

ADMINISTRATIVE PROCEDURES OF THE MILWAUKEE PUBLIC SCHOOLS

ADMINISTRATIVE PROCEDURE 7.21

STUDENT CONTESTS AND PERFORMANCES: RIGHTS AND USE OF COPYRIGHTED MATERIALS

(1) OVERVIEW

(a) The Congress of the United States has prescribed copyright laws which are designed to protect the rights of publishers. These laws set forth some conditions for the use of copyrighted material and permit publishers, authors, and composers the right to grant or to deny the use of these materials and to prescribe the conditions under which such materials may be used.

(b) It is essential that school principal and/or district administrators desiring to use materials which have reserved rights are aware of the procedures to be followed in acquiring the rights and adhering to the conditions set forth.

(2) GUIDELINES AND PROCEDURES FOR SCHOOL AND DISTRICT CONTESTS AND PERFORMANCES

Below are general guidelines and procedures to be followed. They apply primarily to stage and concert performances which the schools might wish to produce.

(a) The principal and/or district administrator will be the person responsible for seeing that the copyright laws and the conditions set forth by the publisher are followed.

(b) The principal and/or district administrator will designate the staff member(s) who will be responsible for seeking the rights and adhering to the conditions set forth in the contract and on the information sheet received from the publisher, author, or composer.

(c) The principal and/or district administrator will write to the publishing firm well in advance of the production date, requesting permission to produce the work selected and indicating seating capacity, materials required, dates, number of performances, admission charge, and age group of the performers.

(d) If the rights are granted, a copy of the contract must be kept on file by the school, communicated to art and music curriculum specialists and/or manager, and the appropriate department immediately after it has been received from the publishing company. This will allow that office time to contact the principal and/or district administrator if any questions arise.

(3) REQUIREMENTS

(a) It will also be important for principals and/or district administrators to adhere to the following requirements.

1. Most publishers require advance royalty payment or a request for permission to use their material. Payment is required for each performance.
2. All publishers require that credit be given to the publisher and/or authors on all announcements and publicity, as well as on the printed program.
3. Rental materials must be returned promptly and in good condition.
4. Materials must not be duplicated.
5. If the right to broadcast or record the material in any manner is not included in the contract, prior to the performance, a special request must be made. If a radio or television station claims to have been granted this right, written proof must be shown and clearance obtained through the appropriate department.
6. Some contracts provide that the content of the performance is not to be changed by deleting or inserting materials.

(b) It must be emphasized that rules and procedures issued by owners of plays and stage and concert musicals are protected by the United States copyright law. Failure to carry out the provisions of contracts can result in penalties, embarrassment, and loss of the good name of the school and the Milwaukee Public Schools.

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