

# The Copyright Law . . .

applies to all formats, e.g. print and electronic. Educators may use copyrighted resources under the “Fair Use” guidelines provided the use meets these four criteria:

- the purpose of the use
- the nature of the work used
- the amount of the work used
- the effect the use will have on the potential market for the work used

## Just What Can I Do?

- Show a video of a broadcast television program within ten (10) days of the broadcast
- Show a movie (even if it is labeled “for home use only” ) if it meets the following criteria:
  1. Is part of face-to-face instruction
  2. Is documented in your lesson plans
  3. Supports the goals and objectives of that lesson
  4. Is a true and legal copy
- Use parts of legally attained and properly credited copyrighted materials for instructional purposes and for student projects, including multimedia presentations
- Retain your project for instructional purposes for up to two (2) years after the first use; after two years must have written permission to use any copyrighted materials
- Retain your project indefinitely if needed for presentations to peer (i.e. conferences, in-service workshops), job performance evaluations or interviews
- Use materials that are directly connected to your curriculum
- Make a class set of print copies if the copying meets the criteria of:
  1. Brevity
  2. Spontaneity
  3. Cumulative effect
- Utilize Cable-in-the-Classroom, ITV, PBS programming.

Students may keep their projects as part of their electronic portfolios for school and/or job interviews. Students may perform/display their projects in the course for which they were created.

## So I Can't...

- Show a dubbed tape of any program.
- Show a tape of a movie or other program from a premium cable channel (e.g. HBO, Disney, A&E, Turner, The History Channel).
- Edit a video.
- Show a movie for reward or entertainment.
- Create anthologies for my students in place of purchasing these materials.
- Make multiple copies of computer software programs.
- Load a single-user copy of a computer software program on multiple computers.
- Make print copies for every student I teach.
- Use copies of cartoon, TV, or film characters for classroom/hallway decorations, bulletin boards, newsletters, or hand-outs.
- Use portions of copyrighted materials in multimedia projects beyond the Fair Use limits.
- Copy entire workbooks, test booklets, etc., in place of purchasing.
- Make illegal copies at the direction of your supervisor, e.g. principal, other administrators, district personnel.
- Post presentations on the Internet without prior written permission from every copyright holder whose work was used.

## How Much Can I Copy?

In any one semester a teacher may use...

- Motion media: 10% or 3 minutes, whichever is less, of a single work.
- Print media: 10% or 1000 words, whichever is less, of a single work.

- Poems (less than 250 words) : the entire poem; no more than three (3) poems by one poet or five (5) poems from one anthology.
- Poems (more than 250 words) : up to 250 words; no more than three (3) excerpts from one poet, no more than five (5) excerpts by different poets from a single anthology.
- Music, lyrics, music videos: up to 10%, no more than thirty (30) seconds of music and lyrics from a single work.
- Illustrations/photographs: Entire image; no more than five (5) images by single artist/photographer; no more than 10%, or fifteen (15) images, whichever is less, from a collection published as a single work.

### Some Copyright Reminders:

- Educational “Fair Use” is not a justification for defying the Law.
- Any resources used in any type of project must be given proper credit.
- Consider materials found on the Internet to be copyrighted unless specifically noted as “copyright free” or “royalty free.”
- Copyrighted materials on the Internet have the same rights and protection as any other copyrighted materials.
- Access to information does not mean freedom to copy and use.
- Multimedia projects cannot be posted on your web site without prior permission from every copyright holder whose work was used.
- Archival copies may not be used unless the original is destroyed.
- Videos cannot be used for reward, entertainment, or any other use that would constitute a public performance.
- Videos are not meant as a means of “crowd control”

### For more information...

- Bruwelheide, Janis H. *The Copyright Primer for Librarians and Educators*. ISBN 0838906427
- Bielefield, Arlene and Lawrence Cheeseman. *Technology and Copyright Law: A Guidebook for the Library, Research, and Teaching Professions*. ISBN 155570278
- Simpson, Carol Mann. *Copyright for School Libraries: A Practical Guide*. ISBN 0938865315
- <http://lcweb.loc.gov/copyright>
- [To Copy or Not to Copy-That is the Question](#)