

## Copyright On The Web

WHAT KIND OF ITEM?	FOR INSTANCE....	WHAT'S ACCEPTABLE....	LOOK OUT FOR...
<b>Audio</b>	<ul style="list-style-type: none"> <li>• Digital music or other audio files, any format</li> <li>• Digitized material taken from cassettes or records</li> <li>• Audio clips downloaded from the Web</li> <li>• Anything original, purpose-created for posting</li> </ul>	<ul style="list-style-type: none"> <li>• Anything from a royalty-free source</li> <li>• Anything original you've created and recorded</li> <li>• 10 percent or less of a copyrighted musical composition, reproduced, performed, and displayed, IF used as part of a multimedia work produced by a teacher or student(s)</li> </ul>	<ul style="list-style-type: none"> <li>• 30 seconds is the MAXIMUM portion allowed for each musical composition used</li> <li>• Freely obtained doesn't mean public domain; if you got it from a friend, or downloaded it from a peer-to-peer network, don't use it!</li> <li>• The finished product MUST have an educational purpose</li> <li>• Check the terms of use</li> </ul>
<b>Video</b>	<ul style="list-style-type: none"> <li>• Clips from videotapes or DVDs</li> <li>• Video (any format) downloaded from the Web</li> <li>• Multimedia encyclopedias</li> <li>• Video purposely created to showcase a student or class project</li> </ul>	<ul style="list-style-type: none"> <li>• Students may use 10 percent or three minutes (whichever is less) of video from <b>lawfully acquired, copyrighted</b> works</li> <li>• Teachers may use purchased or rented videotapes or DVDs in the classroom</li> </ul>	<ul style="list-style-type: none"> <li>• That's 10 percent or 3 minutes TOTAL—not multiple pieces that length</li> <li>• Copies of purchased video may ONLY be made for archival purposes, or to replace a lost, stolen, or damaged copy</li> <li>• Copies may ONLY be made if replacements are unobtainable at a fair price or viable format</li> <li>• Originals MUST be legitimately acquired</li> <li>• Material MUST be used in a not-for-profit manner, so putting on a family video night as a fund-raiser is a no-no</li> </ul>

			<ul style="list-style-type: none"> <li>• PROPER ATTRIBUTION MUST BE GIVEN TO THE COPYRIGHT HOLDER WHEN USING COPYRIGHTED MATERIAL IN A PROJECT!</li> </ul>
<b>Text</b>	<ul style="list-style-type: none"> <li>• Maximum of two pages from an illustrated work less than 2500 words in length</li> <li>• ONE chart, picture, diagram, or cartoon from any one book or issue of a periodical</li> <li>• Poems shorter than 250 words, or a 250-word excerpt from a longer poem</li> <li>• An article, story, or essay shorter than 2500 words</li> <li>• Full works which have become obsolete in the original format:</li> </ul>	<ul style="list-style-type: none"> <li>• A teacher MAY make copies for use in the classroom, and to use in multimedia projects for teaching purposes</li> <li>• Students MAY use text in multimedia projects</li> </ul>	<ul style="list-style-type: none"> <li>• Only legally acquired originals may be copied</li> <li>• Only one copy per student is allowed</li> <li>• Teachers may make copies of an item nine times for each class in any given term</li> <li>• Usage must be at the behest of a teacher, not district-driven</li> <li>• You may NOT use excerpts taken in this manner to create online anthologies</li> <li>• Items intended to be used up (like workbooks) may NOT be copied</li> <li>• Proper attribution is a must</li> </ul>
<b>Graphics</b>	<ul style="list-style-type: none"> <li>• Photographs</li> <li>• Illustrations</li> <li>• Clip art</li> <li>• Animated clip art</li> </ul>	<ul style="list-style-type: none"> <li>• A single complete photo or illustration may be used; however, no more than five images by a single artist or photographer may be used</li> <li>• From a collection, you may use not more than 15 images, or 10 percent, whichever is smaller</li> </ul>	<ul style="list-style-type: none"> <li>• If posting a photo of a student, media exclusion <b>must</b> be observed</li> <li>• No student's surname may accompany a photo</li> <li>• Clip art should be either original or royalty-free</li> <li>• DON'T use copyrighted images of well-known</li> </ul>

			characters (Snoopy, Garfield or similar) <ul style="list-style-type: none"> <li>• Be aware that, though older images may be individually out of copyright, they may be part of a copyrighted collection. CHECK!</li> </ul>
<b>Previously-Created Materials</b>	<ul style="list-style-type: none"> <li>• PowerPoint files from outside sources</li> <li>• Past student projects</li> </ul>	<ul style="list-style-type: none"> <li>• For any student-created material, get permission in writing from parent or guardian</li> </ul>	<ul style="list-style-type: none"> <li>• When in doubt, get permission from the creator—in writing</li> </ul>
<b>Internet/World Wide Web</b>	<ul style="list-style-type: none"> <li>• Anything available as a network resource</li> <li>• Material from the Web</li> </ul>	<ul style="list-style-type: none"> <li>• Images taken from these resources may be used in student work or teacher-created instructional materials</li> <li>• The same applies to sound files: pay careful attention to size limitations</li> </ul>	<ul style="list-style-type: none"> <li>• Don't re-post downloaded items without getting permission</li> <li>• Anything posted must have been downloaded in a legitimate manner</li> <li>• Linking to existing sites or resources is acceptable, with respect to stated terms of use</li> </ul>

**Need-to-Know:**

**Royalty-free.** This is material which MAY be used, even for profit, without paying a royalty. A royalty is a fee paid for use of something to the owner of its copyright. An initial fee may be required, as in the case of United Streaming or EBSCO, and terms of usage **must** be observed.

**Terms of usage.**

**Fair use.** Allows for limited use of copyrighted material without needing permission from the copyright holder.

**Public domain.** Something that is part of the common cultural and intellectual heritage, especially creative material like writing, art, or music. No law restricts use of material from the Bible, for instance, or Plato's *Republic*.

A work usually becomes public domain when it is 50 years past its original date of copyright. So, a student could use clips from *The Wizard of Oz*, but not clips from *The Wiz*. However, any work published prior to 1923 is entirely acceptable—video from *Birth of a Nation*, for instance. Note that this is a rolling date: anything first published at least 95 years prior to January 1 of whatever is the current year is no longer covered by copyright. Thus, the works of Mozart, Mark Twain, and Leonardo da Vinci are all acceptable for use on a website or published piece.

In general, *anything*, once published, is assumed to be copyrighted. CDs, DVDs, print, PowerPoints, websites, digital stories, lesson plans—their creator is assumed to hold copyright.

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