

Guidelines for the Use of Copyrighted Materials

The superintendent is responsible for the establishment of practices which will ensure compliance with the provisions of the U.S. Copyright law as they affect the district and its employees.

1. General Responsibilities

- a. The building principal will be designated with the responsibility for disseminating and interpreting copyright regulations at the building level. He/She will provide employee training as needed, distribute and review district policy and administrative regulations with employees, control the approval process and maintain written records regarding permissions, response to requests and license agreements, as may be necessary.
- b. The building principal will ensure that budget recommendations include appropriate funds for the purchase of multiple copies of needed software.
- c. The building principal will ensure that appropriate warning notices are posted to educate and warn individuals using district equipment of the applicable provisions of the copyright law. Warning notices will be posted as follows:
 - (1) On or near all copiers;
 - (2) On all forms used to request copying services;
 - (3) On all video recorders;
 - (4) On all computers;
 - (5) At the library or other places where interlibrary loan orders for copies of materials are accepted.
- d. The building principal will ensure that building computers and computer labs are used only with proper supervision to help protect against unauthorized copying.
- e. The building principal will annually inspect the library/media center and any video collections to ensure all copies are acquired and maintained in accordance with applicable provisions of the copyright law.
- f. All computer software license agreements must be signed by the business manager.
- g. The employee reproducing a copyrighted work will determine whether copying is permitted by law in accordance with district policy and administrative regulations.
- h. The employee will obtain written permission to reproduce material from the copyright holder(s) whenever copying does not fall within the "fair use" guidelines of copyright law. Permission forms, as provided by the district, will be used.

- i. The employee using emerging technology will be responsible to ensure that the intended use of the media does not conflict with copyright law. Such technology includes, but is not limited to, digital video, videodisk, satellite transmission, distance learning, CD-ROM, on-line data bases (and their down-loading), informational networks and other emerging electronic information which can be manipulated into new copyrightable forms of expression.

In the absence of clearly granted rights, the employee must contact the copyright holder in writing for permission to manipulate or use these technologies in alternative ways.

Any contract provided by the distributor of such technology must be submitted to the business manager for approval.

The superintendent is responsible for distributing procedures on educational fair use of copyrighted materials. Use of copyrighted materials is for educational purposes if it furthers noncommercial research, instructional or scholarly activities.

NOTICES

Text of warning notice to be posted on or near copiers. It is recommended that type be at least 18 points in size:

NOTICE:

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17 U.S. CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL. THE PERSON USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Text of warning notice to be displayed at places where orders for copies of materials are accepted by libraries/media centers or archives. Type must be at least 18 points in size; the notice printed on heavy paper or other durable material and displayed prominently within the immediate vicinity of the place where orders are accepted.

The warning is also required on any form that is used to request copying service. There are no specific requirements for type size on request forms.

NOTICE WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17, UNITED STATES CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIC CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

Text of warning notice to be affixed to video recorders and computers. (There is no specific requirement for type size.):

NOTICE:

MANY VIDEOTAPED MATERIALS AND COMPUTER PROGRAMS ARE PROTECTED BY COPYRIGHT (TITLE 17 U.S. CODE). UNAUTHORIZED COPYING MAY BE PROHIBITED BY LAW.

Text of warning notice to be affixed to package containing the copy of a computer program subject to loan. The notice must be printed in such a manner as to be clearly legible, prominently displayed and durably attached to the copies or to a box, reel, cartridge, cassette or other container used as a permanent receptacle for the copy of the computer program:

WARNING: THIS COMPUTER PROGRAM IS PROTECTED UNDER THE COPYRIGHT LAW. MAKING A COPY OF THIS PROGRAM WITHOUT PERMISSION OF THE COPYRIGHT OWNER IS PROHIBITED. ANYONE COPYING THIS PROGRAM WITHOUT PERMISSION OF THE COPYRIGHT OWNER MAY BE SUBJECT TO PAYMENT OF UP TO \$250,000 DAMAGES AND, IN SOME CASES, IMPRISONMENT FOR UP TO ONE YEAR.

REQUEST FOR OFF-AIR VIDEO TAPING

I, the undersigned, having requested the (District) to videotape the following program(s) within the parameters of the policy set forth by the Board, (Date), am aware of said policy, have reviewed district policy and administrative regulations and agree to accept responsibility for the use and erasure of this material to prevent any infringement of copyright law in lieu of expressed written approval of the copyright proprietor.

Title of Program to be Copied: _____

Date of Program: _____ Date Program is Needed: _____

Time of Program: _____ Station or Channel: _____

Length of Program: _____

Special Instructions: _____

Requestor's Name: _____ Location: _____
(please print)

Signature: _____ Department: _____

PREVIEW AND EVALUATION

Yes No Do you want the videotape of this program retained until information regarding the sale, lease, free loan or rental of this material is obtained?

INSTRUCTIONAL QUALITY (circle the appropriate number on the rating scale below)

Criteria	Suggested Guidelines for Rating Scale	5	4	3	2	1	0
Instructional Design	Well-organized, content-load appropriate, maturity level consistent with the content.	5	4	3	2	1	0
Content	Accurate, authentic, current, thorough, relevant.	5	4	3	2	1	0
Curriculum Match	Supports what is commonly taught in this subject at this grade level.	5	4	3	2	1	0
Interest	Supports or enhances communication of content.	5	4	3	2	1	0
5=Exemplary 4=Desirable (very good) 3=Desirable (good) 2=Fair 1=Poor 0=Unacceptable							
OVERALL (AVERAGE) RATING OF QUALITY:							

Yes (High Priority) Yes (Low Priority) No Do you recommend acquisition of this program?

SENSITIVE CONTENT

Yes No Is nudity, excessive violence, glamorization of drugs/dangerous substances, profanity and/or a sexual nature present in this program?
IF YES, please verify by circling the topics present.

ADDITIONAL INFORMATION

Subject Area(s) _____ Grade Level _____ Ability Level _____

Yes No Previewed?

Yes No Uncertain Do presently owned materials adequately cover the subject area?

OVERALL EVALUATION (SUMMARY, USE, ETC.) **AND/OR** REASONS FOR REQUESTING RETENTION OF THIS TAPE:

VIDEOTAPE STATUS - OFFICE USE ONLY

Date: _____

AVAILABLE: Format: 16mm 3/4" 1/2" VHS Other (Specify) _____
Price: _____

May be retained indefinitely

May be kept on an indefinite basis pending updated information on the program's future availability

May be kept permanently on a licensed basis Must be erased immediately

**SAMPLE LETTER:
REQUEST FOR PERMISSION TO COPY**

**Author, Publisher or Distributor
Permission Department**

Date: _____

I am requesting permission to copy and use:

Title: _____ Author/Editor: _____

Year published: _____ Number of copies: _____

Will copies be sold? (Circle) **YES NO**

Description of materials to be copied (Photocopy enclosed): _____

Intended use of materials: _____

Type of reproduction: _____

A self-addressed, stamped envelope is enclosed for your convenience in replying to this request. Should you be unable to authorize this request, please forward this letter to the proper person/agency.

Sincerely,

Permission granted: _____ Date: _____

Conditions (if any): _____

**SAMPLE PRODUCER INQUIRY LETTER: REQUEST FOR INFORMATION OF AGENCY HOLDING RIGHTS TO A TV BROADCAST
AND PERMISSION TO RETAIN PROGRAM IF IT IS NOT FOR SALE, RENT OR LEASE.**

**Network Address (ABC, NBC, CBS - not affiliate)
Permission Department**

Date: _____

I am requesting information on the availability and retention of the following program:

Title: _____ Air date: _____

Can a copy of this program be retained for classroom use? (Circle) **YES NO**

Is this program available for sale? (Circle) **YES NO**

If Yes, specify agency distributing this program: _____

Specify format: _____ Cost (if known): _____

Enclosed is a self-addressed, stamped envelope for your convenience in replying to this request. Should you be unable to authorize this request, or provide the above information, please forward this letter to the proper person/agency.

Sincerely,

Permission to retain off-air copy on a free basis: _____ Date: _____

Conditions (if any): _____