



# Administrative Regulations

South San Antonio Independent School District

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Intellectual Property EXHIBITS - 2023	

See the following pages for notices regarding copyrighted materials:

**Exhibit A:** Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions — 3 pages

**Exhibit B:** Copyright Warning Notice — 1 page



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## EXHIBIT A

### AGREEMENT ON GUIDELINES FOR CLASSROOM COPYING IN NOT-FOR-PROFIT EDUCATIONAL INSTITUTIONS

#### 1. Single copying for teachers:

A single copy may be made of any of the following by or for a teacher at the teacher's individual request for use in scholarly research or teaching or preparation to teach a class:

- a. A chapter from a book.
- b. An article from a periodical or newspaper.
- c. A short story, short essay, or short poem, either from or not from a collective work.
- d. A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

#### 2. Multiple copies for classroom use:

Multiple copies (not to exceed in any event more than one copy per student in a course) may be made by or for the teacher of the course for classroom use or discussion, provided that the copying:

- a. Meets the tests of brevity and spontaneity as defined below;
- b. Meets the cumulative effect test as defined below; and
- c. Each copy includes a notice of copyright.

[For information regarding prohibitions on items 1 and 2 above, see CY(LEGAL).]

### DEFINITIONS

#### **Brevity:**

1. Poetry:
  - a. A complete poem if less than 250 words and if printed on not more than two pages; or
  - b. From a longer poem, an excerpt of not more than 250 words.
1. Prose:
  - a. Either a complete article, story, or essay of less than 2,500 words; or
  - b. An excerpt from any prose work of not more than 1,000 words or ten percent of the work, whichever is less, but in any event a minimum of 500 words.

[Each of the numerical limits stated in items 1 and 2 above may be expanded to permit the



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completion of an unfinished line of a poem or of an unfinished prose paragraph.]

2. Illustration: One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
3. "Special" works: Certain works in poetry, prose, or in "poetic prose" that fall short of 2,500 words in their entirety that often combine language with illustrations and that are intended sometimes for children and at other times for a more general audience. Item number 4 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 work and containing not more than ten percent of the words found in the text thereof may be reproduced.

## Spontaneity:

1. The copying is at the instance and inspiration of the individual teacher; and
2. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

## Cumulative Effect:

1. The copying of the material is for only one course in the school in which the copies are made.
2. Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author nor more than three from the same collective work or periodical volume during one class term.
3. There will not be more than nine instances of such multiple copying for one course during one class term.

(The limitations stated in items 2 and 3 above will not apply to current news periodicals and newspapers and current news sections of other periodicals.)

## GUIDELINES FOR EDUCATIONAL USES OF MUSIC

### Permissible uses:

1. Emergency copying to replace purchased copies that for any reason are not available for an imminent performance, provided purchased replacement copies will be substituted in due course.
2. Multiple copies:
  - a. For academic purposes other than a performance, multiple copies of excerpts of works



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may be made, provided that the excerpts do not comprise a part of the whole that would constitute a performable unit such as a section, movement, or aria, but in no case more than ten percent of the whole work. The number of copies will not exceed one copy per student.

b. Single copies:

For academic purposes other than a performance, a single copy of an entire performable unit (section, movement, aria, and the like) that is:

- (1) Confirmed by the copyright proprietor to be out of print, or
- (2) Unavailable except in a larger work, which may be made by or for a teacher solely for the purpose of his or her scholarly research or in preparation to teach a class.

3. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, are not altered or added if none exist.
4. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
5. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)

[For information regarding prohibitions on the use of music, see CY(LEGAL).]

*17 U.S.C. 107 historical note*