GENERAL SCHOOL ADMINISTRATION

Copyrights

A copy of Federal copyright laws shall be distributed to all Policy Manual Holders and made available for review by employees upon their request. This regulation reflects current copyright laws. All employees who duplicate materials are held responsible for obeying the copyright law.

17 USC § 107 provides that the fair use of a copyrighted word, including such use by reproduction in copies or phonorecords for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. The factors to determine fair use include:

1. Purpose and character of the use, including whether such use is of commercial nature or for nonprofit educational purposes.
2. Nature of copyrighted work.
3. Amount and substantiality of portion used in relation to copyrighted work as a whole.
4. The effect of the use upon the potential market for or value of copyrighted work.

Rules for Copying Materials from Works

I. Print Media

A. Single Copies for Teachers

A single copy shall be made of any of the following by or for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class.

1. A chapter from a book.
2. An article from a periodical or newspaper.
4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
5. A slide or overhead transparency as long as creation does not exceed ten percent of photographs in one source (book, magazine, filmstrip, etc.) unless the source forbids photographic reproduction.
B. Multiple Copies for Classroom Use

Multiple copies, not to exceed in any event more than one copy per pupil in a course, shall be made by or for the teacher giving the course for classroom use or discussion provided that:

1. Each copy includes a notice of copyright.
2. Up to 10% or 1,000 words, whichever is less, or a poem of less than 250 words may be reproduced.
3. The same teacher does not use the material repeatedly from term to term.
4. Not more than nine classroom sets are used in one term.
5. Sets are destroyed after the permitted use.
6. It complies with the fair use guidelines.
7. Article, stories, or essays of less than 2,500 words may be reproduced.

Teachers may not copy whole books, whole workbooks, distribute copied workbook pages, or copy a workbook or activity book purchased by another teacher.

II. Electronic Media

A. Software

1. A single copy of a software program shall only be loaded on a single machine unless otherwise noted in the documentation which comes with the software.
2. Site licensing software shall be used as described in the license.

B. The Internet and Other Databases

1. Copying of any portions of copyrighted material from the Internet to be included in a student and/or teacher produced presentation must meet the fair use guidelines.
2. A copied image shall not be altered or modified into something different from the intent of the copyright holder.
3. If a student or teacher is preparing a presentation to use outside of the classroom (i.e., state or local presentation, contest, etc.), permission from the author to use must be obtained.
C. Multimedia

1. For use during face-to-face instruction or directed self-study.
2. For a period of up to two years after first instructional use. After two years, must seek permission for each additional use.

D. Video recordings

Teachers shall perform or display a work or copy that was lawfully made so long as the performance or display occurs in instructional space in the course of face-to-face instruction.

E. Scanners

Using a computer scanner to convert print material into digital form is a violation of copyright laws unless it meets the fair use copyright guidelines or permission is granted from the author.

Sources:

United States Code
Okaloosa County, Florida Public School Policy
Fair Use Guidelines for Educational Multimedia Established by Lawyers of the United States
Jefferson County, Colorado Public Schools Policy

The Superintendent is responsible for implementing and monitoring this regulation.