

COPYRIGHT AND FAIR USE

Library Monitoring Rubric: 1.4
Librarian Growth Rubric - Standard 13
School Library Guide - Section 6.3



COPYRIGHT AND FAIR USE

Copyright provides legal protection for original creative works, including, but not limited to poetry, movies, video games, videos, plays, paintings, sheet music, recorded music performances, novels, software code, sculptures, photographs, choreography and architectural design. Copyright holders, and those they authorize, have several rights afford to them, including:

- Public display or performance of work
- Reproduce the entire work or parts of it
- Distribute copies of the work
- Derive works, such as translations or dramatizations

Copyright protection has limitations and exceptions. Fair Use allows copyrighted materials to be used under certain guidelines, without the copyright holder’s permission, for purposes such as news reporting, teaching, research, criticism, and parody. Fair Use consideration includes four factors:

- Purpose and character of use
- Amount of work to be used
- Nature of the work
- Effect of any use on the market for the work

Education purposes do not guarantee permission to copy or distribute work. The following is a chart to help make sure that teachers, students, and school librarians follow the Copyright and Fair Use guidelines.

Work	Fair Use	Violation
Poem	<ul style="list-style-type: none">• Single copy for teacher use.• One copy per student, provided material is brief, spontaneously copied, and meets the four fair use considerations.• Students and teachers may incorporate text into multimedia projects.• Multiple copies allowed of a complete poem, up to 250 words -- no more than two printed pages.	<ul style="list-style-type: none">• Copies used multiple times without permission, not to exceed nine occurrences per class term.• Copies made with the intent to avoid purchase of the selected work.

	<ul style="list-style-type: none"> • Multiple copies of up to 250 words from longer poems. • Copyright and attribution provided. 	
Chapter of a Book	<ul style="list-style-type: none"> • Single copy for teacher use. • One copy per student, provided material is brief, spontaneously copied, and meets the four fair use considerations. • Students and teachers may incorporate text into multimedia projects. • Copyright and attribution provided. 	<ul style="list-style-type: none"> • Copies used multiple times without permission, not to exceed nine occurrences per class term. • Copies made with the intent to avoid purchase of the selected work. • Workbooks and consumables may not be copied.
Prose, short story, web, newspaper, or magazine article	<ul style="list-style-type: none"> • Single copy for teacher use. • One copy per student, provided material is brief, spontaneously copied, and meets the four fair use considerations. • Copies of complete work of less than 2,500 words and excerpts up to 1,000 words or 10% of work, whichever is less. • For works of 2,500-4,999 words, 500 words may be copied. • Students and teachers may incorporate text into multimedia projects. • Copyright and attribution provided. 	<ul style="list-style-type: none"> • Copies used multiple times without permission. • Copies made with the intent to avoid purchase of the selected work.
Artwork or Graphic Image	<ul style="list-style-type: none"> • Five images, or fewer, of an artist/photographer in one program or printing and not more than 10% or 15% of images from published collective work, whichever is less. • Copyright and attribution provided. 	<ul style="list-style-type: none"> • Alteration of image into another form, for other than temporary purposes.
Video	<ul style="list-style-type: none"> • The material must be legitimately acquired or purchased by the school. • Must be for instructional classroom use, not entertainment. 	<ul style="list-style-type: none"> • Multiple copies prohibited. • Alteration of video into another form, for other than temporary purposes. • The video must be a legitimate copy, not rented or

	<ul style="list-style-type: none"> • Clips used in a multimedia presentation may be 10% or three minutes, whichever is less. • Copyright and attribution provided. 	bootleg.
Music	<ul style="list-style-type: none"> • Clips used in a multimedia presentation may be 10% of a composition. • Copyright and attribution provided. 	<ul style="list-style-type: none"> • Alteration of composition into another form, for other than temporary purposes. • Multiple copies prohibited.
Broadcast television shows	<ul style="list-style-type: none"> • Single copy of broadcast may be made, but shown to multiple teachers. • Copy should be shown during the first ten days from air date, up to forty-five days after recording date. • Copyright notice required. • PBS offers extended recording rights of up to one year on most programs. 	<ul style="list-style-type: none"> • May not be altered. • May not be recorded at the request of an administrator or district. • Multiple copies prohibited

<https://www.ocps.net/lc/east/htc/mediacenter/Documents/FairUse.pdf>

FURTHER RESOURCES

- [A Fair\(y\) Use Tale](#): great tool for teaching students about copyright and fair use
- [Teaching Copyright](#): contains a full curriculum, resources, and quizzes
- [PBS LearningMedia Recording Rights for K12](#): more information regarding PBS guidelines of recording
- [Technology and Learning Copyright and Fair Use Guidelines of Teachers](#): chart to help teachers and school librarians with Copyright and Fair Use guidelines
- [Motion Picture Copyright Law](#): information regarding school umbrella movie license

FAQ

- Workbooks may not be copied.
- Do not have to keep original video tape after format shifting to DVD. Audio/Visual items can be format shifted if the video or audio tape cannot be found a new format for a reasonable price.
- Resources from the Web may not be reposted without permission. However, links to the resources can be posted.
- All items must be connected to the College-and-Career Readiness Standards.