

JEFFERSON COUNTY
PUBLIC SCHOOLS

A Guide to the Use of Copyrighted Materials

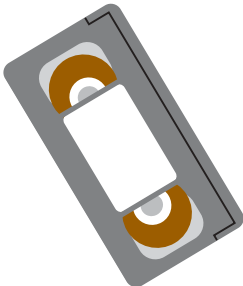
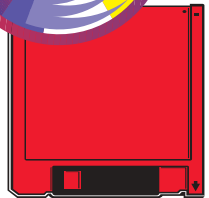
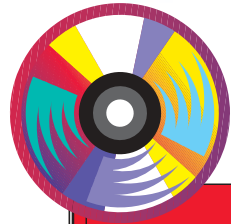
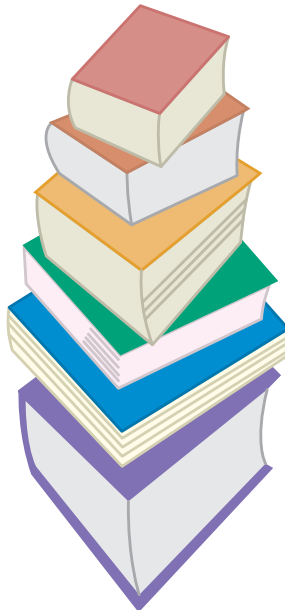


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Jefferson County Board of Education Policy Regarding Copyright

“The District shall comply with federal copyright laws and any licensing agreements entered into with regard to any copyrighted works or materials including but not limited to, printed materials, computer software, and audiovisual works.

District personnel and volunteers shall conform with all restrictions on use of copyrighted materials. However, they are authorized to observe “fair use” federal guidelines.

The District **assumes no liability** for infringement of copyright by individual employees and volunteers.”

Revised: November 12, 1995. Motion #27339

Adopted: March 24, 1986. Motion #18410

— Use of Copyrighted Materials —

The Copyright Act of 1976 (Title 17 of the United States Code) (<http://www.copyright.gov/title17>) gives copyright owners the exclusive rights of reproduction, adaptation, publication, performance, and display.

— What is Copyrighted? —

Works are copyright protected once they are in a fixed form. Copyright ownership belongs to the author who created the work or the employer (Work for Hire). Copyright notice © is no longer required but does provide the author/owner with greater protection in lawsuits. Further information on copyright can be obtained from the Library of Congress (<http://www.loc.gov>).

— Guidelines for “Fair Use” of Copyrighted Materials —

Congress has established four broad factors in copyright law that determine “Fair Use”. These are:

- A. the purpose and character of the use, including whether such use is of a commercial nature, or is for nonprofit educational purposes.
- B. the nature of the copyrighted work.
- C. the amount and substantiality of the portion used in relation to the copyrighted work as a whole.
- D. the effect of the use upon the potential market for or value of the copyrighted work.

NOTE: For “fair use” to be met, all four factors must be met.

— Explanation of “Fair Use” —

Factor A: Whether such use is of commercial nature or is for nonprofit educational purposes

Factor A provides protection to the author while allowing use for educational purposes. Courts will factor into account the educational use; however, that alone will not justify “fair use”.

Factor B: The nature of the copyrighted work

Think about what is being copied. Is it published or unpublished? Unpublished works include diaries, letters, family photos, surveys, and other materials that might not have been distributed to the public in copies. For unpublished materials, copyright notice and registration are not required. Works created after January 1, 1978, retain their copyright protection for the life of the author plus 70 years. For works created prior to January 1, 1978, a complex set of rules apply. For

further information see the Sonny Bono Term Extension Act at <http://www.copyright.gov/legislation/s505.pdf>

Factor C: The amount and substantiality of the portion used in relation to the copyrighted work as a whole

Apply commonsense judgment to the material being copied. “Substantial portion” is dependent on the material. For recommendations about the number of pages or words that may safely be copied see *Reproduction of Copyrighted Works by Educators and Librarians*.

Factor D: Financial Impact

Basically stated, will the display and/or copying of this material have some impact on the market for or value of the material in question? In other words, will the copying/display cause the author/owner loss of a sale?

A reminder that all four factors must be met for “fair use” to apply.

For information on:

“Fair Use”: (<http://www.copyright.gov/title17/92chap1.html#107>)
Reproduction of Copyrighted Works by Educators and Librarians (<http://www.copyright.gov/circs/circ21.pdf>)

Ask Yourself This Question:

Does use of the material meet all four factors of “fair use“?

— Books and Periodicals —

The **Agreement on Guidelines for Classroom Copying in Not-for-Profit Education Institutions** with respect to books and periodicals states the minimum and not the maximum standards of educational “fair use” (Section 107 of H.R. 2223). A copy of the agreement can be found in *Reproduction of Copyright Works by Educators and Librarians*

The guidelines state:

- I. Single Copying for Teachers—A single copy may be made of any of the following by or for a teacher at his or her individual request for scholarly research or use in teaching or preparation to teach a class:
 - A. A chapter from a book
 - B. An article from a periodical or newspaper
 - C. A short story, a short essay, or short poem, whether or not from a collective work
 - D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper
- II. Multiple Copies for Classroom Use—Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:
 - A. The copying meets the tests of brevity and spontaneity*,
 - B. Meets the cumulative effect test*; and
 - C. Each copy includes a notice of copyright.

* For definitions of brevity, spontaneity, and the cumulative effect test, see <http://www.copyright.gov/circs/circ21.pdf>

III. Prohibitions as to Items I and II

Notwithstanding any of Items I and II, the following shall be prohibited:

- A. Copying shall not be used to create, replace, or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or of teaching. These include workbooks, exercises, standardized tests, test booklets, and answer sheets, and like consumable material.
- C. Copying shall not:
 - 1. substitute for the purchase of books, publishers’ reprints or periodicals;
 - 2. be directed by a higher authority; or
 - 3. be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of photocopying.

— Music —

The following information is taken from the **Guidelines for Educational Use of Music**. These guidelines establish the minimum and not the maximum standards of educational “fair use” under Copyright Law. The guidelines are not intended to limit the types of copying permitted under “fair use”. However, there may be cases where copying does not fall into the guidelines stated and be permitted.

I. Permissible Uses

- A. Emergency copying may be done to replace purchased copies,

which for any reason are not available for an imminent performance, provided purchased replacement copies shall be substituted in due course.

- B. Single or multiple copies of excerpts of works may be made for academic purposes other than performance, provided that the excerpts do not comprise a part of the whole, which would constitute a performable unit such as a section, movement of aria, but in no case more than ten percent of the whole work. The number of copies shall not exceed one copy per pupil.
- C. 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 exist.
- D. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
- E. A single copy of a sound recording (such as tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

II. Prohibitions

- A. Copying to create, replace, or substitute for anthologies, compilations, or collective works.
- B. Copying of or from works intended to be “consumable” in the course of study, or of teaching, such as workbooks, exercises, standardized tests, and answer sheets and like materials.
- C. Copying for the purpose of performance, except as in Item I (A)
- D. Copying for the purpose of substituting for the purchase of music, except as in Items I (A) and I (B)

- E. Copying without inclusion of the copyright notice which appears on the printed copy.

For further information see: *Guidelines for Educational Uses of Music* at <http://musiclibraryassoc.org/Copyright/guidemus.htm>

— Technology —

District equipment shall not be used to duplicate/use computer software, video recordings, audio recordings, or televised programs in the violation of copyright laws. **Use of copies in violation of copyright laws shall not be permitted on District equipment/property.**

I. Computer Software

A. Permissible uses—Creation of a single copy of purchased or leased software on magnetic media for archival purposes within the following guidelines is permitted.

1. The copy is for archival purposes only and cannot be used except to restore the original in the event of damage.
2. Only one archival copy can be made.
3. An archival copy cannot be made where one has already been supplied with the purchase of the master copy.
4. Copies of the software that are made in the memory of the machine as a normal part of its operation do not constitute an “archival copy”.

B. Prohibited Uses

1. Making more than one copy of a software program.
2. Distributing copies of a software program.
3. Booting or running the program on more than one machine at the same time.
4. Making a copy of a program acquired for preview purposes.

Documentation

Please remember that written documentation included with the electronic program is protected by software copyright. Archival copies are permitted, but multiple copies for classroom use may not be made without specific permissions.

License versus Copyright

Software purchases are governed by a license agreement as well as copyright. The license agreement gives the purchaser the right to use the software in the manner stipulated. The license agreement is included in the documentation of the software package and is often referred to as “shrink-wrap license” (usually visible through the clear packaging), “click-wrap license” (license appears as part of the installation process), “signed agreement/license” (documentation that is included in the packaging that must be returned to the company) and “implied licenses” (documentation that is included within the package usually states that use of the software implies acceptance of the conditions).

License agreements state any rights granted the purchaser for duplication of the software (limited-site license). The District does not own “site licenses” to any software programs. **The District does maintain “limited-site licenses” for specialized software that are tracked through Computer Education Support and Telecommunications.** Keep in mind that if a producer of software suspects the purchaser has violated the license agreement, legal action is more apt to be based on a violation of contract law.

Single-User Licenses

Software installation should have a one-to-one correlation with the number of licenses purchased. If installation is allowed on more than one machine it will be stated in the license agreement. There is no **80/20 rule** regarding the installation of software from a work computer onto a laptop or home computer.

Many software companies do take into consideration the “Work at Home Use Rights”. JCPS Computer Education Support, JCPS Library Media

Services, and JCPS Telecommunications do not support or track software used for this purpose. Schools wishing to take part in the program will need to read licensing agreements and maintain all corresponding paperwork and forms. It is the principal's responsibility to maintain accurate records of software use and distribution and to make staff participating in the program fully aware of terms and conditions. For further information and sample forms, check Web sites for the individual software packages.

Multiple Loading

Unless explicitly allowed in the license agreement, the user should assume that the practice of multiple loading is **not** permitted. Software installation should have a one-to-one correlation with the number of licenses purchased.

Public Domain versus Shareware

Both "public domain" and "shareware software" are available from Internet/FTP sites, computer bulletin boards, and users. Public domain software is offered free to anyone who wishes to use it; while, shareware is offered for a limited trial basis so users may determine if they wish to purchase.

Copying CD-ROM

Copying databases onto computers/servers to access information quickly is permissible, only with permission from the producer or publisher.

Networking

Networking software allows for more than one computer to share one copy of the software. Networking software is not covered under "fair use", and software accessed in this manner requires a specific license. Software used in a network environment must be negotiated and purchased from the producer/publisher for either a "site license" or "network version." Site licenses can be negotiated for the school (building)/department or specific area such as the Library Media Center, or Computer Lab. Network licenses for particular software can be purchased for a set number of users; however, you must ensure that

the network software can monitor the users and limit access based on that number.

Note: Software publishers may permit activities that would ordinarily be a violation of copyright law in order to provide improved operation of their software. To use these features, staff and/or students must have express, written permission from the software copyright owner. (Specific instructions in the software manual permitting certain activities constitute written permission.)

Lending Software

The Copyright Software Rental Amendments Act states that only nonprofit libraries may lend software providing that a warning label is affixed to each package. The notice must include the following statement:

“The copyright law of the United States (Title 17, United States Code) governs the reproduction, distribution, adaptation, public performance, and public display of copyrighted material. Under certain conditions specified in law, nonprofit libraries are authorized to lend, lease, or rent copies of computer programs to patrons on a nonprofit basis and for nonprofit purposes. Any person who makes an unauthorized copy or adaptation of the computer program, or redistributes the loan copy, or publicly performs or displays the computer program, except as permitted by Titles 17 of the United States Code, may be liable for copyright infringement. This institution reserves the right to refuse to fulfill a loan request if, in its judgment, fulfillment of the request would lead to violation of the copyright law.”

This notice must be “durably attached” to the package that is loaned to patrons. The exemption for loaning software only applies to libraries, not administrators, technology departments, and/or schools.

Internet

Factual information found on the Internet, such as the ten most popular movies for 2001, are not copyright protected because they are facts (factual information is not copyrighted protected). Creative material

such as artwork/graphics and Web page design are copyrighted. Keep in mind that the four factors of “fair use” must be considered in determining copyright infringement in regard to material found on the Internet:

- Purpose of the use
- Nature of the use
- Amount of material copied
- Effect of the use on the market

Viewing Web pages in a classroom setting is considered a public performance and permission should be obtained prior to use. (Display’s of Web pages to an individual is expected, but public display is not.) If material is located just prior to the class, you may use the site, but beyond first-time use, permission should be requested.

Capturing Web pages to use offline may be considered a copyright violation since many have designed the Web pages to be interactive, have changing sponsorship, and contain real-time data that is intended to be used in an active environment. Storing these pages requires capturing 100 percent of the site and the ability to meet “fair use” standards declines considerably on all four factors.

E-mail (Electronic Mail)

The author of an e-mail is the copyright owner of the message, unless the e-mail is produced by an employee within the scope of employment. The recipient should not make copies or forward the e-mail for distribution without the written consent of the author. E-mail sent can be summarized and sections quoted to demonstrate points without the permission of the author. Posting or forwarding another person’s e-mail is a violation but revealing facts is not.

The Jefferson County Public School District provides e-mail/Internet service to employees for the educational business of the District, pursuant to the terms and conditions specified in the Acceptable Use Policy. Communications on this service are not private and may be reviewed by District personnel to ensure that the Acceptable Use Policy is followed. The District reserves the right to deny access to both e-mail and the Internet to employees and students who abuse the privilege.

— Audiovisual Materials —

The Copyright Act of 1976 states the following:

The audiovisual section of the law provides a type of “fair use” exemption for schools. Four requirements must be met before a performance is considered acceptable under this educational exemption to the public performance restriction:

1. The performance must be presented by instructors or pupils.
2. The performance must occur in the course of **face-to-face** teaching activities.
3. The performance must take place in a classroom or similar place for instruction (including the library) in a nonprofit educational institution.
4. The performance must be a legally acquired (or legally copied) copy of the work.

All of the above conditions must be met before a performance is considered exempt from the public performance requirements. Face-to-face simply implies that the information may not be transmitted into the classroom unless that transmission format serves only to link classrooms that receive that particular program, i.e., an in-house video distribution system. You cannot play a tape over the system and make an announcement for all classes to watch. (Face-to-face also requires that the performance be directly related to curriculum.)

Home Use Only

Many videos and DVDs are labeled “home use only”. “Home use only” signifies that the recording does not have public performance rights, but still can be used for instruction if the four factors of “fair use” apply. Videos/DVDs purchased with JCPS funds cannot be used for public performance, including student rewards or after-school functions. The JCPS Audiovisual Center circulates videos/DVDs for educational purposes only.

Purchase of Video Recordings

Renting videos from local retail outlets is permissible providing it complies with the individual school policy. Copies owned by teachers/students also may be used providing the copy was legally obtained. ***If the local policy-making board (i.e., school SBDM Council or principal (in the absence of an SBDM Council) has approved guidelines that prohibit the use of rental videos/personal copies the teacher must comply. Local policy may be more restrictive than copyright law.***

NOTE: At a minimum individual school policy must comply with the federal copyright law.

Public Performance

The law defines a public performance as “to perform or display at a place open to the public or any place where a substantial number of persons outside of a normal circle of a family or its social acquaintance is gathered; or to transmit or otherwise communicate a performance or display of the work to a place specified by clause or the public by means of any device or process, whether the members of the public capable of receiving the performance or display receive it in the same place or in separate places and at the same time or different times.”

Editing

Making an anthology or collection from clips or excerpts is prohibited. You may, however, cue several tapes to the section needed and then play them individually.

Off-Air Taping

Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes state the following:

1. The guidelines were developed to apply only to off-air recording by nonprofit education institutions.

2. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable transmission) and retained by a nonprofit educational institution for a period not to exceed the first **forty-five (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.
3. 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, in classrooms and similar places devoted to instruction within a single building, cluster, or campus, as well as in the homes of students receiving formalized home instruction, during the first **ten (10)** consecutive school days in the **forty-five (45)** calendar day retention period. "Schools days" are school session days—not counting weekends, holidays, vacations, examination periods, or the other scheduled interruptions—within the **forty-five (45)** calendar day retention period.
4. Off-air recordings may not be regularly recorded in anticipation of requests. 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. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
5. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.
6. After the first **ten (10)** consecutive school days, off-air recordings may be used up to the end of the **forty-five (45)** calendar day retention period only for teacher evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum, and may not be used in the recording institution for student exhibition or any other non-evaluation purpose without authorization.

7. 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.
8. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
9. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.

The above guidelines apply to all commercial television broadcasts and to some public broadcasts. These guidelines are operative only in the absence of licensing agreements, which themselves may be either more or less restrictive than the guidelines.

Education agencies and schools may engage in short-term, intermittent off-air videotaping following the federal guidelines; but they may not engage in long-term, systematic, large-scale taping. Without permission, schools may not build library collections of videotapes of television programs.

Public Broadcasting Service Programs

1. Only students, faculty, or staff members in accredited, nonprofit education institutions may make the recordings.
2. The recordings may be used only in the school for which they are made; they may not be made available outside that school.
3. The recordings may be used “only during the seven-day period of local ETV (Educational Television) and other educational broadcasts licensed by the distribution agency, and will be erased or destroyed immediately at the end of that seven-day period except to the extent specifically authorized in writing in advance.”

These public broadcasting guidelines are similar to the off-air guidelines for commercial broadcasts in that the recordings must be requested by teachers and shown only to students and faculty for instructional

purposes. They differ from the commercial broadcasting off-air guidelines by not restricting the showings to students in the class taught by the requesting teacher. A teacher could request the taping of a public broadcast program and show the recordings to the entire school, provided that the program served instructional rather than entertainment purposes. Also, these recordings may be kept for only seven days. The number of showings is not limited.

Satellite Programs

1. Each program has a specific length of time that a recording of the program may be kept. This varies as much as a few days or the life of the tape.
2. Some rights are a few days, some unlimited. Always check.

KET Programs

1. The length of time that the tape may be kept is clearly indicated in the KET catalog, which is issued annually. (Retention information **cannot** be found on the KET Web site.)
2. Media specialists should remove designated programs each year when copyrights expire.

Instructional Television Fixed Signal (ITFS)

1. Programs that have a notice of "School Year" can be used during the **current** school year. These programs may be kept for use until notification is sent for erasure/deletion.
2. Programs that have a notice of "Unlimited to ..." can be recorded and kept until the date listed.
3. Programs that have a notice of "Unlimited" can be kept forever.
4. Programs that have a notice of "Seven-Day Rights" may be kept for seven consecutive days following the original airdate of the program. Programs with this notice **must be** erased at the end of the seven days.

None of the rights include making additional copies of the programs once they are aired. Any questions concerning taping rights should be directed to the Audiovisual Center at Library Media Services (485-3096), or visit their Web site at: <http://lms.jefferson.k12.ky.us/audiov.html>

Audiovisual Center Policies

Copyright protected programs may be copied for individual schools if written permission is obtained from the producers. Teachers and principals are required to sign an agreement with the Audiovisual Center stating that they have received permission from the producer as well as agreeing that the being requested is to assist employees in carrying out the educational business of Jefferson County Public Schools and not for personal use or gain. For further information regarding loan procedures and services available see <http://lms.jefferson.k12.ky.us/audiov.html>

NOTE: Audiovisual Center Materials can be used only if all four factors for “fair use” are met.

— Work for Hire —

“Work for Hire” encompasses all materials produced by an employee within the scope of their employment. The District holds copyright for material produced by JCPS employees. Samples of “Work for Hire” include but are not to limited to: syllabi, information pamphlets, Web sites, bibliographies, or other materials created within the scope of the employee’s duties.

For further information on works made for hire: <http://www.copyright.gov/circs/circ9.html>

— Student Work —

Permission must be obtained from either the student (age 18 or older) or parent (if student is under age 18) prior to publishing, reproducing for workshop or competition, displaying in gallery, mall, Web site, or other public place. (Public viewing would be considered anything beyond the classroom setting.)

— Frequently Asked Questions —

1. How would you define face-to-face instruction in terms of videos?

This allows teachers under limited conditions to view videotapes in a classroom setting providing the following:

- Viewing must take place at a nonprofit education setting
- Be part of instruction/curriculum based
- Utilize a lawfully made copy

Face-to-face instruction does not include recreation or extra-curricular use of videotapes.

2. If a substitute brings a video to school for a class, can they show the video without being in violation?

Substitute-teacher status does not exempt the individual from adhering to copyright law. In order for a video to be shown to the class, it must meet the four factors of “fair use”.

3. Can a video bought from Blockbuster or checked out from the AV Center be shown using a closed-circuit system throughout the school?

It is legal to show a video through a distribution system; however, all the teachers/classes viewing the video must be teaching lessons that pertain to the item being shown.

4. Can admission be charged to show a video?

Only if the school has paid for performance rights.

5. Can a video be shown while teachers grade papers, Field Day, Fun Day, etc.?

Videos shown in a classroom, including those rented from a video store, home videos, or those circulated from the Audiovisual Center, must be curriculum based/face-to-face instruction.

6. Can a movie of a book be shown after students have read that book, and can it be shown in its entirety if it cuts into another class?

Yes, if the next class includes the same students and the video is part of that teacher’s face-to-face instructional plan.

7. Are Library Media Specialists responsible for copyright violations outside of the library?

It is the responsibility of the Library Media Specialist to be well-informed in copyright law and provide guidance to teachers and students. Taking action regarding copyright violation within a school is the responsibility of the principal. The Library Media Specialist is responsible for posting notices within the Library Media Center, as well as on appropriate equipment that circulates from the Library Media Center.

8. What rules pertain to “R”-rated movies?

“R”-rated movies shown in schools require parental permission for any student under the age of 18. Check your school policy regarding video use.

9. If a teacher utilizes Web sites as instruction to a class, does she have to meet the “fair use” factors?

Using Web pages requires that they be displayed. Copyright holders own the rights to the Web page. It is expected that individuals will view Web pages, but not a group of students or a class. Use of Web sites should be considered with the four factors of “fair use” in mind and, if in doubt, obtain permission from the Webmaster of the site in question.

10. Can you print out multiple pages from a Web site for class instruction?

Copying Web pages follows the same rule as printed material. Teachers under “fair use” may make a single copy for their own personal use and education, including use in teaching.

Multiple copies for classroom use are permissible if:

- the three tests, brevity, spontaneity, and cumulative effect, are met.
- the number of copies made does not exceed the number of students in the class.
- the items copied are for classroom use or discussion; and
- each copy includes a notice of copyright.

11. What if someone uses your copier to copy copyrighted material without your permission?

A copyright notice should be placed on each copier alerting users that they are responsible for copyright violations.

12. Where do you get the copyright stickers?

Copyright stickers are available from JCPS Computer Education Support (computers) and JCPS Library Media Services (audiovisual equipment and software circulation).

13. Who is responsible for keeping up with software licenses?

School Technology Coordinators (STCs) through JCPS Computer Education Support are responsible.

14. If a teacher purchases software and it is installed on JCPS equipment, does he give up the ownership of the software/license to JCPS?

Teachers should not purchase software to install on District equipment, if it's software they deem personal and in which they expect to retain ownership. The school owns the asset (software) once installed, and the license must be transferred to the school.

15. What's the rule on murals in the library?

There is no ruling on murals in the library or school. Any murals on the school walls should be copyright compliant. Schools that have installed murals with Disney characters for instance, without obtaining the permission of the owners of the copyright, are violating the law.

16. What about buying "home use" software from JCPS? Can it be bought off the state bid list?

School employees may purchase software and equipment from the state bid list at reduced prices. To purchase software, contact JCPS Computer Education Support for specific details.

17. Can you give discarded software to a teacher?

Software can be transferred to another area in the building unless the software license states otherwise. This may not be the case with products that are issued on an annual basis such as encyclopedias, almanacs, etc. Please consult your licensing agreement or speak with the local sales representative.

18. If a substitute signs in with no lesson plans, can she check out a video from the Library Media Center?

If the Library Media Center policy is to check out all materials to

substitute teachers, then the substitute may checkout a video. Taking action regarding copyright violation within a school is the responsibility of the principal. The Library Media Specialist may want to consult the principal regarding loan policies for substitutes and to restrict checkout of videos for substitutes to those listed in a lesson for face-to-face instruction.

19. Who alerts the substitute teachers to copyright responsibilities?

The Substitute Teacher and Placement Office provides information to substitute teachers.

20. Can copyright guidelines be copied?

Each school will receive three printed copies of the guidelines. Guidelines will be available on the Web for individuals to either view or print. It is the responsibility of each individual to print out his or her own guidelines. Be careful when mass printing/copying, since missed pages may lead to misinformation.

21. How do you protect yourself if you know what you are being asked to do is in violation of copyright laws?

Make it very clear that the request is a copyright violation. If the requester persists, ask for the request in writing in order to seek an opinion from Library Media Services.

22. Are Library Media Specialists the “copyright police”?

No, the Library Media Specialist is responsible for educating not enforcing. Copyright enforcement is the responsibility of the building principal.

23. May teachers connect laptops in the Library Media Center?

All equipment tied to the JCPS network must be District-owned property.

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