

SCHOOL DISTRICT OF IOLA-SCANDINAVIA

771-Rule

COPYRIGHT GUIDELINES

A. Definitions

1. Copyright - Copyright is a right granted by federal law to an author or producer of literary or other works. The copyright owner has the sole and exclusive privilege of publishing and selling copies of the work. A copyrighted work may only be copied with the permission of the copyright owner except in certain limited instances including those set forth below. A work is protected by copyright law from the time when it is first fixed in tangible form.
2. Fair Use - It is fair use, meaning that the copyright has not been infringed, to reproduce certain amounts of copyrighted materials for purposes such as criticism, comment, news reporting, teaching (including multiple copies of certain works or excerpts therefrom for classroom use), scholarship or research.

B. Specific Guidelines - The guidelines set forth below have been adopted as administrative rules to assist District efforts to comply with District copyright policy. District staff are expected to familiarize themselves with these guidelines and to assure compliance as necessary.

1. Copying of consumable materials (workbooks, exercises, standardized test booklets and answer sheets) is not fair use and constitutes an infringement.
2. If a staff member wishes to copy materials in a situation that goes well beyond what guidelines indicate as fair use, he/she will ask for permission. These procedures will be followed:
 - a. The ownership of a work will be determined from the title page. The address of the author, producer or publisher can be found in media center resources for the purpose of submitting a letter of request.
 - b. A letter of request will include full description of material to be used, number of copies needed, use of material, type of reproduction, and whether or not material will be sold.
 - c. Appropriate permission will be requested to use specific material.
 - d. A copy of the request letter will be kept and to help assure a return, a self-addressed, stamped envelope will be included.

3. Teachers will instruct students about the copyright law where it applies to their use of copying equipment, or in use of materials for research and scholarship.
4. Staff members will not ask other school personnel to do copying for them if the copying does not constitute fair use or if permission for copying has not been obtained.
5. Recording
 - a. Unless otherwise expanded or limited by the program owner's policy, a school may record broadcast programs for use by individual teachers and retain them for periods not to exceed 45 calendar days. Off-air recordings may be used once during the first 10 consecutive school days and repeated once only for instructional reinforcement. After the 10 days, the recordings may be used for teacher evaluation only. Upon conclusion of the 45-day period, the off air recordings must be erased or destroyed immediately. Broadcast programs are television programs transmitted by television stations for reception by the general public without charge.
 - b. Individual teachers may request that a specific program be recorded through the building media department (under the stipulations as found in 5a above).
 - c. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original state. They may not be combined or merged into anthologies or compilations. Copyright notices will be included on the copies of programs.

6. Computer Software

It is the intent of the District to adhere to the provisions of copyright laws in the area of microcomputer software. It is also the intent of the District to comply with the license agreements and policy statements contained in the software packages used in the District. In circumstances where the interpretation of the copyright law is ambiguous, the District shall look to the applicable license agreement to determine the appropriate use of software.

In an effort to discourage violation of copyright laws and to prevent such illegal activities:

- a. The ethical and practical implications of software piracy will be respected by all District educators and students.

- b. District employees will be informed that they are expected to adhere to federal copyright law and other state and federal laws and regulations governing the use of software.
- c. When permission is obtained from the copyright holder to use software on a disk-sharing system, efforts will be made to secure this software from copying.
- d. Under no circumstances shall illegal copies of copyrighted software be made or used on school equipment.
- e. The District Technology Coordinator or his/her designee is the only individual who may sign license agreements for software for District schools. Each school using licensed software will have a signed copy of the software agreement.
- f. The building principal of each school site is responsible for establishing practices which will enforce the District copyright policy at the school level.

7. Examples of permissible copying:

- a. Single copies of the following for 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
 - (3) a short story, short essay, or short poem
 - (4) a chart, graph, diagram, drawing, or picture from a book, periodical, or newspaper
 - (5) a short excerpt (up to 10 percent from a performable unit of music such as a song or a movement)
- b. Multiple copies (not to exceed one per student in a class) for classroom use for the following, provided that each copy includes a notice of copyright:
 - (1) a complete poem if less than 250 words and printed on not more than two pages
 - (2) a poetic excerpt if less than 250 words
 - (3) a complete article, story or essay of less than 2,500 words
 - (4) a prose excerpt of not more than 1,000 words or 10% of the work, whichever is less, but a minimum of 500 words
 - (5) one illustration (chart, diagram, graph, etc.)
 - (6) an excerpt of not more than two pages, or not more than 10%, of special works (works of poetry, prose or poetic prose, combining

language with illustration), provided that the entire work is not reproduced

(7) up to 10% of a performable unit of music (song, movement, etc.) for purposes other than performance.

- c. A single recording of student performances for evaluation, rehearsal or archival purposes.
- d. A single recording of aural exercises or examination questions using excerpts from recorded copyright materials.

8. Examples of copying that may constitute an infringement:

- a. Copying to create, replace or substitute for anthologies or compilations.
- b. Copying to substitute for purchase of the work.
- c. Copying on direction from higher authority.
- d. Copying of music or lyrics for performance with one exception - emergency replacement copy to substitute for a purchased copy that is not available for imminent musical performance.
- e. Copying of protected computer software without a license agreement signed by the District Technology Coordinator.
- f. Copying of works intended to be consumable in the course of studying or of teaching, such as workbooks, exercises, standardized tests, and answer sheets.
- g. Copying without inclusion of the copyright notice that appears on the printed copy.

9. Inservice education regarding copyright guidelines will be initiated by the director of instruction and replicated as necessary to assure staff understanding and compliance. Notice of the District's copyright policy will be posted in all employee posting locations in every building of the District, media centers and in close proximity to all copy machines. A warning concerning copyright restrictions will also be posted in the same locations.

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