

Copyright in an Electronic Environment

General Guidelines

Students may use portions of lawfully acquired copyrighted works in their academic multimedia projects with proper credit and citations. They may retain them in personal portfolios as examples of their academic work.

Students and teachers must include on the opening screen of their programs and on any printed materials that their presentation has been prepared under fair use exemption of the U.S. Copyright Law and are restricted from further use.

- Educators may claim fair use for their own productions providing these productions are:
- For face-to-face curriculum-based instruction
- Demonstrations of how to create multimedia productions
- Presented at conferences (but you may not share copies of the actual production)
- For remote instruction as long as the distribution signal is limited
- Kept for only 2 years
- Fair use ends when the multimedia creator loses control of his product's use, such as when others access it over the Internet.

Educators or students need not write for permission if their presentation falls within the specific multimedia fair use guidelines; however, educators and students are advised to note that if there is a possibility that their own educational multimedia project incorporating copyrighted works under fair use could later result in broader dissemination, whether or not as commercial product, it is strongly recommended that they take steps to obtain permissions during the development process for all copyrighted portions rather than waiting until after completion of the project.

See the Next Page for "Fair Use Guidelines for Multimedia"

Fair Use Guidelines for Multimedia

Text

- Up to 10% of a copyrighted work or 1000 words, whichever is less
- Poems
 - Entire poem if less than 250 words
 - 250 words or less if longer poem
 - No more than 5 poems (or excerpts) of different poets, from an anthology
 - Only 3 poems (or excerpts) per poet

Motion Media

- Up to 10% of a copyrighted work or 3 minutes, whichever is less
- Clip cannot be altered in any way

Illustrations

- A photograph or illustration may be used in its entirety
- No more than 5 images of an artist's or photographer's work
- When using a collection, no more than 10% or no more than 15 images, whichever is less

Music

- Up to 10% of a copyrighted musical composition, but no more than 30 seconds
- Up to 10% of a body of sound recording, but no more than 30 seconds
- Any alterations cannot change the basic melody or the fundamental character of the work

Internet

- Internet resources often combine both copyrighted and public domain sites; therefore care should be used in downloading any sites for use in multimedia presentations.
- Until further clarification, educators and students are advised to write for permission to use Internet resources and to be mindful of the copyright ramifications of including embedded additional links to that particular site.

Numerical Data Sets

- Up to 10% or 2500 fields or cell entries, whichever is less, from a copyrighted database or data table
- A field entry is defined as a specific item of information (e.g. name, Social Security number) in a record of a database file.
- A cell entry is defined as the intersection where a row and a column meet on a spreadsheet

Copying and Distribution Limitations

- Do not post multimedia projects claiming fair use exemption on an unsecured website
- No more than 2 copies of the original production may be made

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- Only 1 may be placed on reserve for others to use for instructional purposes
 - An additional copy may be made for preservation purposes, but may be used or copied only to replace a copy that has been lost, damaged or stolen
 - If more than one person has created the multimedia presentation, each principal creator may retain one copy

Alteration Limitations

- Multimedia selections falling within the above guidelines may be altered to illustrate a specific technique or to support a specific instructional objective
- Notation of the alteration should be documented within the presentation itself

Multimedia Presentation Citations

- Educators and students must credit sources, giving full bibliographic information when available
- Educators and students must display the copyright notice and copyright ownership information if this is shown in the original source
- Copyright information for images may be shown in a separate bibliographic section unless the presentation is being used for distance learning. In this case, the information must be incorporated within the image itself (i.e. it must appear on the screen when the image is viewed)

Permission Requirements

- For multimedia projects used for non-educational or commercial purposes
- For duplication or distribution of multimedia projects beyond limitations outlined above
- © Information Technology Evaluation Services, Public Schools of North Carolina, 1997