

# CLASSROOM COPYRIGHT CHART

Medium	What You Can Do	According to	The Fine Print
<b>Printed Material</b>			
<ul style="list-style-type: none"> <li>Poem less than 250 words</li> <li>Excerpt of 250 words from a poem greater than 250 words</li> <li>Articles, stories, or essays less than 2,500 words</li> <li>Excerpt from a longer work (10% of work or 1,000 words, whichever is less--but a minimum of 500 words)</li> <li>One chart, picture, diagram, graph, cartoon or picture per book or per periodical issue</li> <li>Two pages (max) from an illustrated work less than 2,500 words (like childrens books)</li> </ul>	Teachers may make multiple copies for classroom use.	United States Copyright Office  <i>Circular 21</i>	No more than one copy per student. Usage must be: At the "instance and inspiration of a single teacher" and when the time frame doesn't allow enough time for asking permission. Only for one course in the school. No more than nine instances per class per term (current news publications such as newspapers can be used more often). Don't create anthologies. "Consumables" can't be copied. Don't do it every term (if time allows, seek permission). Can't be directed by "higher authority." Copying can't be substitute for buying. <b>Copies may be made only from legally acquired originals.</b>
<ul style="list-style-type: none"> <li>A chapter from a book</li> <li>An article from a periodical</li> <li>Short story, short essay, or short poem</li> <li>Chart, graph, diagram, drawing , cartoon, picture from a book, periodical or newspaper</li> </ul>	Teachers may make a single copy for teacher use for research or lesson preparation.	United States Copyright Office  <i>Circular 21</i>	Same as above.
<ul style="list-style-type: none"> <li>Portions of a work</li> <li>An entire work</li> <li>A work if "the existing format in which a work is stored has become obsolete"</li> </ul>	A librarian may make up to three copies "solely for the purpose of replacement of a copy...that is damaged, deteriorating, lost or stolen"	Section 108 Copyright Act (1976 ) as amended by the Digital Millenium Copyright Act	The library must first determine that after "reasonable investigation that copy...cannot be obtained at a fair price" or that the format is obsolete.
<b>Text for Use in Multimedia Projects</b>			
<ul style="list-style-type: none"> <li>Same rights as "Printed Material" above</li> </ul>	Students may incorporate text in multimedia projects. Teachers may incorporate into multimedia for teaching courses.	<i>Fair Use Guidelines for Educational Multimedia</i>	Teachers may use for two years, after that permission is required. Students may keep in portfolio for life.

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<b>Video</b>			
<ul style="list-style-type: none"> <li>Videotapes (purchased)</li> <li>Videotape (rented)</li> <li>DVD</li> <li>Laser Discs</li> </ul>	<p>Teachers may use these materials in the classroom without restrictions of length, percentage, or multiple use</p> <p>May be copied for archival purposes or to replace lost, damaged, or stolen copies.</p>	<p>Section 110 of the Copyright Act</p>	<p>The material must legitimately acquired (a legal copy). It must be used in a classroom or similar place "dedicated to face-to-face instruction". <b>Not for use as entertainment or reward.</b> The use should be instructional. The place should be a non-profit educational institution.</p> <p>If replacements are unavailable at a fair price or are available only in obsolete formats (e.g., betamax videos).</p>
<b>Video ("Motion Media") for Use in Multimedia Projects</b>			
<ul style="list-style-type: none"> <li>Videotapes</li> <li>DVD</li> <li>Laser Discs</li> <li>QuickTime Movies</li> <li>Encyclopedias (CD ROM)</li> </ul>	<p>Students "may use portions of lawfully acquired copyrighted works in their academic multimedia", defined as 10% or three minutes (whichever is less) of "motion media"</p>	<p><i>Fair Use Guidelines for Educational Multimedia</i></p>	<p>"Proper attribution and credit must be noted for all copyrighted works included in multimedia, including those prepared under fair use." <i>Tina Ivany, UC San Diego 12/08/95</i></p>
<b>Video for Integration into Video Projects</b>			
<ul style="list-style-type: none"> <li>Videotapes</li> <li>DVD</li> <li>Laser Discs</li> <li>QuickTime Movies</li> <li>Encyclopedias (CD ROM)</li> </ul>	<p>Students "may use portions of lawfully acquired copyrighted works in their academic multimedia"</p>	<p><i>Fair Use Guidelines for Educational Multimedia</i></p>	<p>The material must legitimately acquired (a legal copy, not bootleg or home recording).</p>
<b>Illustrations and Photographs</b>			
<ul style="list-style-type: none"> <li>Photograph</li> <li>Illustration</li> <li>Collections of photographs</li> <li>Collections of illustrations</li> </ul>	<p>Single works may be used in their entirety but not more than 5 images by an artist or photographer. From a collection, not more than 15 images or 10%, whichever is less.</p>	<p><i>Fair Use Guidelines for Educational Multimedia</i></p>	<p>Older illustrations may be in the public domain, but the collection may be copyrighted.</p>

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<b>Music for Integration into Multimedia / Video Projects</b>			
<ul style="list-style-type: none"> <li>• Music</li> </ul>	Up to 10% of a copyrighted musical composition may be reproduced, performed and displayed as part of a multimedia program produced by an educator or student for educational purposes.	<i>Fair Use Guidelines for Educational Multimedia</i>	Some authorities site a maximum length of 30 seconds. ( <a href="http://www.indiana.edu">www.indiana.edu</a> ), some do not mention a maximum ( <i>Tina Ivany, UCSD, 12/08/95</i> ). See below.
<b>Computer Software</b>			
<ul style="list-style-type: none"> <li>• purchased software</li> <li>• licensed software</li> </ul>	Software may be lent by the library. <i>Software may be installed at home and at school.</i> Software may be installed on multiple machines. <i>Software may be copied for archival use to replace lost, damaged, stolen, copies.</i> Software can be distributed to users via a network. <i>Librarians may make archival copies.</i>	Section 107 and 108 of Copyright Act and subsequent amendments.	Take aggressive action to monitor that copying is not taking place (for retention). <i>Only one machine at a time may use the program.</i> The number of machines being used must never exceed the number of licensed. <i>If unavailable at fair or is an obsolete format.</i> The number of simultaneous users must not exceed the number of licenses. A network license may be required for multiple users.
<b>Internet</b>			
<ul style="list-style-type: none"> <li>• Internet connections</li> <li>• World Wide Web</li> </ul>	Images may be downloaded for student projects.  Sound files may be downloaded for use in projects ( <i>see portion restrictions above</i> )	<i>Fair Use Guidelines for Educational Multimedia &amp; DMCA</i>	Images may <b>not</b> be reposted onto the Internet without permission.  Sound or music files may not be copied and posted on the Internet without permission.
<b>Television</b>			
<ul style="list-style-type: none"> <li>• Broadcast (e.g.,ABC,NBC, CBS, UPN, PBS, local television stations)</li> <li>• Tapes made from broadcast</li> </ul>	Live "off the air" broadcasts may be used for instruction. Tapes made from broadcasts may be used for instruction.	Congress	Things get interesting when you want to retain tapes. <b>Minimum</b> rights allow for 10 school days. Enlightened rights holders often allow for much more. PBS series <i>Reading Rainbow</i> offers three year retention rights, for example. If you like it enough to keep it more than three years, <a href="#">buy it!</a>

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<b>Cable Television</b>			
<ul style="list-style-type: none"> <li>• CNN</li> <li>• MTV</li> <li>• HBO (etc.)</li> <li>• Tapes made from cable.</li> </ul>	<p>May be used with permission. Many programs may be retained for years -- depending on the program. Check with Cable in the Classroom.</p> <p><a href="http://www.ciconline.org/main.cfm">http://www.ciconline.org/main.cfm</a></p>	Cable Systems (and their associations)	The guidelines for television programs were defined by Congress before cable television was a factor. Cable programs are not technically covered by the same guidelines as broadcast television.
<b>Film or Filmstrip</b>			
<ul style="list-style-type: none"> <li>• 16 millimeter films</li> <li>• filmstrips</li> </ul>	<p>"Teachers may duplicate a single copy of a small portion...for teaching purposes"</p>	<p><i>Copyright Policy and Guidelines for California's School Districts, California Department of Education</i></p>	These must be films or filmstrips that you own.
Return for updates to:	<a href="http://www.mediafestival.org/copyrightchart.html">http://www.mediafestival.org/copyrightchart.html</a>	Hall Davidson	hall@ccd.edu

Note: In the letter to Congressional Subcommittee Chair Kastenmeier dated 3/19/76 summarizing many of the above agreements, representatives of the Ad Hoc Committee of Educational institutions and Organizations of Copyright Law Revision and the Authors League of America, Inc., and the Association of American Publishers, Inc., state that these guidelines were **"not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying which does not fall within the guidelines stated [above] may nonetheless be permitted under the criterion of fair use."**

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