

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

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CHIEF ACADEMIC OFFICER

Copyright Laws, Procedures, and Guidelines

TO: Directors, Coordinators, and Principals

FROM: William J. Barnes, Chief Academic Officer

Summary:

- Copyright laws govern duplication for educational purposes of printed matter, video, and computer software.
- These laws also provide for severe penalties for any violation of these provisions (up to \$250,000 per instance).
- HCPSS adheres to the provisions of copyright laws.
- Interpretation of certain controversial sections of these laws is summarized in the following procedures to represent a sincere effort to operate within a known legal framework.
- Each school site possesses a public performance license from Swank Movie Licensing. Teachers and staff must abide by Policy 8040: Selection of Instructional Materials when planning small and large group instruction.

Action:

- Review the attached information and procedures.
- Share this information with all employees.

Questions:

- Please contact Melissa Daggett in the Office of Instructional Technology and Library Media at 410-313-7043.

WJB/ELB/MD/sb
Attachment

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.

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 items:

- 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; and
- 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)

- An educator may make copies not to exceed one per pupil;
- a poem of 250 words or less that is printed on no more than two pages in its entirety;
- documents containing no more than one chart, picture, carton, graph, diagram or drawing per book or periodical issue;
- Stories, essays, and articles containing less than 2,500 words; and
- 10% of a performable unit of music 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; or
- 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:	Educators may not:
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.	Show videos from streaming services such as Netflix and Amazon Prime Video without checking each service's Terms of Use.
Use recordings for instruction when all of the following conditions have been met: <ul style="list-style-type: none">● The showing is for nonprofit educational purposes;● The showing takes place in a classroom or similar place;● The showing is only for students and teachers in a regularly scheduled class;● The showing is made from a legally-acquired copy of the work (i.e. no home copied); and● The showing is part of face-to-face instruction during a unit currently being taught.	Show recorded programs from regular broadcast or cable channels that do not conform to copyright policies.

DIGITAL INSTRUCTIONAL TOOLS AND SOFTWARE	
Educators may:	Educators may not:
Purchase and use only digital tools and software that have been authorized through the HCPSS approval process.	Make or use illegal copies of copyrighted programs. Use digital tools or software without authorization.
All authorized copies of recordings or computer software must carry appropriate copyright notices.	

MULTIMEDIA
<p>Educators may:</p> <ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ▪ assignments for student self-study; ▪ online instruction provided that the network is secure and is designed to prevent unlawful copying; ▪ professional conferences, presentations, or workshops; and ▪ professional portfolio.
<p>Time restrictions: The fair use of copyrighted material in multimedia projects lasts for <i>two</i> years only. After two years, obtain permission before using the project again.</p>
<p>Types of media and permissible amounts:</p> <ul style="list-style-type: none"> ● Motion media, e.g., movies, film clips, excerpts from television shows, etc.: <ul style="list-style-type: none"> ▪ Up to 10 percent of the total or three minutes, whichever is less ● Text material: <ul style="list-style-type: none"> ▪ Up to 10 percent of the total or 1,000 words, whichever is less ● Music, lyrics, and music video: <ul style="list-style-type: none"> ▪ 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: <ul style="list-style-type: none"> ▪ No more than five images from one artist or photographer ▪ No more than 10% or 15 images, whichever is less, from a collection