

THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM
10910 Clarksville Pike
Ellicott City, Maryland 21042

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Deputy Superintendent

Copyright Laws

TO: Directors, Coordinators, and Principals

FROM: Linda T. Wise, Deputy Superintendent

Copyright laws govern the manner in which printed matter, videotapes, and computer software may be duplicated for educational purposes. These laws also provide for severe penalties for any violation of these provisions (up to \$250,000 per instance).

It is the intent of the Department of Education to adhere to the provisions of these laws. Though there continues to be controversy regarding interpretation of certain sections of these laws, the following procedures represent a sincere effort to operate within a known legal framework:

TEXT MATERIALS

Single Copies for Educators

An educator may copy (or ask to have copied) for the purposes of research, teaching, or preparation for teaching any of the following:

- A single copy of a chapter from a book;
- A single copy of an article from a periodical or newspaper;
- A single copy of a short story, short essay, or short poem, even if is contained in a collection;
- A single copy of a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

(United States Copyright Office)

Multiple Copies for Classroom Use (providing each copy contains a notice of copyright)

- Copies may not exceed one per pupil.
- A poem of 250 words or less that is printed on no more than two pages may be copied in its entirety.
- Copies may contain no more than one chart, picture, cartoon, graph, diagram, or drawing per book or periodical issue.
- Copies of stories, essays, and articles must contain less than 2,500 words.
- Up to 10% of a performable unit of music may be copied if it is for academic purposes other than performance.

Educators may not:

- Copy from works intended to be consumable.
- Copy to create or to replace or to substitute for anthologies, compilations, or collective works.
- Copy to substitute for purchasing books, periodicals, music, or recordings.
- Copy on direction from a higher authority.
- Copy the same item from term to term.
- Make copies of music or lyrics for performances of any kind in the classroom or outside the classroom.
- Make an audio recording of books, periodical articles, or newspaper articles.
- Copy “picture books” in their entirety. Only two pages of a picture book may be copied as long as those two pages do not compromise more than 10% of the text.

VIDEO RECORDINGS

Educators may:

- Record programs from regular broadcast channels. Programs must be used within 10 school days from the recording of the program. Programs may be retained for 45 calendar days, but only for evaluation for possible purchase. After that time, it must be erased. Programs broadcast on cable television do not have automatic taping rights. Check websites of specific networks for possible permissions and retention rights.
- Use recordings for instruction when all of the following conditions have been met:
 - The showing is for nonprofit educational purposes; and
 - The showing takes place in a classroom or similar place; and
 - The showing is only for students and teachers in a regularly scheduled class; and
 - The showing is made from a legally-acquired copy of the work (i.e. no home copied ~~video recordings~~); and
 - The showing is part of face-to-face instruction during a unit currently being taught.

Educators may not:

- Show recordings for entertainment, indoor recess, or as a reward.
- Show recorded programs from regular broadcast or cable channels that do not conform to copyright policies.

COMPUTER SOFTWARE

Educators may:

Purchase and use only those software titles that have been approved through the HCPSS Software Approval Process.

Educators may not:

- Make or use illegal copies of copyrighted programs.
- Use software that has not been approved through the HCPSS Software Approval Process.

All authorized copies of recordings or computer software must carry appropriate copyright notices.

MULTIMEDIA

Educators may:

- Include portions of copyrighted works when producing their own multimedia project for their teaching in support of curriculum-based instructional activities at educational institutions.
- Use their project for:
 - Assignments for student self-study
 - For online instruction provided that the network is secure and is designed to prevent unlawful copying
 - For professional conferences, presentations, or workshops
 - For their professional portfolio.

Time restrictions

The fair use of copyrighted material in multimedia projects lasts for *two* years only. After two years, obtain permission before using the project again.

Types of media and permissible amounts

- Motion media, e.g., movies, film clips, excerpts from television shows, etc.:
 - Up to 10 percent of the total or three minutes, whichever is less.
- Text material:
 - Up to 10 percent of the total or 1,000 words, whichever is less.
- Music, lyrics, and music video:
 - Up to 10 percent of the work but no more than 30 seconds of the music or lyrics from an individual musical work.
- Illustrations or photographs:
 - No more than five images from one artist or photographer.
 - No more than 10% or 15 images, whichever is less, from a collection.

These procedures are *not* an exhaustive summary of copyright laws that may apply to employees, and are intended only to provide direction for the most commonly encountered copyright-related instructional situations.

Principals are requested to share this information with all employees.