

# Copyright & You

## **COPYRIGHT ACT OF 1976 GUIDELINES FOR ALL OSCEOLA COUNTY SCHOOL DISTRICT EMPLOYEES**

Original, created works protected by copyright include, but are not limited to, books, letters, paintings, software, movies, photographs, music, lyrics, and video games



### *Television/Video Programs*

Videos/DVDs are allowed to be used in the classroom for FACE-TO-FACE INSTRUCTION ONLY. Videos/DVDs are NOT to be used for entertainment purposes. All other Videos/DVDs from commercial TV, cable, public TV, video kiosks/stores, student's homes, etc., carry special, individual restrictions. Consult your Library Information Specialist or the Media & Instructional Technology Department.

1. Teachers should keep in mind, at all times, the appropriateness of the content and the educational value of all audiovisual materials used in the classroom.
2. A video rented from a video kiosk/store, borrowed from the Public Library, or brought in from a student's home may not be shown at school.
3. A video purchased by a teacher may be used in the school only for face-to-face instruction if approved by the school-based Video Screening Committee.
4. Off-air recordings carry special regulations. See your Library Information Specialist.

#### **1. Materials obtained from the Internet are not copyright free.**

**Educational multimedia "fair use" guidelines for students creating science, history fair, or any other student project:**

Illustrations and Photographs - No more than 10% or 15 images, whichever is less, from a collective copyrighted work with no more than 5 images by a single artist or photographer

Music, Lyrics and Music Video - Up to 10%, but no more than 30 seconds, of the music and lyrics may be used from an individual musical work

Text Material - Up to 10% or 1000 words, whichever is less

Motion Media - 10% or 3 minutes, whichever is less

Numerical Data Sets - Up to 10% or 2500 fields (a specific item of information, such as a name or social security number) or cell entries, whichever is less, from a copyrighted database or data table



### *Computer Software/Internet*

Users are responsible for materials downloaded and must verify copyright status.

2. The use of illegally copied software in schools or offices is prohibited. Computers owned by Osceola District Schools must not be used for making illegal copies of software.
3. All software licensing agreements of copyright holders must be observed.
4. Installing software on multiple computers without proper licensing is prohibited.
5. Downloading of software is permitted, provided it is part of the curriculum and approved by the District Software & Web Tools Committee.
6. Requests for the purchase of new software or subscriptions must be submitted to the Software & Web Tools Committee for approval.
7. All employees of the School District must abide by the Network Acceptable Use Policy, located in School Board Rule 8.60+ (<http://www.osceolaschools.net>).



### *Print / Graphics*

1. The reproduction (photocopying) of copyrighted, consumable materials such as workbooks, activity sheets, etc., is specifically prohibited by copyright law.
2. Employees must ensure correct use of blackline masters that have the statement for "buyer's classroom", which may not be shared or used as a resource in the media center.
3. Any copyrighted, syndicated comic strip or cartoon characters may not be reproduced or altered for bulletin boards, hallways, or cafeteria walls.
4. Generally, a teacher may make a single copy of anything to use as research or backup for instruction.
5. Multiple copies (not to exceed one per pupil) may be made for classroom use of the following
  - a. A complete poem if less than 250 words (and if printed on not more than two pages)
  - b. An excerpt of not more than 250 words from a longer poem
  - c. A complete article, story or essay of less than 2,500 words
  - d. An excerpt from any prose work of not more than 1,000 words (or 10% of the work), whichever is less, but in any event a minimum of 500 words
  - e. One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue
  - f. Works copied may not be retained and used in the instructors room repeatedly from year to year

## School Board Rule 3.52

The District shall abide by all provisions of the copyright laws.

I. Commercial materials, whether printed or non-printed, may not be duplicated without prior written permission from the owner or copyright holder or within the bounds of "fair use" guidelines.

II. The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials, or the improper use of commercially duplicated materials.

III. Procedures and guidelines for the legal duplication of materials for instructional purposes are available to employees from the school principal or on the District's Professional Development Center Media Services website.

IV. The School Board, in recognizing the importance of the Copyright Law of the United States (Title 17, United States Code), hereby notifies all employees that a willful infringement of the law may result in disciplinary action. In the case of a court action for damages, a finding of willful infringement would preclude the School Board's payment of any judgement rendered against the employee and the payment of any attorney's fees or costs which the employee would incur in conjunction with a lawsuit and may render the employee liable to the School Board for any damages the School Board is liable to pay.

V. School Board Copyrights:

A. The School Board shall hold the copyrights for all data processing software or other computer products created by School Board employees performing job responsibilities, created using School Board resources or equipment, or created by individuals, companies, or agencies under contract with the School Board to develop these products for District use.

B. The School Board recognizes that staff members under contract to the School Board may develop, in carrying out their professional responsibilities, patentable or copyrightable educational materials for use in the school program. It is understood by the School Board and the staff members that such materials developed as part of regular employment are the property of the School Board when requested by the School Board and/or the employee.

C. The Superintendent shall insure that a contractual agreement from and an assignment of copyright interests form shall be executed between the employee and the School Board.

D. It is also understood that educational materials created by an employee during leisure hours when not fulfilling contractual duties to the School Board are the property of the employee.

E. The School Board shall have legal claim on products created by its employees which in any way may be an outgrowth of their job responsibilities. To minimize misunderstandings about the ownership of such products, the Superintendent will develop procedures to be followed by all persons who are or might be developing commercially attractive products which are or might be construed to be associated with normal job responsibilities.

F. It is also recognized that from time to time the School Board contracts with individuals, companies, and agencies to develop materials which are used in the school district. In requests for proposals and contracts for development of such materials, a statement of copyright and ownership vested in the Board shall be included.

VI. School Board License Fees: The Superintendent or designee may establish fees for any public or private entity to purchase or obtain a license for data processing software or other computer products which are copyrighted by the District; however, fees shall be pursuant to Section 119.07(1), F.S. for an individual or entity that needs the District's copyrighted data processing software solely for access to data or for information maintained or generated by the software.

*The document "Copyright and You" produced by the District's Media & Instructional Technology Department, shall be distributed to each principal and shall become a part of each school's faculty handbook.*

*"If you duplicate and use computer software, printed materials, or any type or format of digital media without the permission of the copyright holder, you render yourself liable to prosecution under Federal Copyright laws. Further, the district will not support you in your legal defense."*

**- Debra Pace**

Superintendent, Osceola District Schools

### What is the doctrine of "Fair Use"?

1. *Developed through court case decisions*
  2. *Limits the rights of creators/copyright holders*
  3. *Examples of activities regarded as fair: criticism, comment, teaching, scholarship, research and news reporting*
  4. *Four factors to consider: purpose of use, nature of copyrighted work, amount used, effect of use upon potential market value of copyrighted work*
  5. *See more: <http://www.copyright.gov/fls/fl102.html>*
- "Fair Use" is not always easy to define. If in doubt, obtain permission!**



### Music/Performances/School Dances

*Any work where the legal owner does not exist, the creator has given his/her work to the public, or where copyright protection has expired is in the "Public Domain". Music with a copyright date of 1922 or earlier is in the public domain. "Fair Use" of music recordings is extremely limited. There are **NO sound recordings in the Public Domain in the USA**. Music recordings may not be played in public environments without permission and without paying royalties (fees) to the copyright holder.*

1. Music may be in the form of sheet music or sound recordings.
2. Music recordings may not be reproduced from one media format to another (for example: cassette to CD-Rom).
3. Consult the Library Information Specialists or TV Production teacher for viable royalty-free copyrighted music libraries.
4. Sheet music may not be copied unless the music is on order and has not yet been received by the teacher. A purchase order must have been issued. Any copies must be destroyed once the purchased materials are received.
5. Downloading or streaming live music or video from the Internet on your school computer for PERSONAL USE is strictly prohibited. (Network Acceptable Use Policy)
6. Recordings of music may not be transferred from a radio broadcast to tape, or from records/cassettes to video, or from the computer to CD.
7. A single recording (video or audio) of student performances may be made for evaluation, rehearsal or archival purposes. Copies of student performances may not be made for parents.
8. Copyrighted music must not be used in school produced closed circuit television broadcasts without the written permission of the copyright holder.
9. Copyrighted music must not be added or attached to any email messages on the School Districts' email system.



School District of Osceola

For additional information, contact:

**Scott Clark**

Director of Media and Instructional Technology  
817 Bill Beck Boulevard  
Kissimmee, Florida 34744-4492 • (407) 870-4669

Revised September 2017