

## **Copyright @ School Print and Video Materials**

### **Do's and Don'ts of Copyright Issues for Educators**

The information contained in this document is not a complete summary of copyright laws. It was created by the HCPSS Library Media Advisory Committee and is intended to provide some information for teachers and library media specialists to use when they are faced with copyright questions.

#### **PRINT MATERIALS**

##### **Acceptable Copying**

Teachers may, in preparing for instruction, make a single copy of:

- A chapter from a book
- An article from a newspaper or periodical
- A short story, short essay or short poem; or
- A chart, graph, diagram, drawing cartoon or picture from a book, periodical or newspaper.

In preparing for instruction, teachers may make multiple copies (not to exceed one copy per student in the class) if:

- The copying meets the criteria of brevity and spontaneity as defined below; and
- Meets the cumulative effect test as defined below; and
- Each copy includes a notice of copyright.

##### **Brevity**

- A complete poem, if less than 250 words and if printed on not more than two pages, may be copied; excerpts from longer poems may not exceed 250 words.
- Complete articles, stories, or essays of less than 2500 words may be copied. For other types of prose, a copy must not be more than 1,000 words or 10 percent of the whole, whichever is less. The law provides a specific prohibition against copying picture books in their entirety. Only two pages of a picture book may be copied.
- One chart, picture, cartoon, graph, diagram, or drawing may be copied per book or periodical issue. These copies must be photocopies or exact copies. Enlarging or modifying the illustration violates the copyright law.

##### **Spontaneity**

Copying is at the “instance and inspiration” of an individual teacher. The decision to use the work and the moment of its maximum use are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

##### **Cumulative Effect**

Copies may be made for only one class per semester and may not exceed nine sets for the semester.

### **Unacceptable Copying**

- Multiple copies of the same material may not be copied semester after semester.
- There should be no copying from works intended to be consumable (i.e., workbooks).
- Copying should not be used to create, replace, or substitute for anthologies.
- Copies may not be made to substitute for purchasing books.
- Copies should not be made of articles from professional journals for staff development purposes.

### **EXAMPLES**

A school system employee discovers an article dealing with an important staff development topic. Copies are made for each staff member.

*This violates the copyright law because teachers are not students enrolled in a class.*

A teacher needs four extra copies of a book for classroom use. Copies are made of the book in its entirety.

*This violates the copyright law because employees may not copy as a substitute for purchasing a book.*

A teacher wishes to teach the concept of sequencing. To help students visualize the process, the teacher copies a picture book for each student and mixes up the pages. The students are then asked to put the pages in the correct sequence.

*This violates the limit on brevity. Only two pages may be copied from a picture book.*

## **VIDEO MATERIALS**

### **Acceptable Use**

**In order for a school to use a video without paying royalties for a public performance, ALL FOUR of the following conditions must be met:**

- The performance must occur in the course of face-to-face teaching activities; and
- The performance must be presented by instructors or students; and
- The performance must take place in the classroom or similar place of instruction, including the library media center; and
- The performance must be of a legally acquired copy of the video.

### **Unacceptable Use**

Videotapes may not be shown for entertainment, indoor recess, or as a reward without prior purchase of performance rights.

### **Off-Air Video Taping**

Howard County employees may make videotape copies for school/class use of specifically designated Maryland Public Television (MPT) programs.

Howard County Employees may not:

- Make videotape copies of any commercial, MPT, or PBS programs, except those specifically designated as cleared for taping.
- Show recorded commercial TV, MPT, or PBS programs to students during the school day unless prior copyright clearance has been obtained.

Cable television, satellite, and distance learning operate by rules set up by the copyright owners. A good source on rights to copy cable shows is the magazine, *Cable in the Classroom*. This magazine is available in your school library media center.

### **Examples**

On the last day of the semester, a teacher shows a video to the students so that grades can be calculated while the students are occupied.

*This is a violation of copyright because the face-to-face teaching requirement is not met.*

A teacher is watching a cable channel and decides to tape a movie because it will go along with the unit she will be teaching in three months.

*This is a violation of copyright because permission must be obtained from the copyright holder before a videotape of a cable program can be shown in the classroom.*

## **Copyright Resources for Further Information**

### **Books**

Bruwelheide, Janis. *The Copyright Primer for Librarians and Educators*. American Library Association, 1995.

Simpson, Carol. *Copyright for Schools A Practical Guide*. Linworth Publishing, Inc., 1997.

### **Websites**

#### **Cable in the Classroom**

[www.ciconline.org](http://www.ciconline.org)

#### **A Question of Fair Use: Copyright and the New Technologies**

[www.infoday.co/MMSchools/MarMMS/becker3.html](http://www.infoday.co/MMSchools/MarMMS/becker3.html)

#### **To Copy or Not to Copy - That is the Question**

[www.aea2.k12.ia.us/Tutorials/Copyright/Copyright\\_html#photo](http://www.aea2.k12.ia.us/Tutorials/Copyright/Copyright_html#photo)

#### **U.S. Copyright Office**

[www.lcweb.loc.gov/copyright](http://www.lcweb.loc.gov/copyright)