

COPYRIGHT AND FAIR USE GUIDELINES

The following is intended to serve as a general guideline for helping teachers and administrators adhere to the copyright law of the United States (Title 17, United States Code). The following is not an exhaustive summary of the copyright law and does not attempt to address all situations that may confront a teacher or administrator. Additional information may be obtained from the U.S. Copyright Office.

Medium	Specifics	What You Can Do	The Fine Print
Printed Material (Short)	<ul style="list-style-type: none"> ▪ Poem less than 250 words ▪ Excerpt of 250 words from a poem greater than 250 words ▪ Articles, stories, or essays less than 2,500 words ▪ Excerpt from a longer work (10% of work or 1,000 words, whichever is less—but a minimum of 500 words) ▪ One chart, picture, diagram, graph, cartoon or picture per book or per periodical issue ▪ Two pages (max) from an illustrated work less than 2,500 words (like children's books) 	<ul style="list-style-type: none"> ▪ Teachers may make multiple copies for classroom use and incorporate into multimedia for teaching classes. ▪ Students may incorporate text into multimedia projects. 	<ul style="list-style-type: none"> ▪ Copies may be made only from legally acquired originals. ▪ Only one copy allowed per student. ▪ Teachers may make copies in nine instances per class per term. ▪ Usage must be "at the instance and inspiration of a single teacher," i.e., not a directive from the district. ▪ Don't create anthologies. ▪ "Consumables," such as workbooks, may not be copied.
Printed Material (archives)	<ul style="list-style-type: none"> ▪ An entire work ▪ Portions of a work ▪ A work in which the existing format has become obsolete, e.g., a document stored on a Wang computer 	<ul style="list-style-type: none"> ▪ A librarian may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen." 	<ul style="list-style-type: none"> ▪ Copies must contain copyright information. ▪ Archiving rights are designed to allow libraries to share with other libraries one-of-a-kind and out-of-print books

<p>Illustrations and Photographs</p>	<ul style="list-style-type: none"> ▪ Photograph ▪ Illustration ▪ Collections of photographs ▪ Collections of illustrations 	<ul style="list-style-type: none"> ▪ Single works may be used in their entirety, but no more than five images by a single artist or photographer may be used. ▪ From a collection, not more than 15 images or 10 percent (whichever is less) may be used. 	<ul style="list-style-type: none"> ▪ Although older illustrations may be in the public domain and don't need permission to be used, sometimes they're part of a copyright collection. Copyright ownership information is available at www.loc.gov or www.mpa.org.
<p>Video (for viewing)</p>	<ul style="list-style-type: none"> ▪ Videotapes (purchased) ▪ Videotape (rented) ▪ DVD ▪ Laser Discs 	<ul style="list-style-type: none"> ▪ Teachers may use these materials in the classroom without restrictions of length, percentage, or multiple use ▪ Copies may be copied for archival purposes or to replace lost, damaged, or stolen copies. 	<ul style="list-style-type: none"> ▪ The material must legitimately acquired (a legal copy). ▪ Material must be used in a classroom or nonprofit environment "dedicated to face-to-face instruction". ▪ The use should be instructional, not for entertainment, reward or time filler. ▪ Copying OK only if replacements are unavailable at a fair price or in a viable format.
<p>Video (for integration into multimedia or video projects)</p>	<ul style="list-style-type: none"> ▪ Videotapes ▪ DVD ▪ LaserDiscs ▪ QuickTime Movies ▪ Encyclopedias (CD ROM) 	<ul style="list-style-type: none"> ▪ Students "may use portions of lawfully acquired copyrighted works in their academic multimedia", defined as 10% or three minutes (whichever is less) of "motion media" 	<ul style="list-style-type: none"> ▪ The material must be legitimately acquired (a legal copy, not bootleg or home recording). ▪ Copyright works included in multimedia projects must give proper attribution to copyright holder.
<p>Music Performance</p>	<ul style="list-style-type: none"> ▪ An entire work ▪ Portions of a work ▪ Public performance of non-dramatic Musical Work 	<ul style="list-style-type: none"> ▪ Teachers may make a copy of a lost part in an emergency. ▪ Teachers may make up to one copy per student of up to 10% of a musical work as long as it does not constitute a performable unit. ▪ Performances must be initiated by instructors 	<ul style="list-style-type: none"> ▪ Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course. ▪ Students and teachers

		<p>or pupils and occur within the context of the face-to-face teaching activity.</p> <ul style="list-style-type: none"> ▪ Single recording of a performance may be made for study and the school's achieve. ▪ Teachers may edit or simplify a piece of music provided the fundamental character of the work is not distorted or lyrics altered or added. 	<p>can put on a performance of a non-dramatic musical work at a school concert as long as nobody gains any commercial advantage, no fee or compensation is paid to the performers. The performance may not take place if the copyright owner objects. Performances at shopping malls or other similar venues are probably not covered by this exemption.</p> <ul style="list-style-type: none"> ▪ A license obtained from a performing rights organization such as ASCAP, BMI, SESAC, is needed to distribute copies of a recording of student performances of non-dramatic musical works. ▪ Anyone wishing to arrange a copyrighted work must obtain permission from the publisher/copyright owner unless the work is clearly in the public domain.
<p>Music (for integration into multimedia or video projects)</p>	<ul style="list-style-type: none"> ▪ Records ▪ Cassette tapes ▪ CDs ▪ Audio clips on the Web 	<ul style="list-style-type: none"> ▪ Up to 10% of a copyrighted musical composition may be reproduced, performed and displayed as part of a multimedia program produced by an educator or student for educational purposes. 	<ul style="list-style-type: none"> ▪ A maximum of 30 seconds per musical composition may be used. ▪ Multimedia program must have an educational purpose.
<p>Dramatic Productions</p>	<ul style="list-style-type: none"> ▪ Dramatic Works ▪ Musical Plays 	<ul style="list-style-type: none"> ▪ All public performances of a dramatic work or a musical play require a license. ▪ Any adaptation, modification or changes to a dramatic 	<ul style="list-style-type: none"> ▪ A license must be obtained prior to a public performance or public reading of any copyrighted play or musical play. ▪ Any audio or video recording of a dramatic

		<p>work or musical play requires permission if the author.</p>	<p>work or musical play requires consent of the copyright owner and/or the owner of the film and TV rights to the work.</p> <ul style="list-style-type: none"> ▪ Most licenses specifically exclude the right to make any changes, adaptations or modifications to a dramatic work or musical play.
<p>Computer Software</p>	<ul style="list-style-type: none"> ▪ Software (purchased) ▪ Software (licensed) 	<ul style="list-style-type: none"> ▪ Library may lend software to patrons. ▪ Software may be installed on multiple machines, and distributed to users via a network provided the appropriate site license has been obtained. ▪ Software may be installed at home and at school. ▪ Libraries may make copies for archival use or to replace lost, damaged, or stolen copies if software is unavailable at a fair price or in a viable format. 	<ul style="list-style-type: none"> ▪ Only one machine at a time may use the program. ▪ The number of simultaneous users must not exceed the number of licenses; and the number of machines being used must never exceed the number licensed. A network license may be required for multiple users. ▪ Take aggressive action to monitor that copying is not taking place (unless for archival purposes).
<p>Internet</p>	<ul style="list-style-type: none"> ▪ Internet connections ▪ World Wide Web 	<ul style="list-style-type: none"> ▪ Images may be downloaded for student projects. ▪ Sound files may be downloaded for use in projects (<i>see portion restrictions above</i>) 	<ul style="list-style-type: none"> ▪ Resources from the Web may not be reposted onto the Internet without permission. However, links to legitimate resources can be posted. ▪ Any resources you download must have been legitimately acquired by the Web site.

<p>Television</p>	<ul style="list-style-type: none"> ▪ Broadcast (e.g., ABC, NBC, CBS, UPN, PBS, local television stations) ▪ Cable (e.g., CNN, MTV, HBO) ▪ Videotapes made of broadcast and cable TV programs 	<ul style="list-style-type: none"> ▪ Broadcasts or tapes made from broadcast may be used for instruction. ▪ Cable channel programs may be used with permission. Many programs may be retained by teachers for years. 	<ul style="list-style-type: none"> ▪ Schools are allowed to retain broadcast tapes for a minimum of 10 school days. (Enlightened rights holders, such as PBS's <u>Reading Rainbow</u>, allow for much more.) ▪ Cable programs are technically not covered by the same guidelines as broadcast television.
--------------------------	---	--	---