

Copyright Manual for Teachers and Staff



PINELLAS
COUNTY
SCHOOLS

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Introduction

The information contained in this manual reflects and expands upon the information found in Pinellas County Schools policy 2531- Copyrighted Works. This document does not constitute legal advice.

Any reproduction or display of copyrighted materials shall be done with permission of the copyright owner or within the bounds of the “Fair Use” doctrine of Copyright law. With this document, employees have been informed and provided with the necessary copyright information to help them make informed copyright and fair use decisions.

Key Concepts and Application

COPYRIGHT Copyright is a property right to materials written and produced by authors. Its duration is the life of the author and 70 additional years. See <https://www.copyright.gov/title17/>.

COPYRIGHT FUNDAMENTALS To provide the author with the sole right to 1) make authorized copies; 2) prepare adaptations, translations, or abridged versions; 3) distribute copies; 4) give public performances; and 5) display works.

DISTRICT CONTACT The Library Media department is the district contact for copyright.

BUILDING-LEVEL CONTACT Site-based Library Media personnel are the building level contact(s) for information pertaining to copyright and fair use.

COPYRIGHT NOTICES Copyright notices should be placed on or near all equipment that are capable of reproducing copyright materials (near copy machines, printers, and scanners). See Appendix. Copyright notices should also be affixed on permitted copies first published before 1989. See <https://www.copyright.gov/circs/circ03.pdf>.

See additional Definitions: <https://www.copyright.gov/title17/92chap1.html#101>

Fair Use for Educators

When determining whether an action falls under *fair use* please apply these factors:

1. Purpose and character of use: is use for profit or face-to-face teaching?
2. What is the nature of the work? What format?
3. What is the amount to be copied in relation to the whole?
4. What is the effect of use on the potential sales market?

Resources:

<https://www.copyright.gov/title17/92chap1.html#107>

<https://copyrightalliance.org/education/copyright-law-explained/limitations-on-a-copyright-owners-rights/fair-use-exceptions-copyright/>

[https://www.usg.edu/assets/usg/docs/copyright_docs/Fair_Use_Checklist_\(1-10-17_final\).pdf](https://www.usg.edu/assets/usg/docs/copyright_docs/Fair_Use_Checklist_(1-10-17_final).pdf)

Determining Face-to-Face Teaching

To determine if teaching is *face-to-face*, apply these factors:

1. Performed at a nonprofit educational institution.
2. Conducted by a teacher or student. Parents and guests are granted the same privileges.
3. In a classroom or facsimile.
4. Must be face-to-face where student is earning a grade.
5. Must be educational in nature- not for entertainment, reward, or behavior modification purposes. Any other performance is considered a public performance for which performance rights must be purchased or acquired in writing from the copyright owner.

Resource: <https://www.copyright.gov/title17/92chap1.html#110>

Audiovisual Works

Audio recordings may not be duplicated from one format to another unless under appropriate provisions such as the purchase of duplication rights.

Narration of entire works into an audio or audiovisual format is generally not permitted. The publisher of the work should be contacted for appropriate copyright permissions prior to recording.

Print Materials

Print materials used for instructional purposes with controversial issues and information are subject to our district Controversial Materials policy. See <https://www.pcsb.org/Page/1530>.

SINGLE COPYING FOR TEACHERS

A single copy may be made of any of the following by or for a teacher at their individual request for research purposes to use in teaching or preparation to teach a class:

- A chapter from a book;

- An article from a periodical or newspaper;

- A short story, short essay or short poem, whether or not from a collective work;

- A chart, graph, diagram, drawing, non-syndicate cartoon or picture from a book, periodical or newspaper.

MULTIPLE COPIES FOR CLASSROOM USE

A teacher may make multiple copies for classroom use if the copying meets the tests for brevity, spontaneity, and cumulative effect.

Permitted:

Multiple copies (not to exceed one per pupil) may be made by or for a teacher teaching the course for classroom use or discussion as follows:

- A complete poem, if less than 250 words and if printed on not more than two pages;

- A 250-word excerpt from a longer poem;

- A complete article, story or essay of less than 2,500 words;

- Illustration: one chart, graph, diagram, drawing, non-syndicated cartoon or picture per book or periodical;

- Each copy should include the notice of copyright if published before March 1, 1989.

Not Permitted:

Copies may not be used to create anthologies, compilations, or collective works (this would include curriculum guides);

Consumable materials such as workbooks, tests, and answer sheets may not be copied;

Copying may not be used as a substitute for purchasing;

Copying may not be repeated with respect to the same item by the same teacher from term to term.

Syndicated cartoons or cartoon characters may not be duplicated or print materials enlarged.

Video/Video Production

Movies, films and other visual content with a rating above G is subject to our district Controversial Materials policy. See <https://www.pcsb.org/Page/1530>.

Permitted

Schools with certain types of non-restricted video may transmit films over closed-circuit television systems unless such showing is prohibited by the producer.

Some other performances may be permitted under a public performance license. Please see your Library Media Technology Specialist for more information.

Not Permitted

A video production may not be copied in its entirety;

A video production may not be converted from one form to another;

Educational films may not be shown for entertainment, reward, or behavior modification;

The creative essence of a work may not be copied;

Showing content using a personal streaming account (Netflix, Hulu, Disney+, Prime Video, etc.) is a violation of the platform's end user license agreement and is not covered under a public performance license.

Music

For royalty free music and sound effects, see: <https://www.soundzabound.com/> (must use while on school network for authentication). Music and sound effects are screened for educational use. Students are allowed to use the resource as well as teachers.

Permitted

Emergency copying to replace a purchased copy for a performance;

For teaching purposes, single or multiple copies of excerpts of works that would not constitute a performable unit such as a section, movement or aria, but not more than 10% of the whole work;

Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none;

A single copy of a recording of a performance by students may be made for evaluation or rehearsal purposes and may be retained;

A single copy of a sound recording of copyright music may be made from sound recordings owned by the school or an individual teacher for the purpose of testing and may be retained;

The copyright notice must appear on authorized copies if published before March 1, 1989.

Not Permitted

Copying to create or replace or substitute for anthologies, compilations or collective works;

Copying of or from works intended to be consumable;

Copying for the purpose of performance except under emergency provision. It is not permissible to make copies of sheet music to provide extra parts for one instrument, choral or speaking part for a musical play. Additional copies need to be purchased or duplication rights secured;

Copying for the purpose of substituting for the purchase of music, except under emergency provision;

Copying without inclusion of the copyright notice for items published before March 1, 1989.

Portion Limitations for Multimedia Projects

For all formats of copyrighted material, generally the 10% rule should be followed for student and teacher multimedia projects. See

https://depts.washington.edu/uwcopy/Using_Copyright/Guidelines/Fair.php#:~:text=Portion%20limitations%20mean%20the%20amount,the%20copyrighted%20works%20are%20taken.

Appendix

Copyright Notice for Placement Near Copiers, etc.

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 responsible for any infringement.

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