

Copyright Compliance (Books and Periodicals)

Copyrighted materials are those materials (print and nonprint) which generally incorporate a notice of copyright. Personnel desiring to use copyrighted materials for instructional purposes will be subject to the following procedures:

A. Single copies for teachers

A single copy may be made of the following materials by or for a teacher, to be used in scholarly research, teaching or preparation for a class:

1. Chapter from a book
2. Article from a periodical or newspaper
3. Short story, essay or poem, whether or not from a collective work
4. Chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper

B. Multiple copies for classroom use

Multiple copies not to exceed more than one copy per student in a course may be made by or for a teacher for classroom use provided that:

1. The copying meets the tests of brevity and spontaneity as defined below.
2. The copying meets the cumulative effect test as defined below.
3. Each copy includes a notice of copyright.

Definitions–

Brevity

a. Poetry

- (1) A complete poem if less than 250 words and printed on not more than two pages

(2) An excerpt from a longer poem of not more than 250 words

b. Prose

(1) A complete article, story or essay of less than 2,500 words

(2) An excerpt from any prose work of not more than 1,000 words or 10 percent of the work, whichever is less, but with a minimum of 500 words

Each of the numerical limits stated above may be expanded to permit the completion of an unfinished line of a poem or prose paragraph.

c. Illustration

One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue

d. Special works

Certain works of poetry, prose or poetic prose which combine language with illustrations, are intended for children as well as a more general audience and fall short of 2,500 words in their entirety. Paragraph B-3-a above notwithstanding, such special works may not be reproduced in their entirety. However, an excerpt comprising not more than two of the published pages of such special works and containing not more than 10 percent of the words found in the text may be reproduced.

Spontaneity

- a. Copying is at the inspiration of the individual teacher.
- b. Inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so closely related that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative effect

- a. Copying of the material is only for one course in a school.
- b. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author and not more than three from the same collective work or periodical volume during one class term.

- c. There shall not be more than nine instances of such multiple copying for any class during a class term.

The limitations stated above shall not apply to current news periodicals.

C. Prohibitions relating to A and B

Notwithstanding the above, the following will be prohibited:

1. Copying will not be used to create, replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used sparingly.
2. There will be no copying of works intended to be consumable in the course of study or teaching such as workbooks, exercises, standardized tests, test booklets, answer sheets and like material.
3. Copying must not:
 - a. Substitute for the purchase of books, reprints or periodicals
 - b. Be directed by higher authority.
 - c. Be repeated with respect to the same item by a teacher from term to term.
4. No charge will be made to the student beyond the actual cost of the photocopy.

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Garfield School District No. Re-2, Rifle, Colorado