

Appendix G:

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An Overview of Copyright, Fair Use, and Academic Integrity:

We recognize the importance of helping our students and staff build safe, ethical, and legal media literacy habits, especially when using, creating, and sharing information in the digital age. We will work to actively educate, support, and promote copyright and fair use practices in our school community. We will also work to promote academic integrity, educate our community about plagiarism, and offer support to help prevent it.

Copyright and fair use guidelines are federal laws that allow the public to ethically and lawfully use or share others' work while still protecting the personal work and rights of the individuals and groups attributed to that work. Specific copyright and fair use federal laws can be found on the United States copyright webpage: copyright.gov and are outlined in schoolboard policy R2312 P. Relevant sections of these laws and additional support resources for students and staff can also be found in Appendix G of the *Belgrade High School Library Learning Commons Collection Policy*.

Academic Integrity is greatly valued at Belgrade High School and allows us to create a rich, safe, and equitable learning environment for all students. Demonstrating academic integrity includes, but is not limited to, accurately crediting (or citing) outside resources used within student work. Providing precise and accurate citations and taking strong research notes are essential to maintaining academic integrity and avoiding plagiarism. Academic Integrity also involves consistently using quality resources, giving quality effort, and practicing fair use protocols to ethically share resources and information.

The Belgrade High School Library Learning Commons has a wide variety of resources to help students demonstrate academic integrity and prevent plagiarism. Some of these resources can be accessed on our [Belgrade High School Library Webpage](#) under our "Research Help" tab. Many of our online databases (i.e. our Gale and *World Book Online* resources) include built-in citation help tools. Related print resources are available for checkout (i.e.: *The Modern Language Association Handbook*, *The American Psychological Association Publication Manual*, and *The Associated Press Stylebook*). Academic integrity and plagiarism prevention are also explicitly addressed in our required-for-graduation Media Literacy Orientation class. Other plagiarism prevention support services, materials, and resources can be found in Appendix G of the *Belgrade High School Library Learning Commons Collection Policy* and by contacting our Belgrade High School Teacher-Librarians.

Copyright Law of the United States (Title 17)/

Chapter 1: Sections 102, 107, 108, 110

102. Subject matter of copyright: In general²⁸

(a) Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

- (1) literary works;
- (2) musical works, including any accompanying words;
- (3) dramatic works, including any accompanying music;
- (4) pantomimes and choreographic works;
- (5) pictorial, graphic, and sculptural works;
- (6) motion pictures and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.

(b) In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.

107. Limitations on exclusive rights: Fair use⁴¹

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

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

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

108. Limitations on exclusive rights: Reproduction by libraries and archives⁴²

(a) Except as otherwise provided in this title and notwithstanding the provisions of [section 106](#), it is not an infringement of copyright for a library or archives, or any of its employees acting within the scope of their employment, to reproduce no more than one copy or phonorecord of a work, except as provided in subsections (b) and (c), or to distribute such copy or phonorecord, under the conditions specified by this section, if—

(1) the reproduction or distribution is made without any purpose of direct or indirect commercial advantage;

(2) the collections of the library or archives are (i) open to the public, or (ii) available not only to researchers affiliated with the library or archives or with the institution of which it is a part, but also to other persons doing research in a specialized field; and

(3) the reproduction or distribution of the work includes a notice of copyright that appears on the copy or phonorecord that is reproduced under the provisions of this section, or includes a legend stating that the work may be protected by copyright if no such notice can be found on the copy or phonorecord that is reproduced under the provisions of this section.

(b) The rights of reproduction and distribution under this section apply to three copies or phonorecords of an unpublished work duplicated solely for purposes of preservation and security or for deposit for research use in another library or archives of the type described by clause (2) of subsection (a), if—

(1) the copy or phonorecord reproduced is currently in the collections of the library or archives; and

(2) any such copy or phonorecord that is reproduced in digital format is not otherwise distributed in that format and is not made available to the public in that format outside the premises of the library or archives.

(c) The right of reproduction under this section applies to three copies or phonorecords of a published work duplicated solely for the purpose of replacement of a copy or phonorecord that is damaged, deteriorating, lost, or stolen, or if the existing format in which the work is stored has become obsolete, if—

(1) the library or archives has, after a reasonable effort, determined that an unused replacement cannot be obtained at a fair price; and

(2) any such copy or phonorecord that is reproduced in digital format is not made available to the public in that format outside the premises of the library or archives in lawful possession of such copy.

For purposes of this subsection, a format shall be considered obsolete if the machine or device necessary to render perceptible a work stored in that format is no longer manufactured or is no longer reasonably available in the commercial marketplace.

(d) The rights of reproduction and distribution under this section apply to a copy, made from the collection of a library or archives where the user makes his or her request or from that of another library or archives, of no more than one article or other contribution to a copyrighted collection or periodical issue, or to a copy or phonorecord of a small part of any other copyrighted work, if—

(1) the copy or phonorecord becomes the property of the user, and the library or archives has had no notice that the copy or phonorecord would be used for any purpose other than private study, scholarship, or research; and

(2) the library or archives displays prominently, at the place where orders are accepted, and includes on its order form, a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation.

(e) The rights of reproduction and distribution under this section apply to the entire work, or to a substantial part of it, made from the collection of a library or archives where the user makes his or her request or from that of another library or archives, if the library or archives has first determined,

on the basis of a reasonable investigation, that a copy or phonorecord of the copyrighted work cannot be obtained at a fair price, if—

(1) the copy or phonorecord becomes the property of the user, and the library or archives has had no notice that the copy or phonorecord would be used for any purpose other than private study, scholarship, or research; and

(2) the library or archives displays prominently, at the place where orders are accepted, and includes on its order form, a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation.

(f) Nothing in this section—

(1) shall be construed to impose liability for copyright infringement upon a library or archives or its employees for the unsupervised use of reproducing equipment located on its premises: *Provided*, That such equipment displays a notice that the making of a copy may be subject to the copyright law;

(2) excuses a person who uses such reproducing equipment or who requests a copy or phonorecord under subsection (d) from liability for copyright infringement for any such act, or for any later use of such copy or phonorecord, if it exceeds fair use as provided by [section 107](#);

(3) shall be construed to limit the reproduction and distribution by lending of a limited number of copies and excerpts by a library or archives of an audiovisual news program, subject to clauses (1), (2), and (3) of subsection (a); or

(4) in any way affects the right of fair use as provided by [section 107](#), or any contractual obligations assumed at any time by the library or archives when it obtained a copy or phonorecord of a work in its collections.

(g) The rights of reproduction and distribution under this section extend to the isolated and unrelated reproduction or distribution of a single copy or phonorecord of the same material on separate occasions, but do not extend to cases where the library or archives, or its employee—

(1) is aware or has substantial reason to believe that it is engaging in the related or concerted reproduction or distribution of multiple copies or phonorecords of the same material, whether made on one occasion or over a period of time, and whether intended for aggregate use by one or more individuals or for separate use by the individual members of a group; or

(2) engages in the systematic reproduction or distribution of single or multiple copies or phonorecords of material described in subsection (d): *Provided*, That nothing in this clause prevents a library or archives from participating in interlibrary arrangements that do not have, as their purpose or effect, that the library or archives receiving such copies or phonorecords for distribution does so in such aggregate quantities as to substitute for a subscription to or purchase of such work.

(h)(1) For purposes of this section, during the last 20 years of any term of copyright of a published work, a library or archives, including a nonprofit educational institution that functions as such, may reproduce, distribute, display, or perform in facsimile or digital form a copy or phonorecord of such work, or portions thereof, for purposes of preservation, scholarship, or research, if such library or archives has first determined, on the basis of a reasonable investigation, that none of the conditions set forth in subparagraphs (A), (B), and (C) of paragraph (2) apply.

(2) No reproduction, distribution, display, or performance is authorized under this subsection if—

(A) the work is subject to normal commercial exploitation;

(B) a copy or phonorecord of the work can be obtained at a reasonable price; or

(C) the copyright owner or its agent provides notice pursuant to regulations promulgated by the Register of Copyrights that either of the conditions set forth in subparagraphs (A) and (B) applies.

(3) The exemption provided in this subsection does not apply to any subsequent uses by users other than such library or archives.

(i) The rights of reproduction and distribution under this section do not apply to a musical work, a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an

audiovisual work dealing with news, except that no such limitation shall apply with respect to rights granted by subsections (b), (c), and (h), or with respect to pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to works of which copies are reproduced or distributed in accordance with subsections (d) and (e).

110. Limitations on exclusive rights: Exemption of certain performances and displays⁴⁴

Notwithstanding the provisions of [section 106](#), the following are not infringements of copyright:

(1) performance or display of a work by instructors or pupils in the course of face-to-face teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction, unless, in the case of a motion picture or other audiovisual work, the performance, or the display of individual images, is given by means of a copy that was not lawfully made under this title, and that the person responsible for the performance knew or had reason to believe was not lawfully made;

(2) except with respect to a work produced or marketed primarily for performance or display as part of mediated instructional activities transmitted via digital networks, or a performance or display that is given by means of a copy or phonorecord that is not lawfully made and acquired under this title, and the transmitting government body or accredited nonprofit educational institution knew or had reason to believe was not lawfully made and acquired, the performance of a nondramatic literary or musical work or reasonable and limited portions of any other work, or display of a work in an amount comparable to that which is typically displayed in the course of a live classroom session, by or in the course of a transmission, if—

(A) the performance or display is made by, at the direction of, or under the actual supervision of an instructor as an integral part of a class session offered as a regular part of the systematic mediated instructional activities of a governmental body or an accredited nonprofit educational institution;

(B) the performance or display is directly related and of material assistance to the teaching content of the transmission;

(C) the transmission is made solely for, and, to the extent technologically feasible, the reception of such transmission is limited to—

(i) students officially enrolled in the course for which the transmission is made; or
(ii) officers or employees of governmental bodies as a part of their official duties or employment;
and

(D) the transmitting body or institution—

(i) institutes policies regarding copyright, provides informational materials to faculty, students, and relevant staff members that accurately describe, and promote compliance with, the laws of the United States relating to copyright, and provides notice to students that materials used in connection with the course may be subject to copyright protection; and

(ii) in the case of digital transmissions—

(I) applies technological measures that reasonably prevent—

(aa) retention of the work in accessible form by recipients of the transmission from the transmitting body or institution for longer than the class session; and

(bb) unauthorized further dissemination of the work in accessible form by such recipients to others; and

(II) does not engage in conduct that could reasonably be expected to interfere with technological measures used by copyright owners to prevent such retention or unauthorized further dissemination;

(3) performance of a nondramatic literary or musical work or of a dramatico-musical work of a religious nature, or display of a work, in the course of services at a place of worship or other religious assembly;

(4) performance of a nondramatic literary or musical work otherwise than in a transmission to the public, without any purpose of direct or indirect commercial advantage and without payment of any fee or other compensation for the performance to any of its performers, promoters, or organizers, if—

(A) there is no direct or indirect admission charge; or

(B) the proceeds, after deducting the reasonable costs of producing the performance, are used exclusively for educational, religious, or charitable purposes and not for private financial gain, except where the copyright owner has served notice of objection to the performance under the following conditions:

(i) the notice shall be in writing and signed by the copyright owner or such owner's duly authorized agent; and

(ii) the notice shall be served on the person responsible for the performance at least seven days before the date of the performance, and shall state the reasons for the objection; and

(iii) the notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation;

(5)(A) except as provided in subparagraph (B), communication of a transmission embodying a performance or display of a work by the public reception of the transmission on a single receiving apparatus of a kind commonly used in private homes, unless—

(i) a direct charge is made to see or hear the transmission; or

(ii) the transmission thus received is further transmitted to the public;

(B) communication by an establishment of a transmission or retransmission embodying a performance or display of a nondramatic musical work intended to be received by the general public, originated by a radio or television broadcast station licensed as such by the Federal Communications Commission, or, if an audiovisual transmission, by a cable system or satellite carrier, if—

(i) in the case of an establishment other than a food service or drinking establishment, either the establishment in which the communication occurs has less than 2,000 gross square feet of space (excluding space used for customer parking and for no other purpose), or the establishment in which the communication occurs has 2,000 or more gross square feet of space (excluding space used for customer parking and for no other purpose) and—

(I) if the performance is by audio means only, the performance is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space; or

(II) if the performance or display is by audiovisual means, any visual portion of the performance or display is communicated by means of a total of not more than 4 audiovisual devices, of which not more than 1 audiovisual device is located in any 1 room, and no such audiovisual device has a diagonal screen size greater than 55 inches, and any audio portion of the performance or display is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space;

(ii) in the case of a food service or drinking establishment, either the establishment in which the communication occurs has less than 3,750 gross square feet of space (excluding space used for customer parking and for no other purpose), or the establishment in which the communication occurs has 3,750 gross square feet of space or more (excluding space used for customer parking and for no other purpose) and—

(I) if the performance is by audio means only, the performance is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space; or

(II) if the performance or display is by audiovisual means, any visual portion of the performance or display is communicated by means of a total of not more than 4 audiovisual devices, of which not more than 1 audiovisual device is located in any 1 room, and no such audiovisual device has a diagonal screen size greater than 55 inches, and any audio portion of the performance or display is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space;

(iii) no direct charge is made to see or hear the transmission or retransmission;

(iv) the transmission or retransmission is not further transmitted beyond the establishment where it is received; and

(v) the transmission or retransmission is licensed by the copyright owner of the work so publicly performed or displayed;

(6) performance of a nondramatic musical work by a governmental body or a nonprofit agricultural or horticultural organization, in the course of an annual agricultural or horticultural fair or exhibition conducted by such body or organization; the exemption provided by this clause shall extend to any liability for copyright infringement that would otherwise be imposed on such body or organization, under doctrines of vicarious liability or related infringement, for a performance by a concessionaire, business establishment, or other person at such fair or exhibition, but shall not excuse any such person from liability for the performance;

(7) performance of a nondramatic musical work by a vending establishment open to the public at large without any direct or indirect admission charge, where the sole purpose of the performance is to promote the retail sale of copies or phonorecords of the work, or of the audiovisual or other devices utilized in such performance, and the performance is not transmitted beyond the place where the establishment is located and is within the immediate area where the sale is occurring;

(8) performance of a nondramatic literary work, by or in the course of a transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of their handicap, or deaf or other handicapped persons who are unable to hear the aural signals accompanying a transmission of visual signals, if the performance is made without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of: (i) a governmental body; or (ii) a noncommercial educational broadcast station (as defined in section 397 of title 47); or (iii) a radio subcarrier authorization (as defined in 47 CFR 73.293–73.295 and 73.593–73.595); or (iv) a cable system (as defined in [section 111](#) (f));

(9) performance on a single occasion of a dramatic literary work published at least ten years before the date of the performance, by or in the course of a transmission specifically designed for and primarily directed to blind or other handicapped persons who are unable to read normal printed material as a result of their handicap, if the performance is made without any purpose of direct or indirect commercial advantage and its transmission is made through the facilities of a radio subcarrier authorization referred to in clause (8) (iii), *Provided*, That the provisions of this clause shall not be applicable to more than one performance of the same work by the same performers or under the auspices of the same organization;

(10) notwithstanding paragraph (4), the following is not an infringement of copyright: performance of a nondramatic literary or musical work in the course of a social function which is organized and promoted by a nonprofit veterans' organization or a nonprofit fraternal organization to which the general public is not invited, but not including the invitees of the organizations, if the proceeds from the performance, after deducting the reasonable costs of producing the performance, are used exclusively for charitable purposes and not for financial gain. For purposes of this section the social functions of any college or university fraternity or sorority shall not be included unless the social function is held solely to raise funds for a specific charitable purpose; and

(11) the making imperceptible, by or at the direction of a member of a private household, of limited portions of audio or video content of a motion picture, during a performance in or transmitted to that household for private home viewing, from an authorized copy of the motion picture, or the creation or provision of a computer program or other technology that enables such making imperceptible and that is designed and marketed to be used, at the direction of a member of a private household, for such making imperceptible, if no fixed copy of the altered version of the motion picture is created by such computer program or other technology.

The exemptions provided under paragraph (5) shall not be taken into account in any administrative, judicial, or other governmental proceeding to set or adjust the royalties payable to copyright owners for the public performance or display of their works. Royalties payable to copyright owners for any public performance or display of their works other than such performances or displays as are exempted under paragraph (5) shall not be diminished in any respect as a result of such exemption.

In paragraph (2), the term “mediated instructional activities” with respect to the performance or display of a work by digital transmission under this section refers to activities that use such work as an integral part of the class experience, controlled by or under the actual supervision of the instructor and analogous to the type of performance or display that would take place in a live classroom setting. The term does not refer to activities that use, in 1 or more class sessions of a single course, such works as textbooks, course packs, or other material in any media, copies or phonorecords of which are typically purchased or acquired by the students in higher education for their independent use and retention or are typically purchased or acquired for elementary and secondary students for their possession and independent use.

For purposes of paragraph (2), accreditation—

(A) with respect to an institution providing post-secondary education, shall be as determined by a regional or national accrediting agency recognized by the Council on Higher Education Accreditation or the United States Department of Education; and

(B) with respect to an institution providing elementary or secondary education, shall be as recognized by the applicable state certification or licensing procedures.

For purposes of paragraph (2), no governmental body or accredited nonprofit educational institution shall be liable for infringement by reason of the transient or temporary storage of material carried out through the automatic technical process of a digital transmission of the performance or display of that material as authorized under paragraph (2). No such material stored on the system or network controlled or operated by the transmitting body or institution under this paragraph shall be maintained on such system or network in a manner ordinarily accessible to anyone other than anticipated recipients. No such copy shall be maintained on the system or network in a manner ordinarily accessible to such anticipated recipients for a longer period than is reasonably necessary to facilitate the transmissions for which it was made.

For purposes of paragraph (11), the term “making imperceptible” does not include the addition of audio or video content that is performed or displayed over or in place of existing content in a motion picture.

Nothing in paragraph (11) shall be construed to imply further rights under [section 106](#) of this title, or to have any effect on defenses or limitations on rights granted under any other section of this title or under any other paragraph of this section.



Copyright and Fair Use Guidelines for Teachers

This chart was designed to inform teachers of what they may do under the law. Feel free to make copies for teachers in your school or district, or download a PDF version at

www.techlearning.com. More detailed information about fair use guidelines and copyright resources is available at www.halldavidson.net.

| Medium | Specifics | What you can do | The Fine Print |
|---|---|--|--|
| Printed Material (short) | <ul style="list-style-type: none"> Poem less than 250 words; 250-word excerpt of poem greater than 250 words Articles, stories, or essays less than 2,500 words Excerpt from a longer work (10 percent of work or 1,000 words, whichever is less) One chart, picture, diagram, or cartoon per book or per periodical issue Two pages (maximum) from an illustrated work less than 2,500 words, e.g., a children's book | <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 on-of-a-kind and out-of-print books. |
| Illustrations and Photographs | <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. |
| Video (for viewing) | <ul style="list-style-type: none"> Videotapes (purchased) Videotapes (rented) DVDs Laserdiscs | <ul style="list-style-type: none"> Teachers may use these materials in the classroom. Copies may be made for archival purposes or to replace lost, damaged, or stolen copies. | <ul style="list-style-type: none"> The material must be legitimately acquired. Material must be used in a classroom or nonprofit environment "dedicated to face-to-face instruction." Use should be instructional, not for entertainment or reward. Copying OK only if replacements are unavailable at a fair price or in a viable format. |
| Video (for integration into multimedia or video projects) | <ul style="list-style-type: none"> Videotapes DVDs Laserdiscs Multimedia encyclopedias QuickTime Movies Video clips from the Internet | <ul style="list-style-type: none"> Students "may use portions of lawfully acquired copyright works in their academic multimedia," defined as 10 percent 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. |
| Music (for integration into multimedia or video projects) | <ul style="list-style-type: none"> Records Cassette tapes CDs Audio clips on the Web | <ul style="list-style-type: none"> Up to 10 percent of a copyright musical composition may be reproduced, performed, and displayed as part of a multimedia program produced by an educator or students. | <ul style="list-style-type: none"> A maximum of 30 seconds per musical composition may be used. Multimedia program must have an educational purpose. |
| Computer Software | <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. 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). |
| Internet | <ul style="list-style-type: none"> Internet connections World Wide Web | <ul style="list-style-type: none"> Images may be downloaded for student projects and teacher lessons. Sound files and video may be downloaded for use in multimedia projects (see portion restrictions above). | <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 Website. |
| Television | <ul style="list-style-type: none"> Broadcast (e.g., ABC, NBC, CBS, UPN, PBS, and local 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—see Cable in the Classroom (www.ciconline.org) for details. | <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 Reading Rainbow, allow for much more.) Cable programs are technically not covered by the same guidelines as broadcast television. |

Fair Use Checklist: Introduction

Prepared by the Indiana University Copyright Management Center

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We are pleased to offer the following “Checklist for Fair Use” as a helpful tool for the academic community. We hope that it will serve two purposes. First, it should help educators, librarians, and others to focus on factual circumstances that are important to the evaluation of a contemplated fair use of copyrighted works. A reasonable fair-use analysis is based on four factors set forth in the fair-use provision of copyright law: Section 107 of the Copyright Act of 1976. The application of those factors depends on the particular facts of your situation, and changing one or more facts may alter the outcome of the analysis. The “checklist for fair use” derives from those four factors and from the judicial decisions interpreting copyright law.

For additional information about fair use and its application to the needs of education, read the following publications from the Copyright Management Center:

- Fair Use: Overview and Meaning for Higher Education, Kenneth D. Crews
- A Fair-Use Case Study: Using Copyrighted Materials On The World Wide Web, Dwayne K. Buttler

A second purpose of the checklist is to provide an important means for recording your decision-making process. Maintaining a record of your fair-use analysis is critical to establishing your “reasonable and good-faith” attempts to apply fair use to meet your educational objectives. The Indiana University Policy on Fair Use of Copyrighted Works for Education and Research requires reasonable and good-faith applications of fair use from all members of the university community. Once you have completed your application of fair use to a particular need, keep your completed checklist in your files for future reference.

As you use the checklist and apply it to your situation, you are likely to check more than one box in each column and even check boxes across columns. Some checked boxes will “favor fair use,” and others may “oppose fair use.” A key concern is whether you are acting reasonably in checking any given box; the ultimate concern is whether the cumulative “weight” of the factors favors or opposes fair use. Only you can make that decision, and the IU policy empowers you to make it in a reasonable and good-faith manner.

To learn more about fair use and other aspects of copyright law, visit the Copyright Management Center website at <http://www.iupui.edu/~copyinfo/>.

CHECKLIST FOR FAIR USE

Please complete and retain a copy of this form in connection with each possible "fair use" of a copyrighted work for your project

Name: _____

Date: _____

Institution: _____

Project: _____

PURPOSE

Favoring Fair Use

- ☐ Teaching (including multiple copies for classroom use)
- ☐ Research
- ☐ Scholarship
- ☐ Nonprofit Educational Institution
- ☐ Criticism
- ☐ Comment
- ☐ News reporting
- ☐ Transformative or Productive use (changes the work for new utility)
- ☐ Restricted access (to students or other appropriate group)
- ☐ Parody

Opposing Fair Use

- ☐ Commercial activity
- ☐ Profiting from the use
- ☐ Entertainment
- ☐ Bad-faith behavior
- ☐ Denying credit to original author

NATURE

Favoring Fair Use

- ☐ Published work
- ☐ Factual or nonfiction based
- ☐ Important to favored educational objectives

Opposing Fair Use

- ☐ Unpublished work
- ☐ Highly creative work (art, music, novels, films, plays)
- ☐ Fiction

AMOUNT

Favoring Fair Use

- ☐ Small quantity
- ☐ Portion used is not central or significant to entire work
- ☐ Amount is appropriate for favored educational purpose

Opposing Fair Use

- ☐ Large portion or whole work used
- ☐ Portion used is central to work or "heart of the work"

EFFECT

Favoring Fair Use

- ☐ User owns lawfully acquired or purchased copy of original work
- ☐ One or few copies made
- ☐ No significant effect on the market or potential market for copyrighted work
- ☐ No similar product marketed by the copyright holder
- ☐ Lack of licensing mechanism

Opposing Fair Use

- ☐ Could replace sale of copyrighted work
- ☐ Significantly impairs market or potential market for copyrighted work or derivative
- ☐ Reasonably available licensing mechanism for use of the copyrighted work
- ☐ Affordable permission available for using work
- ☐ Numerous copies made
- ☐ You made it accessible on Web or in other public forum
- ☐ Repeated or long term use

10 THINGS YOU SHOULD KNOW ABOUT

COPYRIGHT



COPYRIGHT PROTECTS CREATIVE WORK — YOURS, MINE, EVERYONE'S!

1



We're all both consumers and creators of creative work. As consumers, we watch movies, listen to music, read books, and more! As creators, we take photos, write songs, make videos, etc.

2



Copyright protects creative work, so people can't generally copy or share or perform other people's work without permission.

3



Copyright comes from the Constitution. Its purpose is to promote more creativity. The idea is that letting each of us decide what happens to our own creations will encourage us to keep creating.

4



All creative work is protected by copyright as soon as it's written down or recorded or saved—and not just work by professional artists or big studios. Copyright protects all of us—our photos on Instagram and everything we write or create.

5



If you copy or share other people's creative works without permission, that's called copyright infringement. Examples:

- Downloading music, movies, ebooks, or games from illegal sources that operate without artists' permission.
- Uploading your collection of music, movies, ebooks, or games for your friends to copy.

Copyright infringement is illegal and carries serious penalties.

BUT COPYRIGHT DOESN'T COVER EVERYTHING

6



Copyright gives a lot of protection, but it also has limitations. Not everything gets copyright protection. Facts and ideas are not protected by copyright, neither are US Government documents, like NASA photos and reports by federal agencies.

7



Another limitation of copyright is "fair use," which allows us to copy and re-use copyrighted work without the artist's permission in certain, limited ways that are still fair to the creator.

8



When you re-use portions of someone else's work for a school project—like using images or songs for a presentation in class—that's a fair use situation. You don't need the author's permission.

9



Copyright protection doesn't last forever. Eventually it expires, and the creative work falls into the "public domain." Works in the public domain are free to re-use and share however you want.

10



Some creators are happy to share their creative work. They use a licensing system for sharing called Creative Commons. You can find millions of CC work that are free to share or re-use.



Belgrade High School **Panthers**

To graduate students who have skills, knowledge,
information, and attitudes to become accomplished citizens
in the 21st Century.

www.bsd44.org



Student/Parent Handbook
2021~2022

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administration may recommend the student be expelled pending a hearing before the school board.

For the safety and welfare of the student and the student body, the building administrator is authorized to use any reasonable means of conducting alcohol tests, including but not limited to tools such as breath-test instruments, saliva test strips, alcohol detection wands, wipes, etc. if there is a reasonable suspicion and if it is both: (1) justified at its inception, and (2) reasonably related in scope to the circumstances which justified the interference in the first place. (Refer to Board Policy 3231 and/or 3330)

Behavior That Incites

Inciting or participating in an incident that results in a disruption in or out-of-school.

- An initial out-of-school suspension period up to (10) days with an additional (10) day suspension period allowed if the student is granted an informal hearing with the school administrator prior to the additional suspension. Depending on the seriousness of the offense, may recommend the student be expelled pending a hearing before the school board.
- In the case of senior pranks, diplomas may be withheld until appropriate consequences and restitution have been fulfilled. (MCA 20-4-201)

Bomb Threat and False Fire Alarm

Willful intent to arouse suspicion that a bomb is on school property. Giving a false alarm of a fire, tampering, or interfering with any fire alarm.

- 1st offense – 1-10 day suspension
- 2nd offense - school board action on a recommended expulsion.

Cheating and/or Plagiarism

- 1st Offense: Zeros on test, homework, etc. and parent notification.
- 2nd Offense in the same class: Loss of credit for that semester and parent notification.

Chemicals: Possession or Use

(Refer to Board Policy 3310)

Possession, use, or being under the influence of any narcotic, controlled substance, or uncontrolled substance in the school buildings, on school grounds, in vehicles on school grounds, during school sponsored events, or during school time where possession or use is prohibited by Montana or federal law.

- 1st offense -3-day suspension.
- 2nd offense –5-day suspension.
- 3rd offense - An initial out-of-school suspension period up to (10) days with an additional (10) day suspension period allowed if the student is granted an informal hearing prior to the additional suspension. Depending on the seriousness of the offense, the school administration may recommend the student be expelled pending a hearing before the school board.

Chemicals: Selling or Distributing

- Selling, distributing, or intending to distribute any narcotic, controlled substance, or uncontrolled substance in the school buildings, on school grounds, in vehicles on school

Citing Sources: Plagiarism

 research.moreheadstate.edu/citingsources/plagiarism



MOREHEAD STATE UNIVERSITY
CAMDEN-CARROLL LIBRARY

Defining Plagiarism

To plagiarize:

1. To steal and pass off (the ideas or words of another) as one's own : use (another's production) without crediting the source.
2. To commit literary theft : present as new and original an idea or product derived from an existing source.

(Source: *Merriam-Webster Dictionary Online*: <http://www.merriam-webster.com/dictionary/plagiarize>)

Identifying Plagiarism

The Obvious:

- Stealing, buying, or using someone else's paper/work.
- Cutting and pasting portions of someone else's text/work without citing it.
- Forgetting to cite.
- Providing incorrect or incomplete citations and forgetting to use quotation marks.

The Not-So-Obvious:

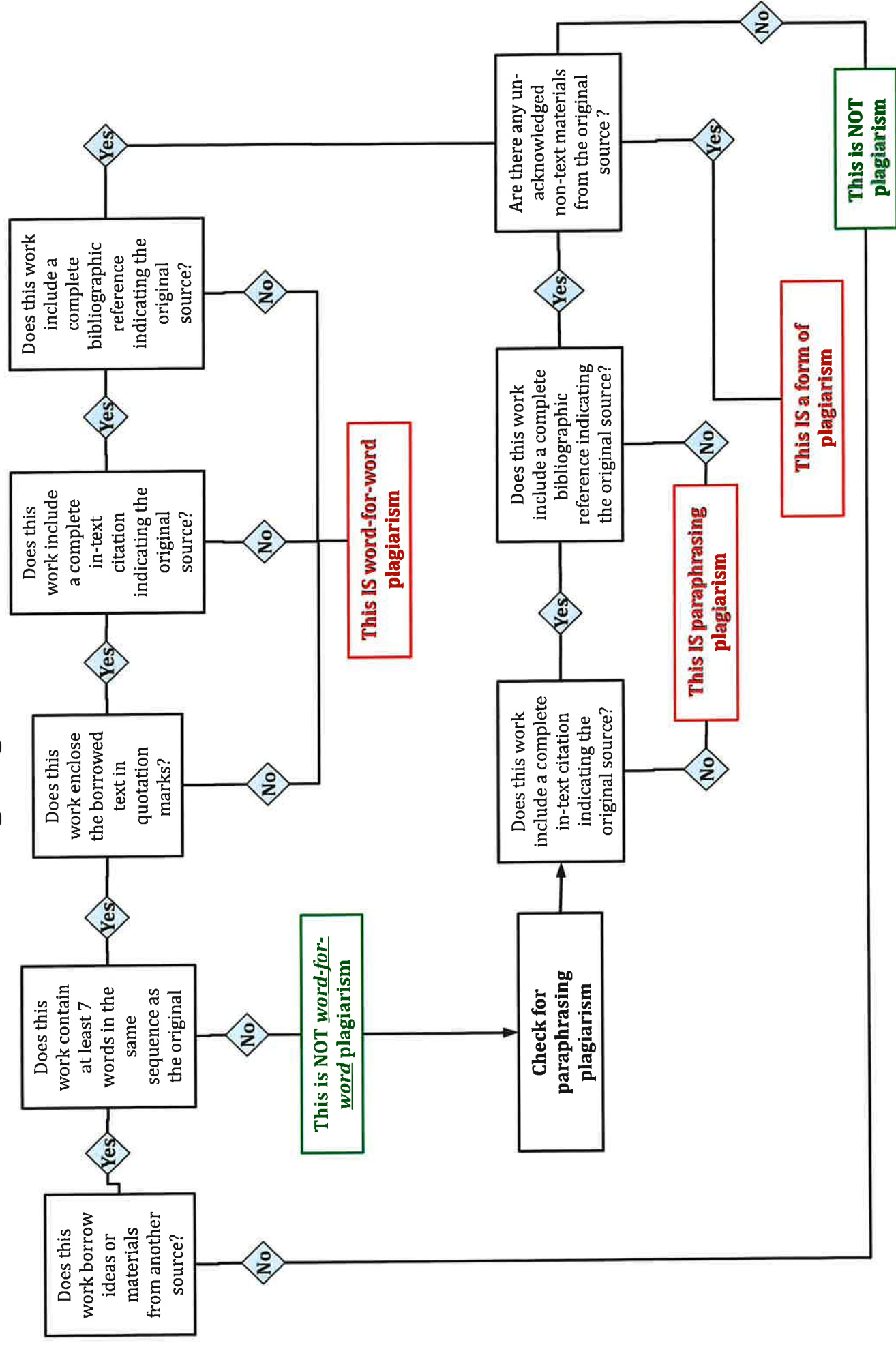
- Turning in your own paper/work twice.
- Ghostwriting a paper for someone else.

Avoiding Plagiarism

Here are a few tricks to help you avoid plagiarism:

- Take notes as you research! Write down citation information and brief notes on each source you might use in your assignments.
- Color code your sentences as you write to distinguish what is your idea and what is someone else's idea. Simply change the colors to black when you are done writing.
- Proofread your paper to check for any citation mistakes.
- Keep a source (like a library book) with you until you are absolutely done with your assignment. Bookmark web content that you might use.
- **Get help with your writing if every sentence in your assignment needs a citation. You might not be meeting the objectives of the assignment.**

Avoiding Plagiarism Decision Tree



Research Note-Taking Template

Name: _____

Class Per. _____

Date: _____

Getting Started:

Keep track of your research goal and the citation information for the resource (to avoid plagiarism and make it easier to cite information). Be sure to keep one set of notes per resource so you can cite information more easily.

| Reading & Research Focus: <ul style="list-style-type: none"> What are you trying to find? Research goal(s) & question(s) What type of resource is this? | Bibliography Entry for the Resource: <div style="text-align: center;">(OSLIS can help you generate one)</div> |
|---|---|
| | |

KEY STAR Notes (also known as Cornell Notes):

1. As you explore the resource, list relevant keywords/details (Note page numbers if applicable).
2. Next, summarize, clarify, and make connections with those details using your own words
3. Also Note other things you noticed, wondered about, questioned as you explored.

| Step 1: List KEY details & words: Include the following: <ul style="list-style-type: none"> short keywords & phrases statistics/facts important "quotes" Page Numbers (if applicable) | Step 2: Summarize & Connect the Keys (right side): <ul style="list-style-type: none"> What do these details mean (in your own words)? What does the author want you to know about these key details? Why are these details important? How do they connect to each other? Your topic? <p>*Underline the keywords/details as you talk about them. **Put "quotes" around the word-for-word copies from the research.</p> |
|---|---|
| | |
| Step 3: Record your Reactions, Observations, Questions, Personal Insights: <ul style="list-style-type: none"> What did you notice as you explored the resource? What did you think, wonder about, feel as you researched? What did/does it make you want to know more about? What questions do you have? | |
| | |

Step 2: Do The Search
(A Research Tool From Your Friendly BHS Librarians)

Name: _____ Class Per. _____ Date: _____

Step 2: Stay focused, organized, and avoid plagiarism while collecting information.

1. What is your research focus?

Paste your research topic, keywords, and/or research questions/tasks in the box below to help you stay focused as you search.

2. Organize Sources & Information.

Hot Tip #2: Within each chart, use gComments (or a color-coding system) to show which information relates to which research question/task.

Source #1:

| | |
|--|--|
| Source Name/Link/Citation: OSLIS can help with works cited entries. | |
| Word-for-Word Quotes from Source: <ul style="list-style-type: none"> "Quotation marks" required In-Text Citation Required Note Exact Location of quote (line, paragraph, page, etc.) | |
| Reworded Summaries/Paraphrases from Source: <ul style="list-style-type: none"> No quotation marks required In-Text Citation Required Note Exact Location of Information (line, paragraph, page, etc) | |
| Key Vocabulary/ Keywords from Source: <ul style="list-style-type: none"> Can use to find related terms | |
| Other Resources Mentioned/Cited: <ul style="list-style-type: none"> List other resources this source used or mentioned. | |

Source #2:

| | |
|---|--|
| <p>Source Name/Link: or formatted bibliography entry for source. OSLIS can help with works cited entries.</p> | |
| <p>Word-for-Word Quotes from Source:</p> <ul style="list-style-type: none"> • "Quotation marks" required • In-Text Citation Required • Note Exact Location of quote (line, paragraph, page, etc.) | |
| <p>Reworded Summaries/Paraphrases from Source:</p> <ul style="list-style-type: none"> • No quotation marks required • In-Text Citation Required • Note Exact Location of information (line, paragraph, page, etc) | |
| <p>Key Vocabulary/ Keywords from Source:</p> <ul style="list-style-type: none"> • Can use to find related terms | |
| <p>Other Resources Mentioned/Cited:</p> <ul style="list-style-type: none"> • List other resources this source used or mentioned. | |

Source #3:

| | |
|---|--|
| <p>Source Name/Link: or formatted bibliography entry for source. OSLIS can help with works cited entries.</p> | |
| <p>Word-for-Word Quotes from Source:</p> <ul style="list-style-type: none"> • "Quotation marks" required • In-Text Citation Required • Note Exact Location of quote (line, paragraph, page, etc.) | |
| <p>Reworded Summaries/Paraphrases from Source:</p> <ul style="list-style-type: none"> • No quotation marks required • In-Text Citation Required • Note Exact Location of information (line, paragraph, page, etc) | |
| <p>Key Vocabulary/ Keywords from Source:</p> <ul style="list-style-type: none"> • Can use to find related terms | |
| <p>Other Resources Mentioned/Cited:</p> <ul style="list-style-type: none"> • List other resources this source used or mentioned. | |

Did You Know?

The BHS Library Can Help You...



1

Find Classroom & Reading Resources.

We host [9 Gale online databases](#) (190+ Gale eBooks, primary sources, current events, etc.), [World Book Online](#), Follett eBooks (fiction and non), [6,000+ print books](#), helpful links on our [library website](#), and so much more.

If we don't have it, we can help you track it down.

2

Navigate Research Units & Lessons.

Teaching research can be hard. We can **help you plan** and even **co-teach** research lessons. We are also happy to share [helpful resources](#) and teaching strategies (ex: [digital text sets](#) / "[Collections](#)").

3

Prevent & Manage Plagiarism Issues.

We can help you stay on top of plagiarism issues by providing [preventative classroom resources](#), **lessons**, and access to our online plagiarism-checker service ([Unicheck](#)).

4

Reserve Discussion & Work Spaces.

We offer inviting **discussion, collaboration, and quiet work spaces** for staff and students. We also host a **24-desktop computer lab** with **student printer access**. [Contact Us](#) to reserve your spot.

Online reservation system coming soon!

5

Bind.

Bring your binding projects to the library. If we can, we'll bind it for you. If not, we'll show you how. Projects must be related to our high school.

VISIT THE BHS LIBRARY TODAY!

hslibrarians@bsd44.org