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3 **INSTRUCTION**

4
5 Copyright Compliance

6
7 Authorized Reproduction and Use of Copyrighted Material in Print

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9 In preparing for instruction, a teacher may make or have made a single copy of a chapter from a
10 book; an article from a newspaper or periodical; a short story, short essay, or short poem; or a
11 chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper. A
12 teacher may make multiple copies, not exceeding more than one (1) per student, for classroom
13 use if the copying meets the tests of “brevity, spontaneity and cumulative effect” set by the
14 following guidelines. Each copy must include a notice of copyright.

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16 1. Brevity

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- 18 a. A complete poem, if less than 250 words and two pages long, may be copied;
- 19 excerpts from longer poems cannot exceed 250 words.
- 20 b. Complete articles, stories or essays of less than 2500 words or excerpts from
- 21 prose works less than 1000 words or 10% of the work, whichever is less, may be
- 22 copied; in any event, the minimum is 500 words. (Each numerical limit may be
- 23 expanded to permit the completion of an unfinished line of a poem or prose
- 24 paragraph.)
- 25 c. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical
- 26 issue may be copied. “Special” works cannot be reproduced in full; this includes
- 27 children’s books combining poetry, prose, or poetic prose.

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29 2. Spontaneity. Should be at the “instance and inspiration” of the individual teacher.

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31 3. Cumulative Effect. Teachers are limited to using copied material for only one (1) course
32 in the school in which copies are made. No more than one (1) short poem, article, story
33 or two (2) excerpts from the same author may be copied, and no more than three (3)
34 works can be copied from a collective work or periodical issue during one (1) class term.
35 Teachers are limited to nine (9) instances of multiple copying for one (1) course during
36 one (1) class term. Limitations do not apply to current news periodicals, newspapers, and
37 current news sections of other periodicals.

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39 Performances by teachers or students of copyrighted dramatic works without authorization from
40 the copyright owner are permitted as part of a teaching activity in a classroom or instructional
41 setting. All other performances require permission from the copyright owner.

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43 The copyright law prohibits using copies to replace or substitute for anthologies, consumable
44 works, compilations, or collective works. “Consumable” works include: workbooks, exercises,
45 standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the
46 purchase of books, publishers’ reprints or periodicals, nor can they repeatedly copy the same

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4 item from term-to-term. Copying cannot be directed by a “higher authority,” and students cannot
5 be charged more than actual cost of photocopying. Teachers may use copyrighted materials in
6 overhead or opaque projectors for instructional purposes.

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8 Authorized Reproduction and Use of Copyrighted Materials in the Library

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10 A library may make a single copy of an unpublished work which is in its collection; and a
11 published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided
12 the unused replacement cannot be obtained at a fair price.

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14 A library may provide a single copy of copyrighted material to a student or staff member at no
15 more than the actual cost of photocopying. The copy must be limited to one (1) article of a
16 periodical issue or a small part of other material, unless the library finds that the copyrighted
17 work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work
18 may be copied. In any case, the copy shall contain the notice of copyright, and the student or
19 staff member shall be notified that the copy is to be used only for private study, scholarship, or
20 research. Any other use may subject the person to liability for copyright infringement.

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22 At the request of a teacher, copies may be made for reserve use. The same limits apply as for
23 single or multiple copies designated in “Authorized Reproduction and Use of Copyrighted
24 Material in Print.”

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26 Authorized Reproduction and Use of Copyrighted Music

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28 A teacher may make a single copy of a song, movement, or short section from a printed musical
29 work that is unavailable except in a larger work, for purposes of preparing for instruction.

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31 A teacher may make multiple copies for classroom use of an excerpt of not more than 10% of a
32 printed musical work if it is to be used for academic purposes other than performance, provided
33 that the excerpt does not comprise a part of the whole musical work which would constitute a
34 performable unit such as a complete section, movement, or song.

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36 In an emergency, a teacher may make and use replacement copies of printed music for an
37 imminent musical performance, when the purchased copies have been lost, destroyed, or are
38 otherwise not available.

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42 Procedure History:

43 Promulgated on:

44 Reviewed on: 2/25/08

45 Revised on: Fall 2003