

Copyright & Fair Use Guidelines
(Information provided by [Jefferson County Public Schools](#))

Teachers

PERMITTED By Copyright Laws

- single copy: chapter of book
- single copy: article from magazine or newspaper
- single copy: short story, short essay, short poem
- single copy: chart, graph, diagram, picture or non
- syndicated, non-copyrighted cartoon

NOT PERMITTED By Copyright Laws

- copying several chapters per book
- copying several articles per magazine
- copying consumables: workbooks, copyrighted
- exercise sheets, tests
- photocopying worn dittomasters

Teachers: Multiple copies for classroom/instructional purposes

PERMITTED By Copyright Laws

- complete poem less than 250 words (not more than 2 pages)
- excerpt from long poem not to exceed 250 words
- article, story, or essay less than 2,500 words
- excerpt (from above) less than 1,000 words or 10% of total, whichever is less
- one chart, graph, diagram, picture, or non-syndicated, non-copyrighted cartoon per book or periodical
- works combining prose, poetry, etc., less than 10% of whole
- **IF.....**
 - copying is for one course only
 - insufficient time to request permission
 - one work from a single author
 - less than 3 authors from collective work
 - 9 or less instances of multiple copying per term
 - copying not used to create or

NOT PERMITTED By Copyright Laws

- using/making multiple copies of same material semester after semester
- creating "anthologies"
- copying workbooks and other works meant to be used once by one student
- copying shall not be directed by higher authority
- copying more than one or two excerpts from a single author during one class term
- copying from workbooks, tests, or other consumables. copying a blacklined master.

- replace anthologies
 - same copying not repeated next term
 - students not charged beyond photocopying fees
- classroom quantities of current news articles if individual articles not copyrighted
- All multiple copying must be at the inspiration of the individual teacher and the decision to use the material so close to the date needed for instruction as to preclude securing copyright permission from the copyright holder

Big Books

PERMITTED By Copyright Laws

- one illustration per book
- two pages per book as long as they don't comprise more than 10% of the book
- **Note:** Occasionally publishers of big books have given the District permission to copy that exceeds the normal fair use guidelines. Any letters granting additional permission will be kept on file by the library information specialist.

NOT PERMITTED By Copyright Laws

- copying "just" the text from a big book or picture book
- making an audio-tape of someone narrating a big book or picture book

Audiovisual Materials

PERMITTED By Copyright Laws

- creating slide sets from books, magazines, etc., as long as only one per source used
- making one overhead transparency of one page of one workbook
- converting a damaged filmstrip to a slide set, keeping same order minus damaged frames
- enlarging a map with an opaque projector for tracing but not duplicating color

NOT PERMITTED By Copyright Laws

- copying audio tapes or video tapes for archival or backup purposes
- reproducing musical works or converting from one form to another (record to cassette)
- copying any audiovisual work in its entirety (except off-air taping)
- converting from one medium format to another

- scheme, symbols, etc.
- copying non-dramatic literary, audiovisual works for use by blind or deaf individuals

- recording the text of a book or textbook onto an audiocassette

Music

PERMITTED By Copyright Laws

- emergency copies for performance provided copies are later purchased
- for study or teaching, single or multiple copies of excerpts
- **IF.....**
 - excerpts do not constitute a performable unit such as a movement or aria
- editing purchased copies for simplification
- **IF.....**
 - character of work is not changed
 - lyrics are not changed
- single copy of performances by students made for evaluation or rehearsal purposes
- copy of recording for purposes of aural testing
- portion of commercial music played as background in student media production

NOT PERMITTED By Copyright Laws

- copying for performances
- copying to create anthologies
- copying to avoid purchasing
- copying but excluding copyright notice
- performing a work without a license or paying royalty fees

Video (Educational/Instructional OFF-AIR Taping)

PERMITTED By Copyright Laws

- may record program OFF-AIR
- **IF.....**
 - program is used for instructional purposes, or face-to-face teaching, not for entertainment or filler
 - program is requested by a teacher
 - program is shown once and repeated once per class by individual teacher during first 10 consecutive school days after broadcast

NOT PERMITTED By Copyright Laws

- videotaping in anticipation of requests
- retaining a program longer than 45 days
- showing a program after ten days
- showing for motivation, filler, or entertainment purposes
- taping a program at home, using in the classroom, and subsequently retaining in personal collection

- program is not retained beyond 45 calendar days
- program is recorded in its entirety (need not be used in its entirety)
- after first 10 consecutive school days, program is used only for evaluation by teacher

Video (OFF-AIR Taping at Home)

PERMITTED By Copyright Laws

- may tape program at home and bring to school to use but all educational guidelines must be followed
- may show "home" tape if above criteria are followed and if tape legally made

NOT PERMITTED By Copyright Laws

- individual who taped program may not retain it

Video (Cable)

PERMITTED By Copyright Laws

- may tape programs being simultaneously broadcast (see OFF-AIR educational/instructional guidelines)
- may show videos or motion pictures via cable within a building as long as programs are used in face-to-face teaching and are of an instructional nature

NOT PERMITTED By Copyright Laws

- may not tape programs not being broadcast simultaneously (CNN, Discovery, Disney, HBO, etc.) unless prior approval or license obtained from cable network
- may not show programs of a musical, dramatic, or entertainment nature
- may not copy cable or satellite programs without permission. Note: Educators may use cable magazines, like Cable in the Classroom for varying copying/retention rights of individual programs.
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Video (purchased or rented)

PERMITTED By Copyright Laws

- showing purchased or rented videotape for curriculum-supported, face-to-face teaching activities

NOT PERMITTED By Copyright Laws

- showing purchased or rented videotape for entertainment, rewards, rainy days, filler, or non-instructional purposes.
- **Note:** Performance rights may be acquired at time of purchase; then it's legal to show

such videos for non-instructional events.

Video (Satellite Transmissions)

PERMITTED By Copyright Laws

- copying from a satellite transmission will depend on the contractual agreement with the satellite company.

NOT PERMITTED By Copyright Laws

- copies of motion pictures, other AV works, choreographic works and pantomimes
- copies of broadcasts that are of a "general cultural nature" or intended for transmission as part of an information storage and retrieval system

Software

PERMITTED By Copyright Laws

- copying into RAM if copying is necessary to use the program
- one copy for archival purposes
- probably may make a 3.5" disk from a 5 1/4" disk if the 5 1/4" disk is considered the archival copy
- back up copies of hard drives as long as they are not used to run another drive
- library lending of public domain software

NOT PERMITTED By Copyright Laws

- circulation of archival copy
- "networking" software without license or permission
- loading a single copy of a software program onto several computers for simultaneous use
- making copies of copyrighted software for student use

Databases

PERMITTED By Copyright Laws

- may download searches

NOT PERMITTED By Copyright Laws

- downloaded searches should not be retained
- downloaded material may not be used to create a derivative work

CD-ROM

PERMITTED By Copyright Laws

- printing out pages of reference or other

NOT PERMITTED By Copyright Laws

works for study or teaching

- printing out large section of work

Musicals, Dramatic, and Non-Dramatic Performances

PERMITTED By Copyright Laws

- school chorus performance open to the public

NOT PERMITTED By Copyright Laws

- school drama club performing copyrighted play broadcast over cable to classes
- recording of choral or instrumental concerts and then giving or selling recording to parents

Multimedia

PERMITTED By Copyright Laws

- teacher or student-developed multimedia program of copyrighted programs for use in classroom only
- **Note:** Students may keep their work indefinitely; teachers may keep their work for only two years.
- IF: the following limitations are observed:
 - Motion media
 - use of up to 10% or 3 min., whichever is less, of an individual program
 - Text
 - up to 10% or 1000 words, whichever is less; short poems less than 250 words may be used in their entirety;
 - Music
 - Up to 10% but no more than 30 sec. From a single work (or combined from separate extracts of a work);
 - Illustrations, cartoons, photographs
 - no more than 5 images from

NOT PERMITTED By Copyright Laws

- teacher or student-developed multimedia program of copyrighted works for use in displays, festivals, parent meetings or other public events

- a single artist or photographer, no more than 10% or 15 images from a single collective work;
- Numerical data sets
 - up to 10% or 2,550 fields or cells whichever is less

Internet

PERMITTED By Copyright Laws

- downloading public domain software

NOT PERMITTED By Copyright Laws

- uploading copyrighted software to Internet for downloading
- collecting materials off the Internet and compiling into a new work
- forwarding material off the Internet to friends, co-workers

Digital

PERMITTED By Copyright Laws

NOT PERMITTED By Copyright Laws

- digitizing a copyrighted slide collection
- scanning copyrighted materials (magazine photograph, cartoon illustration, etc.) for school newspaper

Graphics

PERMITTED By Copyright Laws

NOT PERMITTED By Copyright Laws

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| <ul style="list-style-type: none"> • one graphic per book or periodical; • multiple copies of a single graphic • IF... <ul style="list-style-type: none"> ○ copying is at the instance/inspiration of teacher; copy is for only one course in the school; ○ here are not more than nine occurrences of multiple copying | <ul style="list-style-type: none"> • adaptation of a popular cartoon character for the school mascot; • copying an image from a coloring book for a worksheet; • making stuffed animals of popular picture book characters; • scanning a cartoon into school newsletter; |
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for that course; and not more than one graphic is copied per book or periodical.