

Copyright Guidelines

It is the intent of the district to adhere to the provisions of copyright laws in all areas, e.g., print, computer software, internet, audiovisual materials, music, etc. Though there continues to be controversy regarding interpretation of copyright laws, the district's intention is to make known that all district employees and students shall be expected to adhere to the provisions of law, rules, and regulations concerning the use of copyrighted materials.

The intent of this web page is to educate our employees and students about copyright issues and to provide information on copyright infringement and "fair use" guidelines for copyrighted materials.

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Copies of PRINT Materials

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 (copyrighted)
- photocopying worn ditto masters

MULTIPLE print 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 unless individual news articles are Used by Permission or reproduction is prohibited

Note: 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. [Permission for additional print copies](#)

NOT PERMITTED*

- using/making multiple copies of same material semester after semester
- creating "anthologies" of copyrighted works
- copying workbooks and other works meant to be used once by one student (consumables)
- 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 blackline master beyond the original purchase agreement
- multiple copies of copyrighted materials outside classroom/educational use, i.e. parent newsletters

Big Books and Picture Books Copies

PERMITTED

- one illustration per book
- two pages per book as long as they don't comprise more than 10% of the book

Note: Any letters granting additional permission will be kept on file by the librarian.

NOT PERMITTED*

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

AUDIOVISUAL Materials Duplication

PERMITTED

- making one overhead transparency of one page of one workbook
- enlarging a map with a 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 or video recordings for archival or backup purposes **
- reproducing musical works or converting from one form to another (cassette to CD)
- copying any audiovisual work in its entirety (except off-air recording)
- converting from one medium format to another(VHS to DVD)
- recording the text of a book or textbook onto an audiocassette

MUSIC: Copies and Performance

PERMITTED

- for study or teaching, single or multiple copies of score excerpts
- **IF.....**
 - excerpts do not constitute a performable unit such as a movement or aria
 - editing purchased copies for simplification
 - character of work is not changed
 - lyrics are not changed
- single recording 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 project for an assignment or instructional presentation (see Multimedia Fair Use, p. 4)

NOT PERMITTED*

- copying for performances (except in an emergency)
- copying to create anthologies
- copying to avoid purchasing
- copying but excluding copyright notice
- performing a work without a license or without paying royalty fees

Video: Educational/Instructional NETWORK Off-Air Recording

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none"> • may record network program OFF-AIR • IF..... <ul style="list-style-type: none"> ○ program is requested by a teacher ○ program is recorded in its entirety (need not be used in its entirety) ○ program is used for instructional purposes, or face-to-face teaching, not for entertainment, filler, or public performance ○ program is shown once and may be repeated once per class by individual teacher during first <u>10</u> consecutive school days after broadcast ○ after first 10 consecutive school days, program is used only for evaluation by teacher ○ program is not retained beyond 45 calendar days from broadcast 	<ul style="list-style-type: none"> • video recording in anticipation of requests • showing for motivation, filler, or entertainment purposes • showing a program after 10 days • retaining a program longer than 45 days • recording a program at home, using in the classroom, and subsequently retaining in personal collection

Video: Educational/Instructional: CABLE Off-Air Recording

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none"> • may record programs according to cable network guidelines • may show cable programs as they air within a building as long as programs are used in face-to-face teaching and are of an instructional nature <p>*Note: Educators may use cable websites, such as <i>Cable in the Classroom</i> http://www.ciconline.org/ for varying copying/retention rights of individual programs.</p>	<ul style="list-style-type: none"> • may not record programs (CNN, Discovery, History Channel, etc.) unless <u>prior</u> approval or license obtained from cable network* • may not make copies from off-air recordings of cable or satellite programs without permission • may not show programs of a musical or dramatic nature for entertainment

Video: Cable and Network Off-Air Recording AT HOME

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none"> • may record program at home and bring to school to use but all educational guidelines must be followed • may show recording if above criteria are followed and if recording is legally made 	<ul style="list-style-type: none"> • individual who recorded program may not retain it beyond the allowed retention rights (45 days, one year, etc.) if used at school

Video: PURCHASED

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none"> • showing purchased videos for curriculum-supported, face-to-face instruction • showing videos through closed-circuit systems to only the classes which meet fair use requirements above <p>Note: When ordering, if an educational version is available at a greater price than home use only version, that copy must be purchased.</p>	<ul style="list-style-type: none"> • showing purchased video for entertainment, reward, rainy days, filler, or non-instructional purposes • showing rental videos • showing videos through closed-circuit systems for entertainment or reward <p>Note: Performance rights may be acquired for some videos at time of purchase; it is then legal to show such videos for non-instructional events. A movie license may also be purchased for this purpose.</p>

Video: SATELLITE TRANSMISSIONS

PERMITTED	NOT PERMITTED*
<p>Note: Recording and making copies from a satellite transmission will depend on the contractual agreement with the satellite company. Approvals must be in writing and presented to Learner Services before viewing.</p>	<ul style="list-style-type: none">copies of motion pictures, other AV works, choreographic works and pantomimes for entertainment

Software

PERMITTED	NOT PERMITTED*
<p>Note: The license agreement that accompanies each software application specifies use restriction, and duplication rights.</p>	<ul style="list-style-type: none">any violation of use restrictions as specified by license agreement which accompanies each specific application

Databases

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none">may download searches	<ul style="list-style-type: none">downloaded documents from searches should not be retaineddownloaded material may not be used to create a derivative work

Musicals, Dramatic, and Non-Dramatic Performances

PERMITTED	NOT PERMITTED*
<ul style="list-style-type: none">school chorus, band, orchestra, and dance/drill team performances open to the publicdramas and school musicals in accordance with licensing/royalty agreementadmission charge in accordance with licensing; all proceeds must return to the school program	<ul style="list-style-type: none">public performances of dramas or musicals transmitted over cable to classesrecording of choral, instrumental, dramatic or dance concerts and then giving or selling recording to parents, students or publicadmission charge if any performers are paid

Multimedia Fair Use

PERMITTED

- teacher or student-developed multimedia projects incorporating copyrighted works **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 project incorporating copyrighted works for use in displays, festivals, parent meetings or other public events without additional permission

Internet

PERMITTED

- downloading of public domain materials
- fair use of copyrighted materials (see above)

Note: Permission for copying or downloading from the Internet should be directed to the contact or webmaster on the website.

NOT PERMITTED*

- uploading copyrighted software to Internet for downloading
- downloading unlicensed music from the Internet
- collecting materials from the Internet and compiling them into a new work

Digital

PERMITTED

Note: Digitizing (i.e. scanning) any copyrighted media requires permission**

NOT PERMITTED*

- digitizing a copyrighted slide collection
- scanning copyrighted materials (magazine photograph, cartoon illustration, etc.) without permission

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
 - not more than one graphic is copied per book or periodical

NOT PERMITTED*

- adaptation of a popular cartoon character for the school mascot, school mural, program covers
- copying an image from a coloring book for a worksheet
- making stuffed animals of popular picture book characters
- scanning or photocopying a cartoon into school newsletters, worksheets or school-sponsored products such as t-shirts, etc.

Trademarks

PERMITTED

- classroom use for instruction or assignment
- **IF?**
 - factual
 - descriptive
 - nominative
 - comparative

NOT PERMITTED

- any use which would imply endorsement or sponsorship of the registered business, product or group
- any use on school-sponsored products such as t-shirts, etc. This would include collegiate logos and trademarks, graphics, etc. with ? or ?

Server-based Copy Machines

PERMITTED

- scanning documents created by the user
- saving user-created documents to the server
- printing copies of user-created documents

NOT PERMITTED

- scanning copyrighted documents, saving to the server

(O drive)* and printing copies without permission of the copyright owner.

Note: Downloading of copyrighted materials to the SMSD Network requires permission of the copyright owner (AUP).

Digital Curriculum (Licensed/Purchased)

For curriculum specific guidelines, consult resource specialist.

WEB-BASED curriculum is accessed from a website through the Internet with username and password.

Only staff or student assigned username and password may view the content.

Usernames and passwords should not be shared with unauthorized users or posted on websites.

URL (web address) may be posted on websites as long as access information is not included.*

No content from this curriculum should be copied/pasted and posted in any other location including

Public Web Back Pack. **

* User should not copy/paste a URL AFTER having logged into the site unless they can confirm that the end-user will have to

enter username/password for access.

SERVER-BASED curriculum is housed on a SMSD server and is accessed with a username and password.

Only staff or student assigned username and password may view the content.

Usernames and passwords should not be shared with unauthorized users or posted on websites.

Content from this curriculum can be used as outlined by the [TEACH Act](#) if not prohibited by licensing.

No content from this format should be copied or posted on public websites including Public Web Back Pack. **

DIGITAL MEDIA accompanies hard copy text books in the form of CD or DVD.

Purchase licenses govern the use of the media.

Content from this format may be used as outlined by the TEACH Act (see below) if not prohibited by lic

No content from this format should be copied/pasted or posted on a public website including

Public Web Back Pack. **

HARD COPY curriculum is in textbook form.

Content from this format may be used as outlined by the TEACH Act (see below).

Scanning to H drive for projection is permissible if a digital format is not available for sale.

Scanning to a server or common drive for more than individual use is prohibited.

No content from this format should be copied/pasted or posted on a public website including

Public Web Back Pack. ** ** Unless the publisher grants permission.