



RISE CHARTER SCHOOL

Policy 2150P1: Copyright - Compliance

Status: ADOPTED

Original Adopted Date: June 14, 2021

Last Revised Date:

Last Reviewed Date:

Copyright Compliance

Throughout this procedure, “copies” shall refer to electronic as well as physical copies.

Any reproduction of copyrighted materials for classroom use should be:

1. Brief: The amount copied should be short relative to the total length of the work. This requirement should not be circumvented by creating multiple small batches of copies.
2. Spontaneous: It should be done because the individual teacher chooses to, not because it has been directed by someone who supervises them.

Each employee shall maintain records of permission they have received to duplicate copyrighted materials. These materials shall be retained for a minimum of five years. Copies of site licenses, network licenses, and other permission to copy computer software will be maintained by the contracted technology personnel.

Whether copying, performing, or using copyrighted material is within the requirements of the law depends on a variety of features of the particular use. Any employee who is unsure whether a specific use complies with the requirements of copyright law and this procedure should request direction as described in Policy 2150.

Copying Teaching Materials

Any copying of classroom materials, such as textbooks, research journals, or test preparation materials must comply with federal copyright law and administrative rules. The copyright should be disclosed on the documents used. The School may have contractual relationships with publishers that control the permitted and/or prohibited use of classroom materials and textbooks. These contractual terms must be followed, and questions about them shall be directed to the Executive Director or Designee. Staff are directed to exercise particular caution when copying materials related to standardized tests. All questions about the use of

such materials shall be directed to the School's test coordinator.

Authorized Reproduction and Use of Copyrighted Material in Print

This subsection outlines minimum requirements that School staff shall follow. These guidelines, on their own, may not be sufficient to ensure compliance with the requirements of copyright law.

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

1. Brevity:

- a. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
- b. Complete articles, stories, or essays of less than 2,500 words or excerpts from prose works of less than 1,000 words or 10% percent of the work, whichever is less, may be copied; in any event, the minimum is 500 words. Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph; or
- c. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose, or poetic prose.

2. **Spontaneity:** The copying should be at the "instance and inspiration" of the individual teacher.

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

4. **Record Keeping:** Each school employee shall maintain personal records regarding each school year's annual cumulative effect use. Further, an individual employee shall maintain records of permission they have received to duplicate copyrighted materials. These materials shall be retained for at least five years. Copies of site licenses,

network licenses, and other permission to copy computer software will be maintained by the contracted technology personnel.

~~Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner. The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. Teachers may use copyrighted materials in overhead or opaque projectors for instructional purposes.~~

Each physical and electronic copy of copyrighted material must include a clear and obvious notice of the copyright.

Copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term

Digital Technology/Distance Learning

The School may send copyrighted materials as part of any distance learning classes, provided use complies with guidelines set forth in federal regulations and the following criteria are met:

1. The performance and/or display is a regular part of instruction; and
2. Technical measures are used to reasonably prevent recipients keeping material beyond the class session or distributing it. Such measures may include:
 - a. Ensuring the material is only sent to students enrolled in the course;
 - b. Requiring an assigned password or login to access the materials and ensuring such passwords or logins are disabled as soon as the material is no longer needed by the students enrolled in the course;
 - c. Disabling the print function for any copyrighted materials;
 - d. Including a watermark on copyrighted materials.
 - e. Streaming copyrighted materials to students rather than providing them as files ~~it as a file~~ saved to a website.

Performances

Some performances of music; such as playing a piece in class, rehearsing it at school outside of school hours, and performing it for the school and for parents; does not generally require permission of the copyright holder. However, other uses, such as performing for a general audience or rehearsing music along with any acting that might accompany it as part of a musical play, may require permission of the copyright holder. Additionally, copyright law restricts when, how, and for what purpose copies can be made of sheet music.

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

While copyright law may allow the recording of student performances in some contexts, sharing or selling those copies typically requires a license.

RISE Charter School may have purchased a subscription or membership to an entity that allows the School's use of certain copyrighted materials. Questions about such agreements and included content shall be directed to the Executive Director or designee.

Authorized Reproduction and Use of Copyrighted Materials in the Library

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

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

At the request of a teacher, copies may be made for reserve use **provided the copying falls within the scope of fair use**. ~~The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print".~~

Authorized Reproduction and Use of Copyrighted Music

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

instruction:

A teacher may make multiple copies for classroom use of an excerpt of not more than 10 percent of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song. Printed musical works which have been purchased may be simplified provided that the fundamental character of the work is not distorted and that lyrics are not added or altered. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes.

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

Recording of Broadcast Programs

Television programs may be recorded and used for instruction for up to ten days following recording. The recording may be retained for up to 45 days for teacher evaluation purposes. The recording may only be replayed for educational purposes in the classroom or a similar learning environment. No program may be recorded by or for the same teacher more than once and the recording may not be altered. A limited number of copies may be made for legitimate educational purposes. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded. The Executive Director or designee will establish appropriate control procedures to maintain the integrity of these guidelines.

Authorized Reproduction and Use of Copyrighted Materials on Websites **or in Materials Produced by the School**

No information or **copyrighted logos or other** graphics, **videos, or music**, may be posted on any school official website in violation of any copyright laws. The Executive Director or web maintenance designee is responsible for maintaining copies of permission granted for the use of copyrighted material on any school official website.

Use of such copyrighted materials without copyright holder permission is also prohibited on print materials created by the School, such as flyers, programs, and publications.

Teacher Instruction to Students for Reproduction and Use of Copyrighted Material

Teachers will instruct students to respect copyright laws and to request permission when their use of material has the potential of being considered an infringement.

Legal References

Description

17 USC § 101, et seq.

Title 17, United States Code: Copyrights

17 USC 107

Limitations on Exclusive Rights: Fair Use

Description

Other References

ISBA Policy Services

<https://www.idsba.org/member-services/policy/>

National Association for Music Education

United States Copyright Law: A Guide for Music Educators

NFHS Learning Center

[Understanding Copyright Laws Regarding Your School Musical](#)

Cross References

Code

2510

Description

Selection of Library Materials

2510

Selection of Library Materials

2570

Use of Commercially Produced Video Recordings

2570

Use of Commercially Produced Video Recordings

8605

Retention of Charter School Records

8700

Computer Software

Policy History:

Adopted on: June 14, 2021

Revised on:

Reviewed on: