DEALING

Reference

Clause 21, page 16, amending section 29 (the fair dealing provision) to add the purpose of "education."

Explanation of Change

The *Copyright Act* has contained a fair dealing provision for many years. Modelled on the 1911 United Kingdom *Copyright Act*, the Canadian *Copyright Act* provides that it is not an infringement of copyright to deal fairly with a work protected by copyright for five enumerated purposes: research, private study, criticism, review, or news reporting. Education is not mentioned as an allowable fair dealing purpose. Bill C-32 proposes that "education" be added to the list of purposes for which fair dealing is available.

Background and Analysis

The notion of adding additional purposes to the fair dealing provision has been discussed in the copyright reform process as a balanced method of providing access to works without harming copyright owners because the "dealing" must meet a "fairness" test for the provision to apply. Balance, however, depends on one's perspective. Education stakeholders support the amendment, and at the same time, advocate that it does not go far enough.

Although adding "education" to the fair dealing purposes will make it clear that fair dealing can apply in an education context, in order to claim the benefit of the fair dealing provision it will also be necessary to demonstrate that the dealing is "fair." The Federal Court of Appeal, in a judicial review decision of the Copyright Board's decision on the 2005–2009 education photocopying tariff, confirmed the Copyright Board's finding that a teacher making copies for a class of students is not "fair". Unless permission is requested and granted by the Supreme Court of Canada to appeal this finding, "fair dealing" will not apply to teachers making copies for their students.

Assuming there is no successful appeal to the Supreme Court of Canada, the only way a teacher will be permitted to make a copy for a class of students under fair dealing is to amend the *Copyright Act* to state that. The Copyright Board and the Federal Court of Appeal have established in jurisprudence a law where libraries copying for lawyers engaged in the lucrative practice of law and companies selling music online is "fair dealing," but teachers copying for their students is not. The only way to have this judicially established law changed is by amending the *Copyright Act* to provide that

making multiple copies for distribution to a class of students is fair dealing. This is exactly what is provided for in the fair use provision in the United States C*opyright Act*.

Recommendation

4. CSBA recommends an amendment to the fair dealing provision which provides that making multiple copies for distribution to a class of students is fair dealing.

The government characterizes the addition of "education" to fair dealing as "important."[2] When Bill C-32 was tabled, the government stated that adding "education" will reduce financial and administrative costs for users of copyright materials that enrich the education environment. The government also noted that fair dealing permits certain uses of copyright material that do not unduly threaten the legitimate interests of copyright owners, but which have important economic, societal, and cultural benefits. The government stated that adding "education" as a fair dealing purpose "will enhance the traditional education experience and facilitate new models for education outside the physical classroom. The new bill reinforces and complements the Government of Canada's significant investments in Internet infrastructure, education and skills development."[3]

There are two points to note in analyzing the adding of "education" to the fair dealing purposes:

First, the addition of "education" should not be interpreted as meaning that any use of a copyright work for education is automatically allowed under fair dealing. There are two aspects to fair dealing: the use or "dealing" must be for a fair dealing purpose and it must be "fair." Adding "education" to the list of fair dealing purposes makes it clear that educational dealings can occur under fair dealing. Whether any particular educational dealing is, or is not, "fair" will continue to require an assessment using six factors set by the Supreme Court of Canada in the CCH[4] case: the purpose of the dealing, the character of the dealing, the amount of the dealing, alternatives to the dealing, the nature of the work, and the effect of the dealing on the work. As noted above, the Copyright Board and Federal Court of Appeal decisions effectively establish that a teacher copying for a class of students is not "fair."

[2] Government Fact Sheet: *What the New Copyright Modernization Act Means for Teachers and Students*, published June 2, 2010: http://www.ic.gc.ca/eic/site/crp-prda.nsf/eng/rp01185.html
[3] http://www.ic.gc.ca/eic/site/crp-prda.nsf/eng/rp01185.html
[4] *CCH Canadian Ltd. v. Law Society of Upper Canada*, 2004 SCC 13, paragraphs 47 and 60.

Second, federal officials involved in explaining the bill to stakeholders speak about "education in a structured environment" in the context of the fair dealing amendment. The phrase "in a structured environment" is not in Bill C-32 but is used to explain the legislative intent of adding "education" to the list of fair dealing purposes. What the phrase "in a structured environment" means is open to interpretation. The fact that clear lines are hard to draw around the term "education" is acknowledged. The legislative intent is what officials refer to as "principle based." Applying principles can result in different conclusions.

Recommendations

5. CSBA supports the Parliamentary passage of the amendment adding "education" to the list of fair dealing purposes, as proposed in Bill C-32.

6. CSBA does not support any amendment to limit the meaning of the word "education," such as by adding "in a structured environment."

5. REPRODUCTION FOR INSTRUCTION

References

Clause 23, page 20, replacing subsection 29.4(1).
Clause 23, page 21, amending subsection 29.4(3).

Explanation of Change

Bill C-32 changes an existing education exception to make it more technologically neutral by removing references to specific technologies. The current exception refers to specific technologies that can be used to make copies for instruction—technologies that are now outdated. There are references to dry-erase boards, flip charts, surfaces intended for displaying hand-written material, and overhead projectors. These references will be removed from the exception.

The ability to reproduce a work in order to display it on the premises of an educational institution for education and training purposes is only available if the work is not "commercially available." The legislative intent is to allow reproduction for display only if the educational institution cannot purchase the work from a commercial supplier. If a school can buy a copy, the school cannot make their own copy under this exception.

Background and Analysis

This provision has come under ever-increasing criticism by educators because its application does not meet current or future technology-enhanced learning needs. It is characterized as a "blackboard exception" in a digital age.

The Bill C-32 amendment would permit a teacher to make a copy of a work in order to display it. Any type of display technology could be used. For example, this amendment will permit the use of whiteboards and similar tools without infringing copyright.

The exception will only be available if the work cannot be purchased, that is if the work is not "commercially available." This "commercial availability" is not new. The condition is present in the existing exception.

Recommendation

7. CSBA supports the Parliamentary passage of the amendment deleting references to specific technologies in section 29.4 and supports amendments that render the Copyright Act more technologically neutral.

6. PERFORMING AUDIOVISUAL MATERIALS IN SCHOOLS

References

Clauses 23 and 24, amending the existing exception permitting the performance of copyright material on the premises of an educational institution, paragraph 29.5*(b)*, and adding a new paragraph 29.5*(d)*, pages 20-21 of the Bill.

Explanation of Change

An existing performance exception in the *Copyright Act* allows material such as a sound recording, or a dramatic work such as a play, to be performed live in the classroom without infringing copyright provided the performance is for education or training purposes. The existing exception also permits the showing of copyright material using radios and televisions and the playing of sound recordings in the classroom for educational purposes. The existing exception does not permit the performance, without prior permission from the copyright owner, of "cinematographic works" (e.g., rented or purchased movies, television programs and videos, and other audiovisual material) [hereafter "audiovisual materials"].

There are two changes to the performance exception. First, the exception will only apply if the copy being performed is a non-infringing copy or the person responsible for the

performance has no reasonable grounds to believe it is an infringing copy. Second, the exception will be extended to apply to audiovisual materials.

Background and Analysis

The first amendment to section 29.5 provides that the performance exception will only apply if the copy being performed is a non-infringing copy or the person responsible for the performance has no reasonable grounds to believe it is an infringing copy. Educational institutions do not support the use of infringing copies and encourage their employees to respect the law. If a copy performed in an educational institution is known to be an infringing copy, then it should not be used. The proposed amendment protects educational institution staff by providing that if the person responsible for the performance inadvertently performs an infringing copy, no infringement will occur if the person responsible for the performance has no reasonable grounds to believe it is an infringing copy.

The second amendment to section 29.5 provides that the performance exception will apply to audiovisual materials. The existing exception does not apply to audiovisual materials. The section 29.5 performance exception, first enacted in 1997, does not apply to audiovisual works primarily because the powerful United States motion-picture industry lobbied the Canadian government to exempt audiovisual materials from the exception.

The decision by Parliament to carve out audiovisual materials from the performance exception was—and has remained—an obvious inconsistency. There is no logical policy justification to enact a performance exception for education and training purposes in educational institutions while excluding one single type of work in the exception. If a performance exception is fair and necessary for literary works, sound recordings, and so on, then it is equally fair and necessary for other copyright material typically performed in educational institutions.

The inconsistency of the existing performance exception is also apparent because a similar performance exception in the United States *Copyright Act* does apply to audiovisual works. The owners of copyright in audiovisual works in the United States cannot collect royalties for the performance of their works in educational institutions in the United States. However, those same United States copyright owners collect copyright royalties from Canadian educational institutions because the performance exception in the Canadian *Copyright Act* does not apply to audiovisual materials.

This inconsistent application of the performance exception will be eliminated if the proposed amendment to paragraph 29.5*(d)* is passed.

Recommendations

8. CSBA supports the Parliamentary passage of the amendment to the performance exception in section 29.5 of the Copyright Act providing that the exception will only apply if the copy being performed is a non-infringing copy or the person responsible for the performance has no reasonable grounds to believe it is an infringing copy.

9. CSBA supports the Parliamentary passage of the amendment to the performance exception to add to section 29.5 of the Copyright Act a new paragraph (d) that extends the exception to audiovisual works.

7. NEWS AND NEWS COMMENTARY PROGRAMS

References

Clause 25, page 21, amending section 29.6 of the *Copyright Act* to remove the obligation to pay copyright royalties for making and performing a single copy of a news program or news commentary program for students in an educational institution.
Clause 26, page 22, repealing paragraph 29.9(1)*(a)* to eliminate the obligation on educational institutions to keep records containing information relating to the making, erasing, performing, and method of identification of the copied news and news commentary programs.

Explanation of Change

An exception, first enacted in 1999, permits a person acting under the authority of a non-profit educational institution to make a single copy of a news program or a news commentary program and to perform the copy on the school premises for educational and training purposes. The copy can be made only at the time the program is aired. The audience must consist primarily of students of the educational institution. Documentaries are specifically excluded from the exception. The existing exception permits the copy to be made and shown an unlimited number of times without the permission of the copyright owner or the payment of royalties for up to one year from the date the copy is made. After one year, the copy must either be erased or paid for. The educational institution is required to provide the copyright owner, or a collective representing the owner, upon request, information relating to the making, erasing, performing, and method of identification of the copy, if the copy is retained more than 72 hours. Under

the existing exception, copies that are not erased after one year will be subject to payment and to terms and conditions relating to use, as established by the copyright collective or copyright owner, whether or not the copies are ever used.

Bill C-32 will eliminate the need to pay copyright royalties for news and news commentary programs—even if they are kept or performed after one year from the time the copy is made. The record-keeping obligations are also eliminated.

Background and Analysis

The enactment of this exception in 1999 was preceded by a Parliamentary debate on whether the exception should permit educational use of news and news commentary programs without any royalty or record-keeping obligations. Parliament enacted an exception with a limited, one-year, royalty-free period and with record-keeping obligations. The exception has not worked on a practical level. The Educational Rights Collective of Canada (hereafter ERCC), the collective that administers the rights of the owners of educational programming, was formed in 1998. The ERCC is no longer operating. As the regime enacted in 1999 has not worked, the government proposes to amend the news and news commentary programs exception by removing the royalty and record-keeping obligations. If these amendments are passed, a person acting under the authority of a non-profit educational institution will be permitted to make a single copy of a news program or a news commentary program and to perform the copy on the school premises for educational and training purposes without any royalty or record-keeping obligations.

Recommendation

10. CSBA supports eliminating the obligations to pay royalties and keep records of the making, erasing, performing, and method of identification when news and news commentary programs are copied.

8. ONLINE LEARNING

Reference

Clause 27, page 22-23, adding a new section 30.01 permitting educational institutions to transmit lessons that include copyright materials over the Internet.

Explanation of Change

This is an entirely new exception. It was first proposed in 2008, in Bill C-61, which was never enacted because of an intervening election call. The exception is reproduced with a few changes in Bill C-32. The exception is intended to put students who are receiving instruction "online" in a similar position as students receiving instruction in a "face-to-face" teaching situation. This exception is important for the delivery of distance education programs. This is accomplished by extending classroom activities permitted by the exceptions in the *Copyright Act* to the same activities that take place online.[5] Educational institutions will be required to "take measures" to limit further communication by students.

The amendment will permit educational institutions to transmit lessons to students over the Internet. For example, a student in the Yukon will be able to access an online course containing copyright material offered by an educational institution in a different province or territory. The student, pursuant to subsection 30.01(5), is permitted to make a copy of the lesson and keep the copy until 30 days after the final evaluation is received.

Background and Analysis

The Consortium supported this new online learning exception when it was first proposed in Bill-61 in 2008 but proposed two changes. One change was to delete a requirement to destroy lessons within 30 days after the students who are enrolled in the course receive their evaluations. The other change was to permit the student to make and keep a copy of the lesson.

The 30-day destruction requirement is repeated in Bill C-32. The requirement to destroy online lessons does not reflect the way online learning is reused by educational institutions over time in successive courses. The result is that the new exception does not realistically reflect the way online learning is delivered to Canadian students. Both the student [paragraph 30.01(5*)(a)*] and the educational institution [paragraph 30.01(6)*(a)*] are required to destroy any recording of an online lesson within 30 days after the students who are enrolled in the course receive their evaluations. This condition should be deleted. Online courses are reused. Destroying them is an unnecessary waste of resources. Under this condition, recording of "lessons" would have to be destroyed, requiring the instructor to recreate them for the next semester or term.

[5] For reference, the exceptions in sections 29.4 to 29.6 and 29.7(3) are section 29.4 on reproduction for instruction, section 29.5 on live performances, playing radios and televisions in the classroom, section 29.6 on recording and showing news and news commentary programs, and section 29.7(3) on recording and showing documentaries, if royalties are paid.

The new exception has been changed from its 2008 version to permit students to reproduce the lesson. Subsection 30.01(5) permits a student to reproduce the lesson in order to listen to or view it at a more convenient time. This change was requested by several education organizations in their comments on the 2008 copyright-reform bill. The change in the 2010 bill reflects the common practice of online students downloading their online course materials— "lessons"—to a portable device (e.g., MP3 player or laptop computer) so the lesson can be reviewed while they are away from an Internet connection. A common example is reviewing a "lesson" on the bus. Permitting students to reproduce a lesson is not only consistent with current use of technology, it is also consistent with the federal government's stated objective of bringing the *Copyright Act* "in line with advances in technology."

Recommendation

11. CSBA recommends an amendment to Subsection 30.01(5) which deletes the requirement that any recording of an online lesson be destroyed within 30 days after the students who are enrolled in the course receive their evaluations.

9. SUMMARY OF RECOMMENDATIONS

1. CSBA supports the Parliamentary passage of the educational use of the Internet amendment.

2. CSBA recommends, for consistency with the wording of the current *Copyright Act*, an amendment to subsection 30.04(5) that provides the following:

> *(5) Subsection (1) does not apply if the educational institution or a person acting under its authority knew or could reasonably have been expected to know that the work or other subject matter was made available through the Internet without the consent of the copyright owner.*

3. CSBA recommends clarifying the relationship between fair dealing and specific user rights by amending the Act to provide the following:

> *Nothing in sections 29.4 through 32.2 of this Act is intended to limit or otherwise alter the scope of fair dealing.*

4. CSBA supports an amendment to the fair dealing provision which provides that making multiple copies for distribution to a class of students is fair dealing.

5. CSBA supports the Parliamentary passage of the amendment adding “education” to the list of fair dealing purposes.

6. CSBA does not support any amendment to limit the meaning of the word “education,” such as by adding “in a structured environment.”

7. CSBA supports the Parliamentary passage of the amendment deleting references to specific technologies in section 29.4 and support amendments that render the Copyright Act more technologically neutral.

8. CSBA supports the Parliamentary passage of the amendment to the performance exception in section 29.5 of the Copyright Act providing that the exception will only apply if the copy being performed is a non-infringing copy or the person responsible for the performance has no reasonable grounds to believe it is an infringing copy.

9. CSBA supports the Parliamentary passage of the amendment to the performance exception to add to section 29.5 of the *Copyright Act* a new paragraph *(d)* that extends the exception to audiovisual works.

10. CSBA supports eliminating the obligations to pay royalties and keep records of the making, erasing, performing, and method of identification when news and news commentary programs are copied.

11. CSBA recommends an amendment to Subsection 30.01(5) which deletes the requirement that any recording of an online lesson be destroyed within 30 days after the students who are enrolled in the course receive their evaluations.