

COPYRIGHT, FAIRUSE, & PUBLIC DOMAIN GUIDELINES

COPYRIGHT

- [Copyright Act](#) United States Code (Cornell University Legal Information Institute)
- [United States Copyright Office](#) United States Copyright Office (Library of Congress)
- [A Brief Intro To Copyright](#) (Brad Templeton)
- [The Copyright Quiz](#) The Educator's Guide to Copyright and Fair Use (techLEARNING.com)
- [Copyright and Fair Use Guidelines for Teachers](#) This handy chart is a concise reference tool that summarizes the fine print

FAIRUSE

- [Who Owns What?](#) The Copyright Crash Course (Georgia K. Harper; The University of Texas)
- [Fair Use Of Copyrighted Materials](#) The Copyright Crash Course (Georgia K. Harper; The University of Texas)
- [Checklist for Fair Use](#) This brief questionnaire can help you evaluate your use of copyrighted material relative to the four factors of "fair use" (Copyright Management Center Indiana University)

PUBLIC DOMAIN

- Is it in the Public Domain? If something is in the "public domain" than copyright protections do not apply. However, the law related to public domain is somewhat complex. A formal notice of copyright on the work is no longer required. Just because something is on an unrestricted website does not mean it is in the public domain nor does it mean the copyright owner does not care if you use the material. Note that even if a work is not yet in the public domain, fair use may still apply for educational uses. Uses outside of fair use will require permission from the holder of the copyright, unless the work is in the public domain. [Copyright Term and the Public Domain in the United States Chart](#): This chart can help you determine whether a work is in the "public domain". Is it "fair use"? There is no easy answer to this question. Determining fair use must be done on a case-by-case basis. All four fair use factors must be weighed in determining fair use in a specific situation. Any use for educational or non-profit purposes is not automatically permitted.

Copyright and Fair Use Guidelines for Teachers

This chart was designed to inform teachers of what they may do under the law. Feel free to make copies for teachers in your school district, or download a PDF version at www.techlearning.com. More detailed information about fair use guidelines and copyright resources is available at www.halldavidson.net.

Medium	Specifics	What you can do	The Fine Print
Printed Material (short)	<ul style="list-style-type: none"> Poem less than 250 words; 250-word excerpt of poem greater than 250 words Articles, stories, or essays less than 2,500 words Excerpt for a longer work (10% of work or 1,000 words, whichever is less) One chart, picture, diagram, or cartoon per book or per periodical issue Two page (maximum) form an illustrated work less than 2,500 words, e.g. a children's book 	<ul style="list-style-type: none"> Teachers may make multiple copies for classroom use, and incorporate into multimedia for teaching class Students may incorporate text into multimedia projects 	<ul style="list-style-type: none"> Copies may be made only from legally acquired originals Only one copy allowed per student Teachers may make copies in nine instances per class per term. Usage must be "at the instance and inspiration of a single teacher i.e. not a directive for the district Don't create anthologies "Consumable" such as workbooks may not be copied
Printed Material (archives)	<ul style="list-style-type: none"> An entire work Portions of a work A work in which the existing format has become obsolete, e.g. a document stored on a Wang computer 	<ul style="list-style-type: none"> A librarian may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen" 	<ul style="list-style-type: none"> Copies must contain copyright information Archiving rights are designed to allow libraries to share with other libraries on-of-a-kind and out-of-print books
Illustrations & Photographs	<ul style="list-style-type: none"> Photograph Illustration Collections of photographs Collections of illustrations 	<ul style="list-style-type: none"> Single works may be used in their entirety, but on more than five images by a single artist or photographer may be used From a collection, not more than fifteen images or 10% (whichever is less) may be used 	<ul style="list-style-type: none"> Although older illustrations may be in the public domain and don't need permission to be used, sometimes they're part of a copyright collection. Copyright ownership information is available at www.loc.gov or www.mpa.org.
Video (for integration into multimedia or video projects)	<ul style="list-style-type: none"> Records Cassette tapes CDs Audio clips on the Web 	<ul style="list-style-type: none"> Up to 10% of a copyright musical composition may be reproduced, performed, and displayed as part of a multimedia program produced by an educator or students 	<ul style="list-style-type: none"> A maximum of 30 second per musical composition may be used Multimedia program must have an educational purpose
Computer Software	<ul style="list-style-type: none"> Software (purchased) Software (licensed) 	<ul style="list-style-type: none"> Library may lend software to patrons Software may be installed on multiple machines, and distributed to users via a network Software may be installed at home and at school Libraries may make copies for archival use or to replace lost, damaged, or stolen copies if software is unavailable at a fair price or in a viable format 	<ul style="list-style-type: none"> Only one machine at a time may use the program The number of simultaneous users must not exceed the number of licenses; the number of machines being used must never exceed the number licensed A network license may be required for multiple users Take aggressive action to monitor that copying is not taking place (unless for archival purposes)
Internet	<ul style="list-style-type: none"> Internet connections World Wide Web 	<ul style="list-style-type: none"> Images may be downloaded for student projects and teacher lessons Sound files and video may be downloaded for use in multimedia projects (see portion restrictions above) 	<ul style="list-style-type: none"> Resources from the Web may not be reposted onto the Internet without permission; however, links to legitimate resources can be posted Any resources you download must have been legitimately acquired by the Web site
Television	<ul style="list-style-type: none"> Broadcast (e.g. ABC, NBC, CBS, UPN, PBS, and local stations) Cable (e.g. CNN, MTV, HBO) Videotapes made of broadcast and cable TV programs 	<ul style="list-style-type: none"> Broadcasts or tapes made from broadcast may be used for instruction Cable channel programs may be used with permission; many programs may be retained by teachers for years—see Cable in the Classroom (www.ciconline.org) for details 	<ul style="list-style-type: none"> Schools are allowed to retain broadcast tapes for a minimum of 10 school days (enlightened rights holders such as PBS's <i>Reading Rainbow</i> allow for much more) Cable programs are technically not covered by the same guidelines as broadcast television

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