

## 4.07 REPRODUCTION OF COPYRIGHTED MATERIAL

### Specific Guidelines for Reproduction of Copyrighted Material

- I. Computer Software Guidelines – Software licenses dictate its use. The following are generally acceptable unless the license indicates otherwise.
  - A. Permissible Uses
    1. For computers with hard drives not networked to other computers, it is permissible to copy the entire program from the original disk to the hard drive for use on that computer only.
    2. Networking a program is permissible if the copy of the program is stored on a network file server only if the rights for a number of simultaneous users have been purchased.
    3. A single copy of each software program can be made for archival purposes. This copy should be kept in a separate location and cannot be circulated.
  - B. Prohibited Uses
    1. A program cannot be copied or loaded into memory onto more than one computer unless other copies are destroyed/erased from the hard drive of the other computers.
    2. No software programs may be installed or used on district computers unless they were legally purchased or acquired by the school and/or district – not by an individual.
- II. Music Guidelines
  - A. Permissible uses
    1. Copies of music
      - (a) Any copy made must include the copyright notice that appears on the printed copy.
      - (b) School music departments may make copies of music in emergencies when purchased music is not available for any reason, for an imminent performance provided purchased replacement copies will be substituted in due course.

- (c) For academic purposes other than performance, multiple copies of excerpts of works may be made provided that the excerpts do not comprise a “performable unit” (i.e., section, movement, aria) of a work or more than ten percent (10%) of the whole work. The permissible number of copies is limited to one per student.
- (d) A single copy of an entire performable unit that is out of print or unavailable except in a larger work may be made by a teacher solely for the purpose of scholarly research or preparation to teach a class.
- (e) Printed copies of purchased music may be edited or simplified, provided that the fundamental character of the work is not distorted, or the lyrics (if any) altered, or lyrics added if none exists.

## 2. Recording of music

- (a) Single copies of a musical performance by students may be made for evaluation or rehearsal purposes and may be retained by the school or teacher.
- (b) A single copy of a sound recording (tape, disc, or cassette) of copyrighted music may be made and retained by the school or teacher for the purpose of constructing aural exercises or examination. (This pertains only to the copyright on the music itself, and not to any copyright that may exist in the sound recording.)
- (c) The sound recording must be related to the current lesson, part of the teaching activities, and stated in the lesson plans. The teacher must be able to point to specific objectives and be prepared to justify how the sound recording assists in attaining these objectives. If the teacher is not able to make such a justification, use of the recording in the classroom is not allowed.

## B. Prohibited Uses

1. A teacher may not copy to create, replace, or substitute for anthologies, compilations, or collective work or to create consumable (i.e., workbooks, exercises, tests, and answer sheets) for a class.
2. A teacher may not use copied material as a substitute for the purchase of music.
3. Copying of a sound recording is not permitted, even an archival copy.

III. Printed Material Guidelines – Each copy must have notice of the copyright holder.

A. Permissible Duplication of Copies

1. Single copies may be made of the following:
  - (a) A chapter from a book.
  - (b) An article from a periodical or newspaper.
  - (c) A short story, essay, or poem.
  - (d) A chart, graph, diagram, cartoon, drawing, or picture from a book, periodical, or newspaper.
  - (e) A short excerpt (up to 10%) of a unit of music such as a song or movement.
  
2. Multiple copies – No more than one copy per pupil for classroom use of the following:
  - (a) If initiated by the teacher.
  - (b) A complete poem of less than 250 words and is not printed on more than two pages.
  - (c) An excerpt of less than 250 words from a longer poem.
  - (d) Up to ten percent or 2 pages, whichever is less, of a picture book as long as those 2 pages do not comprise ten percent of the text of the book.
  - (e) A story, essay, or article of less than 2,500 words.
  - (f) One illustration (chart, graph, drawing, cartoon, diagram, or picture) per book or periodical issue.
  - (g) Up to ten percent of a unit of music for academic purposes other than performance.
  - (h) Up to ten percent or 1,000 words, whichever is less, of a play, novel, or letter.
  - (i) Current news articles from newspapers and magazines.
  - (j) Copying must be done for only one course.
  - (k) Emergency copies of music may be made when purchased music is not available for any reason for an imminent performance.

- (l) Copy no more than three items from the same periodical volume during one class term.

B. Prohibited Use of Copies

1. Copy in order to create or to replace anthologies or to substitute for them.
2. Copy from “consumable” works such as standardized tests, answer sheets, or class workbooks.
3. Copy by direction from a higher authority (i.e., principal, supervisor, etc.)
4. Copy to substitute for the purchase of books, periodicals, or music.
5. Copy the same item from term to term – without gaining permission.
6. Make multiple copies of more than nine items in one term.
7. Copy more than one entire article or two excerpts from the same author’s work in a term.
8. Enlarging or modifying an illustration, graphic, chart, picture, or cartoon that is copyrighted.

IV. Videotape Guidelines

A. Permissible Uses

1. A videotape must have been recorded and acquired in a lawful manner.
2. Attendance must be limited to the teacher and pupils in an instructional setting (face-to-face teaching).
3. Only a school and/or district can claim the fair use exception.
4. The program must be related to the current lesson, part of the teaching activities, and stated in the lesson plans. The teacher must be able to point to specific objectives and be prepared to justify how the program assists in attaining these objectives. If the teacher is not able to make such a justification, use of the work in the classroom is not allowed.

5. Tapes purchased at department/variety stores, video stores, etc. may be used for district instructional purposes only if they are purchased by the school and/or district purchasing agent (librarian) – not by an individual teacher.
6. Off-air recordings from regular broadcast/non-cable channels may only be made at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. These off-air recordings must include all copyright information.
7. Off-air recordings may be shown to students no more than twice within ten (10) school days of the broadcast date and the second showing must be for instructional reinforcement only.
8. After the first ten (10) consecutive school days, an off-air recording may only be used for the teacher's evaluation purposes for the next thirty-five (35) days. If the program is to be used after this time frame, permission must be obtained from the copyright holders. If not, the program must be erased.
9. Off-air videotapes recorded at home by classroom teachers must adhere to the above statements.

B. Prohibited Uses

1. Under no circumstances should tapes purchased or rented from a video store or "club" be shown to a school assembly or class.
2. Programs may not be used for reward, recreation, or entertainment purposes unless approved by the principal and the performance rights have been specifically obtained.
3. No film having a MPAA rating of R, NC-17, or X may be shown under any circumstances.
4. No program may be recorded from a cable channel, pay-per-view channel, or a satellite program for any use in school settings unless specific permission had been granted.
5. No program may be recorded in anticipation of requests.
6. No program may be converted from one media format to another (e. g., film/filmstrip to videotape) unless written permission is secured.

7. No program obtained for preview purposes may be duplicated.
8. No single broadcast program may be recorded more than once for the same teacher, no matter how many times the program is rebroadcast.
9. Although programs need not be played in their entirety, they may not be physically or electronically combined, merged, or edited onto another videotape.
10. Archival copies of videotapes are not permitted.

## V. Multimedia Guidelines

### A. Permissible Uses

1. The use of copyrighted materials in multimedia projects is permitted for class use only.
2. The opening screen of a multimedia project must include notice that the work contains copyrighted materials under the fair use exemption of U.S. Copyright Law. In addition, a statement shall be included indicating that alterations to copyrighted materials/graphics have been made. Credit pages (bibliography) listing complete copyright ownership information of each item used must be included.
3. Copyright material may be used by both students and teachers in multimedia presentations; however, quantity limits must be observed.
  - (a) For film, video, and television, up to ten percent (10%) or three minutes, whichever is less, of an individual program may be used.
  - (b) For prose, poetry, and drama, up to ten percent (10%) or 1000 words, whichever is less, may be used.
  - (c) An entire poem of 250 words may be used, but no more than three (3) poems from one poet or five (5) poems by different poets from a single anthology may be used.
  - (d) When using longer poems, up to 250 words can be used. Again, no more than three (3) poems from one poet or five (5) poems by different poets from a single anthology may be used.

- (e) When using music, lyrics, and music videos, up to ten percent (10%) but no more than 30 seconds of music and lyrics from a single musical work may be used. Any alterations to a musical work shall not change the basic melody or the fundamental character of the work.
  - (f) When using illustrations, cartoons, and photographs, the work may be used in its entirety, but no more than five (5) images by an artist or photographer may be used. In addition, not more than ten percent (10%) or fifteen (15) images, whichever is less, from a single published collected work may be used.
  - (g) When using computer databases or spreadsheets, up to ten percent (10%) or 2,500 fields/cells, whichever is less, may be used.
  - (h) When using images by an artist or photographer, up to five (5) images may be used.
  - (i) When using a single published collected work, up to ten percent (10%) or fifteen (15) images, whichever is less, may be used.
4. Copyrighted material used in multimedia presentations must support direct instruction.
  5. Students may keep the multimedia presentations they created for class for an indefinite period of time.
  6. Teachers may keep the multimedia presentations created by students or themselves for a class for a two-year period.

B. Prohibited Uses

1. If copyrighted materials are included in a multimedia production, a student-made multimedia production may not be shown in public performance settings such as open house, technology fair, science fair, or more than one class.
2. If copyrighted materials are included in a multimedia production, a student-made multimedia production may be placed on the network, but access must be limited to the students enrolled in the class for which it was made.

3. If copyrighted materials are included in the multimedia production, only one copy may be made.

## VI. Internet Guidelines

### A. Permissible Uses

1. The same fair use guidelines that apply to print and videotapes also apply to the Internet.
2. A teacher may display a web page or make a transparency from a web page for the purpose of teaching a lesson (face-to-face instruction).
3. Factual material (i.e., longest river, the names of parishes, population figures) on the Internet cannot be copyrighted, thus it is not protected.
4. Creative works, such as artwork, videos, and web pages, are protected under copyright laws. Thus, a person must have permission of the copyright owner to use the materials or apply the fair use guidelines.
5. Making links to other web pages is acceptable.

### B. Prohibitive Uses

1. Downloading an entire web site to make multiple copies is not permitted.
2. Teachers may not keep copies of works from the Internet that students printed and incorporated into their presentations.

## VII. Guidelines for Graphics (paintings, photographs, maps, cartoons, diagrams, charts, etc.)

### A. Permissible Uses

1. A graphic used in a report, portfolio, or presentation must include proper bibliographic information.
2. A single copy may be made of any graphic if the copy is being used for personal research or study.
3. Graphics must be used in their entirety; however, quantity limits must be observed.

- (a) When using images by an artist or photographer, up to five (5) images may be used.
  - (b) When using a single published collected work, up to ten percent (10%) or fifteen (15) images, whichever is less, may be used.
- 4. Multiple copies of a graphic may be made, but the copies may be used in only one course.
  - 5. Graphics scanned by students may be included in reports, but the student must retain ownership of that report once it is graded.

B. Prohibited Uses

- 1. Make multiple copies of more than nine (9) graphics in one term.
- 2. Images from coloring books, greeting cards, or copyrighted cartoon characters may not be copied or reproduced for inclusion on bulletin boards, notes to parents, handouts, etc.
- 3. Adaptation or deviation (enlarging, modifying, or converting to another medium) of a graphic from books and periodicals is not allowed for public displays such as bulletin boards, newsletters, posters, worksheets, etc.