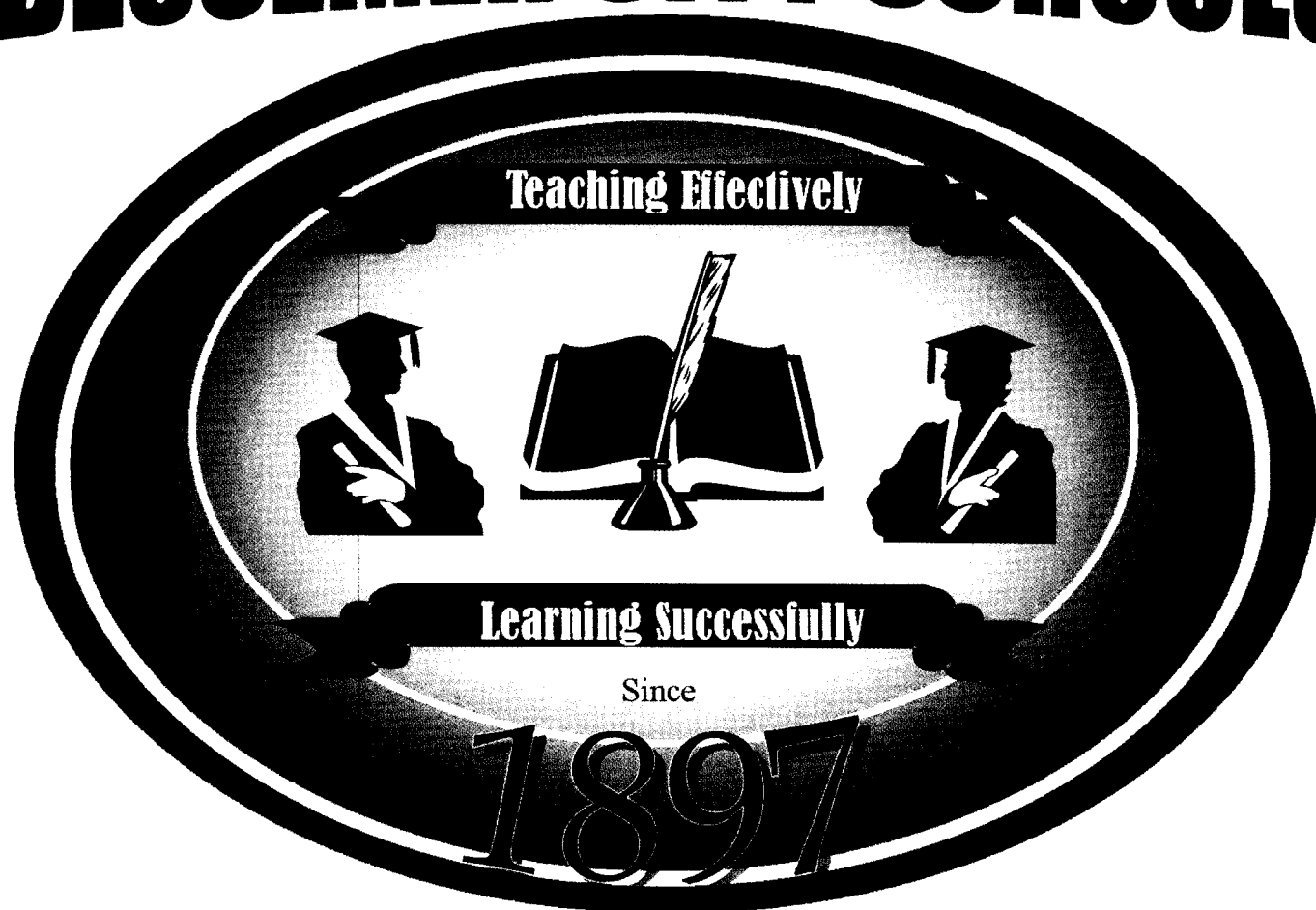


Copyright Laws Policy

BESSEMER CITY SCHOOLS



Gary R Richardson

Technology Coordinator

Copyright Laws

It is the policy of the Bessemer Board of Education that all copyright laws are followed. To make sure employees are aware of the rules, the media specialist must include Copyright infringements as part of the yearly orientation. There must be a signed form stating that the employee has been made aware of the copyright laws, and will abide by them.

Employees must be made aware of the dangers of breaking copyright laws. Violating these laws can be punishable by a fine to the school system and/or individual in excess of \$100,000.00, jail time, or both, as well as dismissal.

Copyright warnings should be posted over every copier, at every printer (for Internet and software infringements) and in the area where videos and software are stored.

Appendix D

Copyright Regulations

Fair Use (Section 107 of Title 17 of the U. S. Code)

Notwithstanding the provisions of Section 106, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered shall include:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

Off-Air Taping (Excerpts from the Kastenmeier Congressional Subcommittee guidelines)

A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable re-transmission) and retained by a non-profit educational institution for a period not to exceed the *first 45 consecutive calendar days* after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. "Broadcast programs" are television programs transmitted by television stations for reception by the general public without charge.

Off-air recordings *may be used once* by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary during the first 10 consecutive school days during the forty-five day retention period.

Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests.

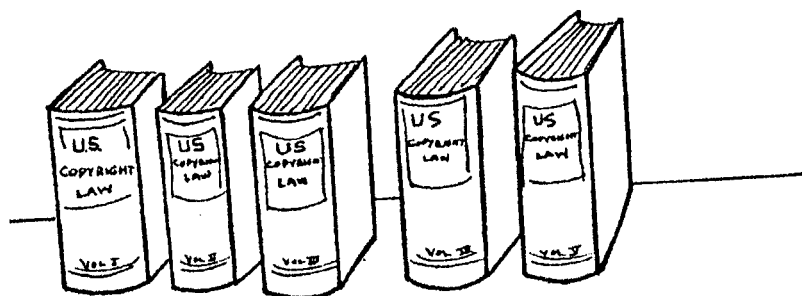
A limited number of copies may be reproduced from each off-air record to meet the legitimate needs of teachers under these guidelines.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Copyright Notice to Post on Copiers and Videorecorders:

The copyright law of the United States governs the making or reproductions and the performance of copyrighted material; the person using this equipment is liable for any copyright infringement.



COPYRIGHT

As a media specialist, you will probably be your school's authority on copyright laws. If your district has a copyright policy, become familiar with it *before* you are asked to copy something. If your district does not have a copyright policy, it would be wise to develop one in cooperation with the other media specialists, building principals, and the superintendent.

If you need further assistance and guidelines, write for the Librarian's Copyright Kit, Order Dept., American Library Association, 50 East Huron Street, Chicago, Illinois 60611. There is a charge for the kit. Another place where information may be obtained is AEME (Association for Education Media and Equipment), P.O. Box 865, Elkader, Iowa 52043. There is also a hot line for copyright questions. The number is 1-800-444-4203.

When you have determined your school's copyright philosophy, be sure that you, yourself, are very familiar with fair use guidelines for off-air-taping and photocopying. Be careful that you always obtain permission before you copy any copyrighted works. Always follow copyright laws so that you set an example for both staff and students. Be sure you communicate the district's copyright philosophy to the teachers in your school. Schedule time during a faculty meeting when you can explain the copyright rules to the staff. *Have* out a printed copy of the copyright policies of your district to each staff member. Emphasize the importance of following copyright procedures. Take time to stress the policy with regard to video and computer program copying, for this is where many problems arise. Explain that you will not be able to copy written, video, or sound material that is covered under copyright. Ask that teachers be responsible for teaching students what a copyright is and the ethical as well as the legal reasons for not abusing copyright laws.

Post a simple sign above the copy machine where all can see it. (A sample sign follows.) A sign posted somewhere on each VCR and computer would also be advisable. Since the librarian/media specialist is sometimes also held responsible for copyright infringement, having a signed statement that you have posted copyright laws may be prudent. Keep a copy of this statement and ask the principal to keep the original. (A sample statement follows.)

Quick Facts About Video Copyright

When using rented videotapes for classroom use:

1. Videos must be shown in a classroom or other space used for teaching.
2. Videos must be shown in a face-to-face setting to students and educators.
3. Videos used should be an integral part of the educational program as outlined in teacher lesson plans.
4. The video shown must not be an illegal copy.

Guidelines to Video Off-Air Recording

1. Schools may record off-air broadcasts and retain them for a period no longer than 45 days after the recording.
2. After 45 days, all off-air recordings must be erased or destroyed.
3. Off-air recordings may be shown once to a classroom and then repeated once for reinforcement if necessary.
4. Off-air recordings must be made at the specific request of a teacher or teachers and not made in advance in anticipation of requests.
5. Portions of the off-air recording may be used, but the recording may not be altered or electronically merged with other recordings.
6. Off-air recordings must include the copyright notice of the original broadcast program.

Copyright Notice Form

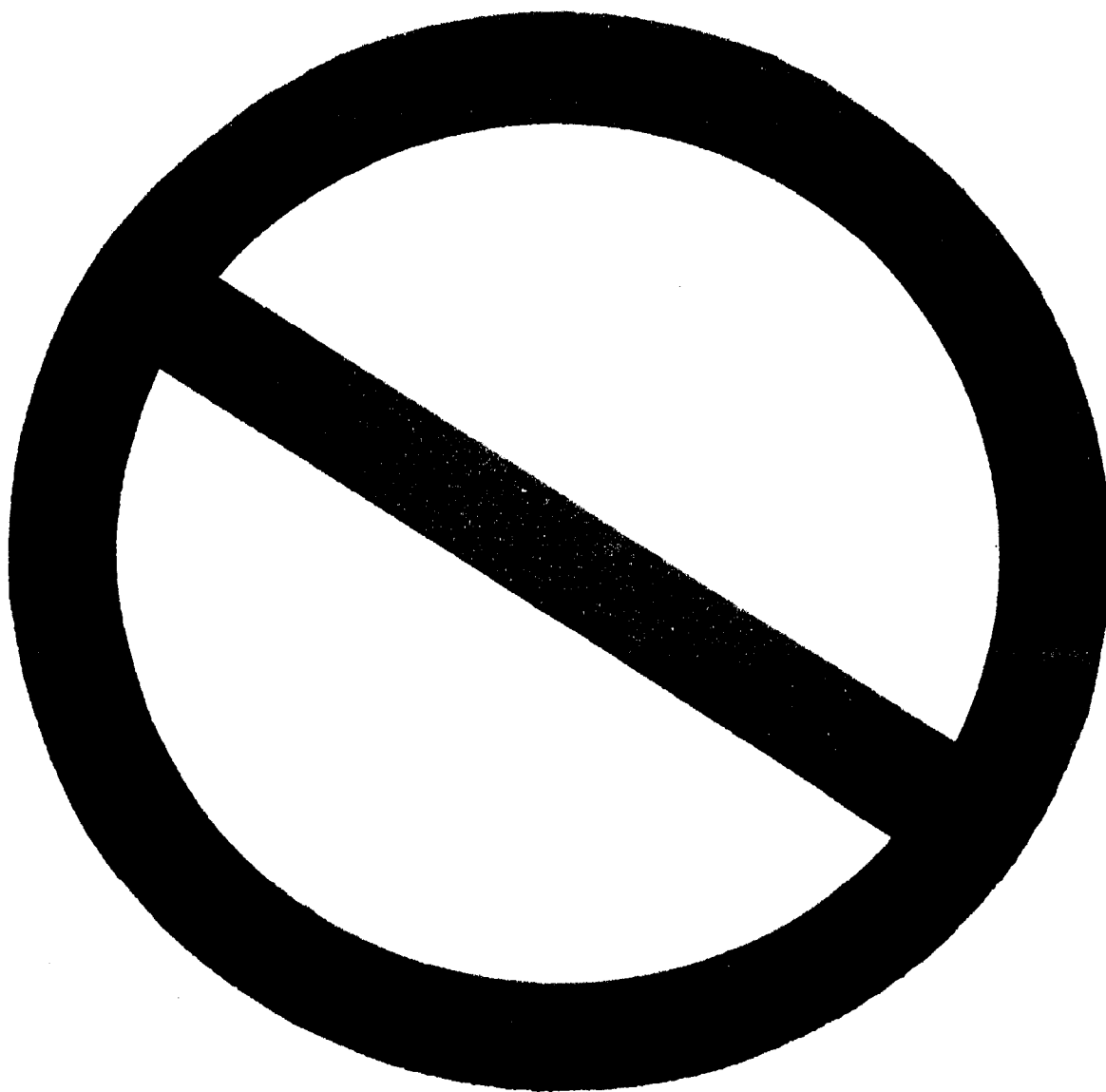
This is to record the fact that on _____ (date), the statements of copyright/copying procedures were posted near the copy machine, the VCRs, and on the computers in _____ School.

_____, Librarian

_____, Principal

BE AWARE OF

COPYRIGHT LAWS



BEFORE USING THIS MACHINE!

(Copyright Notice Sign — to be posted above machines)

BESSEMER CITY SCHOOLS TECHNOLOGY USAGE POLICY

FACULTY AND STAFF

I acknowledge that I have read, understand and agree to all terms as outlined in the Internet Acceptable Use Policy. I further understand that this agreement will be kept on file at the school for the academic year in which it was signed.

Date _____

Name

Signature

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**BESSEMER CITY SCHOOLS TECHNOLOGY USAGE POLICY
FACULTY AND STAFF**

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