



Copyright Guidelines



Directions - Answer the following questions as either true, false or N/A.

1. ____ Use of the copyrighted work favors educational objectives. (*nature*)
2. ____ The copyrighted work will be used for classroom use only. (*purpose and character*)
3. ____ No momentary gain is derived from using the copyrighted work or charge for its use. (*purpose and character*)
4. ____ The copyright holder was not deprived of any financial gain. (*effect*)
5. ____ The copyrighted work is a published work. (*nature*)
6. ____ The copyrighted portion of a work is small and is not central or significant to the whole work. (*amount*)
7. ____ The copyrighted work is factual in content. Use of creative work (music, literature, text, movies, cartoons, pictures, graphics, etc.) requires either: explicit consent from the copyright holder, significant alterations so the work no longer resembles the original work or the portion of the work is small. (*nature*)
8. ____ The copyrighted work is used in a transformative way - new expression, meaning, insight or understanding. (*purpose and character*)
9. ____ The copyrighted work is not a consumable - intended for one-time use. (*nature*)
10. ____ The copyrighted work was not used to avoid paying for its use. All copyrighted work (books, articles, etc.) was purchased and used according the copyright holder's requirements. (*effect*)
11. ____ The distribution of copyrighted work is in agreement with the requirements of the copyright holder; specifically, electronic distribution. (*effect*)
12. ____ All audio and video materials played by the teacher were obtained legally and will be played with the teacher/substitute in the classroom. (*effect*)

If you answered **FALSE** to any of the above questions, you may not be in agreement with **FAIR USE** guidelines.

What is FAIR USE for Education? - Fair use recognizes that certain copyrighted works do not require the copyright holder's authorization provided the presumed use is minimal enough that it does not interfere with the copyright holder's rights to reproduce, reuse, and derive momentary gain from the work. Fair use does not exempt teachers from copyright infringement. If you use a copyrighted work and the copyright holder claims copyright infringement, you will need to support your use of copyrighted work under fair use guidelines.

The four factors considered when determining fair use are:

- the purpose and character of your use
- the nature of the copyrighted work
- the amount and substantiality of the portion taken, and
- the effect of the use upon the potential market.

Links referenced on FAIR USE:

- <https://www.copyright.gov/title17/92chap1.html#110>
- <https://www.copyright.gov/help/faq-definitions.html>
- <https://www.lib.uchicago.edu/copyrightinfo/fairusechecklist.html>
- <http://www.copyright.com/learn/about-copyright/>
- <https://fairuse.stanford.edu/overview/fair-use/four-factors/>
- <http://www.teachwithmovies.org/copyright.html>

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