Jamestown Public School District Copyright and Citation Policy

Technology Use Policy for Jamestown Public Schools includes the following:
The Jamestown Public School District expects users to exhibit professional/responsible behaviors when using district technology resources. Use of district technology resources is a privilege that may be revoked if the expectations are not followed. These expectations include:

- Compliance with all local, state, and federal laws. This includes laws regarding computer hacking, software piracy, copyright infringement, willfully circumventing the network filters, and other illegal behaviors.
- Adherence to other district policies as they apply to technology resources.

North Dakota Library/Technology Standard 5: Ethical, Legal, and Social Usage
Students demonstrate ethical, legal, and social uses of information resources and technology.

Fair Use Guidelines

The foundation of our current U.S. copyright law comes from the Copyright Act of 1976. The *Fair Use* provision contained in Section 107 was designed to balance the rights of the owners of the copyrighted material with the needs of others. Four factors are considered in determining whether or not the use is "fair."

1. The purpose and character of the use, e.g., non-profit, educational, commercial--
   - Does the new work transform the original work or offer something beyond the original? Copyrighted works that are altered significantly are more likely to be considered fair use.
   - Is the use for nonprofit or educational purposes? Copyrighted works used for these purposes are more likely to be considered fair use.
2. The nature of the work, e.g., creative or informational--
   - Is the copyrighted work published or unpublished? Published works are more likely to be considered fair use.
   - Is the original work out of print? Out of print works are more likely to be considered fair use.
3. The amount of the work used in relation to the copyrighted work as a whole--
   - Is the amount of the original work used reasonable? The smaller the percentage of the work used, the more likely it is to qualify as fair use.
   - Is the section of the original work used the most important part of the work? The less significant the portion of the work used, the more likely it is to be considered fair use.
4. The effect of the use of copyrighted work on the potential market or value--
   - Does the new work appeal to the same audience as the original work? Copyrighted works that are used for another purpose or designed to appeal to a different audience are more likely to be considered fair use.

Fair Use Applications

I.   Properly cite resources drawn from the Internet and other online services.

II.   Be aware of the accepted "portion limitations"
- Motion media—Up to 10% or three minutes, whichever is less
- Text—Up to 10% or 1000 words, whichever is less
- Poems—An entire poem of less than 250 words or up to 250 words of a longer poem
- Music and Lyrics—Up to 10%, but not more than 30 seconds
- Illustrations—No more than five images by an artist or photographer
- Numerical Data Sets—Up to 10% or 2500 cell entries, whichever is less
- Multimedia Project—No more than two use copies and one additional copy to place on reserve

*Students in K-6 are exempt from strict adherence to these portion limits.

III. Understand when permission is required:
- When copyrighted works used in educational multimedia projects are used for commercial reproduction and distribution
- When duplication of multimedia project goes beyond the limitations set by these guidelines

IV. Other acceptable uses under Fair Use
- Educators may display their own multimedia projects created under these guidelines to peers at workshops and conferences.
- Educators may retain educational multimedia projects created in their personal portfolios for uses such as tenure review or job interviews.

V. All students should be instructed about the reasons for copyright protection and the need to follow these guidelines.

Works in the *public domain* can be freely copied. Public domain materials were created before 1923 or created by the U. S. federal government. Freeware is **not** in the public domain.

Copyright Guidelines

<u>Software</u>
- A district inventory of software will be maintained and an accurate count of purchased licenses will be on file. Only licensed copies or network versions of software purchased by the district will be installed.
- Teachers who have purchased individual programs should keep proof of ownership in their classrooms.
- One copy of software for archival purposes is allowed as a replacement for lost, damaged, or stolen copies of software.
- Software that is installed for viewing purposes will be deleted unless it is purchased.
- Sharing passwords from protected or fee sites (such as United Streaming) is a violation of copyright. Some licenses allow home use and some do not.
- Software that is in the public domain or free to schools is acceptable.
- Software that is not in compliance will be removed from machines.

Videos and DVD Use

- Videos or DVDs may be used for education with instructional use noted in lesson plans. They may not be used for entertainment or reward and may not be used in a non-instructional location such as a cafeteria.
- Individual teachers may make tapes from television broadcasts such as Prairie Public for educational use only. They have an expiration period of 45 days.
- Anthologies are permissible only with public domain material or with permission from copyright owners.
- School equipment may not be used for impermissible copying.

Copy Machine

- One copy per student is allowed when used for instruction within the Fair Use guidelines.
- Single copies may be made of a chapter from a book, an article or a diagram from a newspaper or periodical, a short story, essay, or poem not exceeding two pages or ten percent of the work, whichever is less.
- Consumables may not be copied.
- Libraries are able to replace lost or damaged works by copying if an unused replacement cannot be obtained at a reasonable price.

Images, Music, and Video for Multimedia Projects

- Images, music, and video may be used in student multimedia work without permission as long as the Fair Use multimedia guidelines are followed.
- Non-instructional uses of images, music, and video (such as dances or yearbooks) are not allowed.
- Use original student artwork rather than copyrighted characters or images.
- All copyrighted material such as United Streaming may be used in presentations during the length of the subscription. Such material must be in password-protected sites if used on web pages.
- Material for instruction from the Internet that has been legally uploaded may often be used without payment if due credit is given. Sharing best practices between teachers is a legitimate use of resources.
- Music may be posted to the school web site if the rights are secured.
- Use royalty-free music or music posted for open use by the rights holder such as www.freeplaymusic.com
  This music may not be used on a web page, however.
- Due credit must be given for material from public sources. Netiquette would require an email asking permission and giving thanks.
- Students may keep their multimedia projects in their portfolios. Teachers may use their multimedia projects for up to two years. After that time, teachers must obtain permission for each copyrighted portion in the project.

<u>Performance of Works Such as Music and Plays</u>
- The setting must be a place dedicated to instruction.
- Secure the rights for a school performance.
- Band and choral performance may come with the purchase of the sheet music.

<u>Intellectual Property Rights</u>
- Students in the Jamestown District will learn about Intellectual Property Rights from the i-SAFE curriculum. The concept is introduced in Grade 3, lesson 3 in which students learn the importance of documenting sources from which they receive information.
- At the elementary level students will cite their sources by answering as many of the following questions as are developmentally appropriate. Who? What source? Where? When? The URL's for online sources will be copied and pasted.
- Students in Middle School and the Senior High will use guidelines from the Modern Language Association (MLA) as their primary citation style. American Psychological Association (APA) style is also acceptable.

Examples of MLA Citation Style

Print Resources
Books
Author#1LastName, FirstName(s), and Author#2FirstName(s) Lastname. <u>Title of the book</u>. Place of Publication: Publisher, Date of publication.

Chapter in a book or work in an anthology or collection
AuthorLastName, FirstName(s). "Title of Book Chapter or Work in Other Collection." <u>Title of Book, Anthology, or Collection</u>. Ed. Or Compiler is there is one. Place of Publication: Publisher, Date of publication. Page numbers.

Journal Articles
Author#1LastName, FirstName(s), and Author#2FirstName(s) Lastname. "Title of Article." <u>Title of Journal</u> Volume. Issue-if-needed (Year or Date of Publication): Page numbers.

Magazine Articles
AuthorLastName, FirstName(s). "Title of Article." <u>Title of Magazine</u> Day Month Year of Publication: page-numbers or initial-page+ if non-consecutive.

Newspaper Articles
Author#1LastName, FirstName(s). "Title of Article." <u>Title of Newspaper</u> [City of Publication if Not in Title] Day Month Year of Publication, edition: page-numbers or initial-page+ if non-consecutive.

Media (Sound recordings, videos, films, radio/TV programs)
Films and Videos

Title. Dir. Name of Director. Perf. Performer(s) FirstName(s) Last Name(s). Distributor
	or Publisher, year of release.

Sound Recordings
Group-or-Artist-or-ComposerLastName, FirstName. "Title of Song If Relevant." Title of
	Recording. Type of recording if not CD. Manufacturer. Year of Issue.

Interviews
IntervieweeLastName, FirstName(s). Interview, Type of interview, or "Title of Interview
	if Given." By InterviewerFirstName LastName if important. Publication
	information following the appropriate format above: Page numbers if appropriate.

Government Publications
Name of Government. Name of Agency #1. Name of Agency #2. Title. Number of
	Congress, Session of Congress. Number of publication. Place of Publication:
	Publisher, Date of publication.

Electronic Publications
A Website or Web Page within a Website
Author#1LastName, FirstName(s). "Title: Subtitle of Part of Web Page, if appropriate."
	Title: Subtitle: Section of Page if appropriate. Sponsoring/Publishing Agency, if
	Given. Additional significant descriptive information. Date of Electronic
	Publication or other Date, such as Last Updated. Day Month Year of access
	<URL>.

Online Books
Author#1LastName, FirstName(s), and Author#2Firstname(s) Lastname. Title of Book.
	Place of Publication: Publisher, Date of publication. Day Month Year of access
	<URL>.

Online Magazine Articles
Author#1LastName, FirstName(s). "Title of Article." Title of Magazine Day Month Year
	of Article of Publication: page-numbers if provided. Day Month Year of access
	<URL>.

Online Journal Articles
(Provide in this order, omitting what is not available or relevant.)
Author#1LastName, FirstName(s), and Author#2Firstname(s) Lastname. "Title of
	Article." Title of Journal Volume.Issue-if-needed (Year or Date of Publication):
	Page numbers. Title of Site or Database if Different from Title of Journal. Day
	Month Year of access <URL>.

Online Newspaper or Newswire Articles
Author#1LastName, FirstName(s). Title of Article." Title of Newspaper [City of
	Publication if Not in Title] Day Month Year of Publication, edition: page-
	numbers or initial-page+ if non-consecutive. Day Month Year of access <URL>.

These and additional examples are available at the following sites:
http://www.lib.berkeley.edu/TeachingLib/Guides/MLAstyle.pdf

http://www.liunet.edu/cwis/cwp/library/workshop/citmla.htm

http://honolulu.hawaii.edu/legacylib/mlahcc.html

http://www.lib.usf.edu/ref/mla.html

Online citation help for individual sources can be found in Word 2007 and at
www.citationmachine.net and http://www.noodletools.com/login.php

Works Cited
Curriculum materials obtained from <http://www.isafe.org>

Davidson, Hall. "Copyright Guidelines for Administrators." Technology and Learning
        Volume 32, 7. April 2005:insert. Also available at
        <http://www.siia.net/education/CopyrightGuide200506_2.pdf>

Fair Use Guidelines for Educational Multimedia, Copyright Crash Course August 6,
        2001. 28 October 2005
        <http://www.utsystem.edu/ogc/intellectualproperty/ccmcguid.htm>

Reinhardt, Philip. "Copyright and Citations: What Educators Need to Know."
        Technology 4U Version 1.2. June 30, 2001. 25 of Aug. 2005
        <http://homepage.mac.com/prr/copyright.html/>

Starr, Linda. "Is it Fair Use?" Education World December 17, 2004. 11of Aug. 2005
        <http://www.educationworld.com/a_curr/curr280b.shtml>

Thompson, Kate. "Copyright 101." Leading and Learning with Technology Volume 32,
        7. April 2005: 10-12.

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