

# COPYRIGHT AND EDUCATIONAL FAIR USE GUIDELINES

## General Guidelines for Educational Fair Use

- Assume everything has a copyright, whether declared or not.
- Copies can only be made from legally acquired originals.
- Use should be for instruction, not for commercial, entertainment, or reward uses.
- Copies must contain copyright information and/or attribution.
- No more than one poem, article, story, or essay, or two excerpts, may be copied from a single author, no more than three copies may be made from the same collective work or periodical issue, and no more than nine copies in total, not counting “current news” items, may be made within a single quarter without permission.
- Fair use must be “at the instance and inspiration of a single teacher,” meaning without sufficient time to obtain permission and not be directed by a “higher authority.” Continuing to use a resource for subsequent quarters requires permission.
- Don’t create anthologies, compilations, or collective works from multiple sources, either all at once or in installments.
- Don’t copy “consumable” items, such as lab worksheets, standardized tests, workbooks, etc.
- Copyrighted material may not be posted to a “public forum,” including the Internet, without permission. It is our opinion that Blackboard, because it is a closed, password-protected system, does not constitute a “public forum,” and thus these guidelines apply equally to both physical distribution in a classroom and online distribution via Blackboard.

## Fair Use Length Guidelines

Printed Material	Poems	Up to 250 words.
	Articles, Stories, Essays < 2,500 words	Entire article, story, or essay.
	Books	Up to 10% or 1,000 words, whichever is fewer, but can use at least 500 words.
	Charts, Pictures, Illustrations, Cartoons	1 per book or periodical issue.
	Picture Books (e.g. Children’s Books)	Up to 2 pages.
	Sheet Music	Up to 10%, but less than a complete section, movement, or aria. Emergency copies before a performance may be made, if later replaced.
Illustrations, Pictures	Individual Works	Up to 5 images per artist/photographer.
	Collections	Up to 10% or 15 images, whichever is fewer.
Video	Classroom Viewing	Allowed for educational purposes.
	For Presentation or Project	Up to 10% or 3 minutes, whichever is shorter.
Music/Audio	Classroom Listening	Allowed for educational purposes.
	For Presentation or Project	Up to 10% or 30 seconds, whichever is shorter.
Television	Broadcast TV (ABC, PBS, etc.)	Allowed for educational purposes.
	Cable (CNN, HBO, etc.)	Generally requires permission.
Internet	Linking to Internet resources is preferred over actual content. If you do use content, restrict usage to the fair use length guidelines above and include attribution and source.	
Software	Software may be installed on multiple computers, but the maximum number of computers simultaneously using the software cannot exceed the number of software licenses purchased. Simultaneous use and prevention of copying must be “aggressively enforced.”	

## Getting Permission

Getting permission from the copyright owner includes determining who owns the copyright, which can be complicated, and then formally requesting permission, including precise information regarding what material is to be used, along with the intended use. For a detailed discussion, including sample permission request forms, see Columbia University’s Copyright Advisory Office’s guidelines for obtaining permission at <http://copyright.columbia.edu/copyright/permissions>

## References and Additional Information:

“Reproduction of Copyrighted Works by Educators and Librarians,” U.S. Copyright Office: <http://www.copyright.gov/circs/circ21.pdf>  
Copyright Advisory Office, Columbia University: <http://copyright.columbia.edu>  
Blackboard Copyright Best Practices: <http://tinyurl.com/BlackboardCopyright>  
Hall Davidson’s Copyright Resources: <http://tinyurl.com/HallDavidsonCopyright>