

Administrative Rule
 Copyright and Fair Use Guidelines for Teachers

IFABA-R1
 10/22/07

Printed Material	What You Can Do	The Fine Print
<ul style="list-style-type: none"> Poem less than 250 words Excerpt of 250 words from a poem greater than 250 words Articles, stories, or essays less than 2,500 words Excerpt from a longer work (10% of work or 1,000 words, whichever is less—but a minimum of 500 words) One chart, picture, diagram, graph, cartoon or picture per book or per periodical issue Two pages (max) from an illustrated work less than 2,500 words (for example, children’s books) 	<ul style="list-style-type: none"> Teachers may make multiple copies for classroom use. 	<ul style="list-style-type: none"> 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 9 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. Copies may be made only from legally acquired originals.
<ul style="list-style-type: none"> A chapter from a book An article from a periodical Short story, short essay, or short poem Chart, graph, diagram, drawing, cartoon, picture from a book, periodical or newspaper 	<ul style="list-style-type: none"> Teachers may make single copy for teacher use for research or lesson preparation. 	<ul style="list-style-type: none"> Same as above.
<ul style="list-style-type: none"> Portions of a work An entire work A work if “the existing format in which a work is stored has become obsolete” 	<ul style="list-style-type: none"> A librarian may make up to 3 copies “solely for the purpose of replacement of a copy...that is damaged, deteriorating, lost or stolen.” 	<ul style="list-style-type: none"> The library must first determine that after “reasonable investigation that copy...cannot be obtained at a fair price” or that the format is obsolete.
Text for Use in Multimedia Projects	What You Can Do	The Fine Print
<ul style="list-style-type: none"> Same rights as “Printed material” above 	<ul style="list-style-type: none"> Students may incorporate text in multimedia projects. Teachers may incorporate into multimedia for teaching courses. 	<ul style="list-style-type: none"> Teachers may use for 2 years; after that permission is required. Students may keep in portfolio for life.
Video	What You Can Do	The Fine Print
<ul style="list-style-type: none"> Videotapes (purchased) Videotapes (rented) DVD Laser Discs 	<ul style="list-style-type: none"> Teachers may use these materials in classroom without restrictions of length, percentage, or multiple use. May be copied for archival purposes or to replace lost, damaged, or stolen copies. 	<ul style="list-style-type: none"> The material must legitimately be acquired (a legal copy). It must be used in a classroom or similar place “dedicated to face-to-face instruction”. Not for use as entertainment or reward. The use should be instructional. The place should be a non-profit educational institution. If replacements are unavailable at a fair price or are available only in obsolete formats.
Video (“Motion Media”) for use in Multimedia Projects	What You Can Do	The Fine Print
<ul style="list-style-type: none"> Videotapes DVD Laser QuickTime Movies Encyclopedias (CDROM) 	<ul style="list-style-type: none"> Students “may use portions of lawfully acquired copyrighted works in their academic multimedia”, defined as 10% or 3 minutes (whichever is less) of “motion media”. 	<ul style="list-style-type: none"> “Proper attribution and credit must be noted for all copyrighted works included in multimedia, including those prepared under fair use.” (Tina Ivan, UC San Diego 12/08/95)

<i>Video for Integration into Video Projects</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • Videotapes • DVD • Laser Discs • QuickTime movies) • Encyclopedias (CDROM) 	<ul style="list-style-type: none"> • Students “may use portions of lawfully acquired copyrighted works in their academic multimedia”. 	<ul style="list-style-type: none"> • The material must be legitimately acquired (a legal copy, not a bootleg or home recording).
<i>Illustrations and Photographs</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • Photograph • Illustration • Collections of photographs • Collections of illustrations 	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Older illustrations may be in the public domain, but the collection may be copyrighted.
<i>Music for Integration into Multimedia/Video Projects</i>	What You Can Do	The Fine Print
	<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • Some authorities site a maximum length of 30 seconds. (www.indiana.edu), • Some do not mention a maximum (Tina Ivany, UCSD, 12/08/95)
<i>Computer Software</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • Purchased software • Licensed software 	<ul style="list-style-type: none"> • Libraries may lend software to patrons. • Educator may install software at home and at school. • Software may be installed on multiple machines (depending on number of licenses). • Software can be distributed to users via a network. 	<ul style="list-style-type: none"> • Take aggressive action to monitor that copying is not taking place (for retention). • Only one machine at a time may use the program (per license). • The number of machines being used must never exceed the number of licenses. • A network license may be required for multiple users.
<i>Internet</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • Internet connections • World Wide Web 	<ul style="list-style-type: none"> • Images may be downloaded for student projects. • Sound files may be downloaded for use in projects (see portion restrictions above.) 	<ul style="list-style-type: none"> • Images may not be reposted onto the Internet without permission. • Sound or music files may not be copied and posted on the Internet without permission.
<i>Television (regular)</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • Broadcast • ABC • NBC • PBS • Tapes made from broadcast 	<ul style="list-style-type: none"> • Live “off the air” broadcasts may be used for instruction. • Tapes made from broadcasts may be used for instruction. 	<ul style="list-style-type: none"> • Minimum rights allow for 10 school days for retainment purposes. • Some rights holds allow for more. (PBS series Reading Rainbow offers 3-year retention rights.
<i>Television (cable)</i>	What You Can Do	The Fine Print
<ul style="list-style-type: none"> • CNN • MTV • HBO (etc) • Tapes made from cable. 	<ul style="list-style-type: none"> • May be used with permission. • Many programs may be retained for years, depending on program. • Check w/Cable in the Classroom. • http://www.ciconline.org/main.cfm 	<ul style="list-style-type: none"> • Congress defined the guidelines for television programs before cable TV was a factor. • Cable programs are not technically covered by the same guidelines as broadcast TV.
<p>Permission to use the guidelines granted by Hall Davidson on May 7, 2007.</p>	<ul style="list-style-type: none"> • Updates • http://www.mediafestival.org/copyrightchart.html 	<ul style="list-style-type: none"> • Hall Davidson hall@ccd.edu