

## COPYRIGHT GUIDELINES FOR TEACHERS

### Teachers

#### PERMITTED

- single copy: chapter of book
- single copy: article from magazine or newspaper
- single copy: short story, short essay, short poem
- single copy: chart, graph, diagram, picture or non-syndicated, non-copyrighted cartoon

#### NOT PERMITTED

- copying several chapters per book
- copying several articles per magazine
- copying consumables: workbooks, copyrighted exercise sheets, tests
- photocopying worn ditto masters

### Teachers: Multiple copies for classroom/instructional purposes

#### PERMITTED

- complete poem less than 250 words (not more than 2 pages)
  - excerpt from long poem not to exceed 250 words
  - article, story, or essay less than 2,500 words
  - excerpt (from above) less than 1,000 words or 10% of total, whichever is less
  - one chart, graph, diagram, picture, or non-syndicated, non-copyrighted cartoon per book or periodical
  - works combining prose, poetry, etc., less than 10% of whole
- IF.....
- copying is for one course only
  - insufficient time to request permission
  - one work from a single author
  - less than 3 authors from collective work
  - 9 or less instances of multiple copying per term
  - copying not used to create or replace anthologies
  - same copying not repeated next term
  - students not charged beyond photocopying fees
- classroom quantities of current news articles if individual articles not copyrighted
  - All multiple copying must be at the inspiration of the individual teacher and the decision to use the material so close to the date needed for instruction as to preclude securing copyright permission from the copyright holder

#### NOT PERMITTED

- using/making multiple copies of same material semester after semester
- creating "anthologies"
- copying workbooks and other works meant to be used once by one student
- copying shall not be directed by higher authority
- copying more than one or two excerpts from a single author during one class term
- copying from workbooks, tests, or other consumables
- copying a black lined master.

### Big Books

#### PERMITTED

- one illustration per book
- two pages per book as long as they don't comprise more than 10% of the book
- Note: Occasionally publishers of big books have given the District permission to copy that exceeds the normal fair use guidelines. Any letters granting additional permission will be kept on file by the library information specialist.

#### NOT PERMITTED

- copying "just" the text from a big book or picture book
- making an audio-tape of someone narrating a big book or picture book

### Audiovisual Materials

#### PERMITTED

- creating slide sets from books, magazines, etc., as long as only one per source used
- making one overhead transparency of one page of one workbook
- converting a damaged filmstrip to a slide set,

- keeping same order minus damaged frames
- enlarging a map with an opaque projector for tracking but not duplicating color scheme, symbols, etc.
- copying non-dramatic literary, audiovisual works for use by blind or deaf individuals

NOT PERMITTED

- copying audio tapes or video tapes for archival or backup purposes
- reproducing musical works or converting from one form to another (record to cassette)
- copying any audiovisual work in its entirety (except off-air taping)
- converting from one medium format to another
- recording the text of a book or textbook onto an audiocassette

**Music**

PERMITTED

- emergency copies for performance provided copies are later purchased
- for study or teaching, single or multiple copies of excerpts
  - IF.....
    - excerpts do not constitute a performable unit such as a movement or aria
- editing purchased copies for simplification
  - IF.....
    - character of work is not changed
    - lyrics are not changed
- single copy of performances by students made for evaluation or rehearsal purposes
- copy of recording for purposes of aural testing
- portion of commercial music played as background in student media production

NOT PERMITTED

- copying for performances
- copying to create anthologies
- copying to avoid purchasing
- copying but excluding copyright notice
- performing a work without a license or paying royalty fees

**Video (Educational/Instructional OFF-AIR Taping)**

PERMITTED

- may record program OFF-AIR
  - IF.....
    - program is used for instructional purposes, or face-to-face teaching, not for entertainment or filler
    - program is requested by a teacher
    - program is shown once and repeated once per class by individual teacher during first 10 consecutive school days after broadcast
    - program is not retained beyond 45 calendar days
    - program is recorded in its entirety (need not be used in its entirety)
    - after first 10 consecutive school days, program is used only for evaluation by teacher

NOT PERMITTED

- videotaping in anticipation of requests
- retaining a program longer than 45 days
- showing a program after ten days
- showing for motivation, filler, or entertainment purposes
- taping a program at home, using in the classroom, and subsequently retaining in personal collection

**Video (OFF-AIR Taping at Home)**

PERMITTED

- may tape program at home and bring to school to use but all educational guidelines must be followed
- may show "home" tape if above criteria are followed and if tape legally made

NOT PERMITTED

- individual who taped program may not retain it

### **Video (Cable)**

#### PERMITTED

- may tape programs being simultaneously broadcast (see OFF-AIR educational/ instructional guidelines)
- may show videos or motion pictures via cable within a building as long as programs are used in face-to-face teaching and are of an instructional nature

#### NOT PERMITTED

- may not tape programs not being broadcast simultaneously (CNN, Discovery, Disney, HBO, etc.) unless prior approval or license obtained from cable network
- may not show programs of a musical, dramatic, or entertainment nature
- may not copy cable or satellite programs without permission. Note: Educators may use cable magazines, like Cable in the Classroom for varying copying/retention rights of individual programs

### **Video (purchased or rented)**

#### PERMITTED

- showing purchased or rented videotape for curriculum-supported, face-to-face teaching activities

#### NOT PERMITTED

- showing purchased or rented videotape for entertainment, rewards, rainy days, filler, or non-instructional purposes.
- Note: Performance rights may be acquired at time of purchase; then it's legal to show such videos for non-instructional events.

### **Video (Satellite Transmissions)**

#### PERMITTED

- copying from a satellite transmission will depend on the contractual agreement with the satellite company.

#### NOT PERMITTED

- copies of motion pictures, other AV works, choreographic works and pantomimes
- copies of broadcasts that are of a "general cultural nature" or intended for transmission as part of an information storage and retrieval system

### **Software**

#### PERMITTED

- copying into RAM if copying is necessary to use the program
- one copy for archival purposes
- back-up copies of hard drives as long as they are not used to run another drive
- library lending of public domain software

#### NOT PERMITTED

- circulation of archival copy
- "networking" software without license or permission
- loading a single copy of a software program onto several computers for simultaneous use
- making copies of copyrighted software for student use

### **Databases**

#### PERMITTED

- may download searches

#### NOT PERMITTED

- downloaded searches should not be retained
- downloaded material may not be used to create a derivative work

### **CD-ROM**

#### PERMITTED

- printing out pages of reference or other works for study or teaching

#### NOT PERMITTED

- printing out large section of work

### **Musicals, Dramatic, and Non-Dramatic Performances**

#### PERMITTED

- school chorus performance open to the public

NOT PERMITTED

- school drama club performing copyrighted play broadcast over cable to classes
- recording of choral or instrumental concerts and then giving or selling recording to parents

**Multimedia**

PERMITTED

- teacher or student-developed multimedia program of copyrighted programs for use in classroom only
- Note: Students may keep their work indefinitely; teachers may keep their work for only two years.  
IF: the following limitations are observed:
  - Motion media
    - use of up to 10% or 3 min., whichever is less, of an individual program
  - Text
    - up to 10% or 1000 words, whichever is less; short poems less than 250 words may be used in their entirety;
  - Music
    - Up to 10% but no more than 30 sec. from a single work (or combined from separate extracts of a work);
  - Illustrations, cartoons, photographs
    - no more than 5 images from a single artist or photographer, no more than 10% or 15 images from a single collective work;
  - Numerical data sets
    - up to 10% or 2,550 fields or cells whichever is less

NOT PERMITTED

- teacher or student-developed multimedia program of copyrighted works for use in displays, festivals, parent meetings or other public events

**Internet**

PERMITTED

- downloading public domain software

NOT PERMITTED

- uploading copyrighted software to Internet for downloading
- collecting materials off the Internet and compiling into a new work
- forwarding material off the Internet to friends, co-workers

**Digital**

PERMITTED

NOT PERMITTED

- digitizing a copyrighted slide collection
- scanning copyrighted materials (magazine photograph, cartoon illustration, etc.) for school newspaper

**Graphics**

PERMITTED

- one graphic per book or periodical;
- multiple copies of a single graphic

IF...

- Copying is at the instance/inspiration of teacher; copy is for only one course in the school;
- There are not more than nine occurrences of multiple copying for that course; and not more than one graphic is copied per book or periodical.

NOT PERMITTED

- adaptation of a popular cartoon character for the school mascot;
- copying an image from a coloring book for a worksheet;
- making stuffed animals of popular picture book characters;
- scanning a cartoon into school newsletter