

Copyright

The District recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be imposed for unauthorized copying or using of audio, visual or printed materials and computer software, unless the copying or using conforms to the “fair use” doctrine.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research.

While the District encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of District staff to abide by the District’s copying procedures and obey the requirements of the law. Under no circumstances shall it be necessary for District staff to violate copyright requirements in order to perform their duties properly. The District cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the District’s procedures or is permissible under the law should contact the principal(s) or Superintendent/designee. The principal(s) or Superintendent/designee will assist staff in obtaining proper authorization to copy or use protected materials when such authorization is required.

Legal Reference: 17 U.S.C. § 101 to 1010 Federal Copyright Law of 1976

Policy History:

Adopted on:

Revised on: 11 July 2016

Poplar School District

Administrative Regulation

INSTRUCTION

AR 2312

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 dittomasters

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

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 blacklined master.

preclude securing copyright permission from the copyright holder	
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 tracing 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.....	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

○ 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	
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 <u>10</u> 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)	NOT PERMITTED • may not tape programs not being broadcast simultaneously (CNN, Discovery, Disney, HBO, etc.) unless <u>prior</u> approval or license obtained from cable network

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	- 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	NOT PERMITTED teacher or student-developed multimedia program of copyrighted works for use in displays, festivals, parent meetings or other public events

▪ 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	
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; ○ here 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;