

# USE OF AUDIOVISUAL SUPPORT MATERIALS IN THE CLASSROOM



## EDUCATOR'S RESPONSIBILITY

Before showing any audiovisual support materials in class, regardless of the original source, a educator must preview the material and determine that materials are:

- 1) relevant to the curriculum;
- 2) consistent with specific educational objectives; and
- 3) appropriate for the age and maturity of students.



## MATERIAL SELECTION

**Safari Montage and eMedia** constitutes the primary resource of audiovisual support materials and should be considered first by educators. Safari Montage and eMedia audiovisual support materials are designed to be used in an instructional setting with performance rights paid as a yearly subscription fee.

**Recorded network and cable news** programs may be shown if the Fair Use Guidelines and record and retention limitations are met as described in District policy.

**If the material is not from one of the sources above**, the educator shall seek approval through the school's school-level review process as described in Davis policy. Approved audiovisual material will be added to a school-approved list. Approved materials may be used subsequently in the same school for students similarly situated, without renewing the review process if such use will not violate copyright.



## CONTENT RATING AND PARENTAL NOTIFICATION

If parental notification is required to use an audiovisual support material or clip, parents shall receive written notification of the proposed use at least **five school days** prior to the material's use in a classroom.

Notification to parents can be published in course disclosures that are reviewed and signed by parents at the beginning of each school year or semester. Educators may also choose to send separate notification to parents for each media clip that is to be used.

Grades	Content Rating	Parental Notification
K-12	G, TV-Y, or TV-G or unrated media with similar kinds of content	May be shown <b>without</b> parent notification
2-12	PG, PG-TV, TV-Y-7 rating or unrated media with similar kinds of content	May be shown <b>with</b> parent notification
9-12	PG-13 or TV-14 or unrated media with similar kinds of content	May be shown <b>with</b> parent notification

Media with an R, NC-17, TV-M, or sound recordings with Parental Advisory rating or unrated media with similar kinds of content are prohibited in Davis School District classrooms.

Unrated media should be reviewed for the presence of profanity, nudity, sexual content, mature themes, prejudicial stereotypes, or violence in the media's original source.

# Copyright

## Audiovisual Support Material

The federal Copyright Act generally gives the author of an original work the exclusive right to control the reproduction, distribution, copying, performance, or display of the work; and preparation of derivative works. It is illegal for any one to violate any of the rights provided by copyright law to the owner of the copyright.

Use of copyrighted materials by educators is governed by the Copyright Law of the United States of American and Related Laws Contained in Title 17 of the United States Code.

### **The responsibility for following copyright law and securing copyright clearance rests with the individual.**

## Fair Use

Fair use is an exception to the exclusive protection of copyright. It permits certain limited uses without permission from the author or owner. Depending on the circumstances, copying may be considered “fair” for purposes such as criticism, comment, news reporting, teaching, scholarship, or research.

To determine whether a specific use under one of these categories is “fair,” consider the following factors:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- the effect of the use upon the potential market for or value of the copyrighted work.

#### **The use of audiovisual support materials under the fair use exception MUST:**

- be directly related and of material assistance to the curriculum and lesson objectives;
- be for the purpose of illustration in the course of face-to-face teaching activities in a classroom or similar place devoted to instruction; and
- use only as much material as necessary to fulfill the educator’s pedagogical purpose.

## Educational Relevance

A full-length movie, video, or clip thereof, shall not be shown in school unless it is a productive use of class time and will not cause classroom disruption.

The use of audiovisual materials in the instructional setting for entertainment or reward purposes violates District policy as well as federal copyright law.

## When in Doubt

Keep in mind that even in an educational setting, it is not fair use to copy for a “commercial motive” or to copy “systematically,” that is, “where the aim is to substitute for subscription or purchase.” No factor by itself will determine whether a particular use is “fair.” All four factors must be weighed together in light of the circumstances. **When in doubt obtain prior permission of the copyright holder or purchase the content.**