

SUBJECT: Academic Affairs

PROCEDURE: 201.1.1 Copyrighted Materials

EFFECTIVE:

REVISED: July 2010

REVIEWED:

Guidelines for the Reproduction of Copyrighted Materials

a. Single Copies for Teaching and Research

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

- 1) a chapter from a book;
- 2) an article from a periodical or newspaper;
- 3) a short story, short essay or short poem, whether or not from a collective work; and
- 4) a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

b. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that

- 1) the copying meets the tests of brevity and spontaneity as defined below; and
- 2) meets the cumulative effect test as defined below; and
- 3) each copy includes a notice of copyright.

c. Definitions

1) Brevity

a) Poetry

A complete poem if less than 250 words and if printed on not more than two pages or, from a longer poem, an excerpt of not more than 250 words [the numerical limits may be expanded to permit the completion of an unfinished line of a poem].

b) Prose

Either a complete article, story, or essay of less than 2,500 words, or an excerpt from any prose work of not more than 1,000 words or 10 percent of the work, whichever is less, but in any event a minimum of 500 words [the numerical limits may be expanded to permit the completion of an unfinished prose paragraph].

c) Illustration

One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

d) "Special works"

Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph b, Prose, above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10 percent of the words found in the text therefore, may be reproduced.



2) Spontaneity

- a) The copying is at the instance and inspiration of the individual teacher, and
- b) The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

3) Cumulative Effect

- a) The copying of the material is for only one course in the school in which the copies are made.
- b) Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term [the limitations shall not apply to current news periodicals and newspapers and current news sections of other periodicals].
- c) There shall not be more than nine instances of such multiple copying for one course during one class term [the limitations shall not apply to current news periodicals and newspapers and current news sections of other periodicals].

d. Prohibitions (Uses of Photocopied Material Requiring Permission)

Notwithstanding any of the above, the following shall be prohibited:

- 1) Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works, whether or not copies of various works or excerpts there from are accumulated or are reproduced and used separately.
- 2) There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- 3) Copying shall not (a) substitute for the purchase of books, publisher's reprints, or periodicals, (b) be directed by higher authority, (c) be repeated with respect to the same item by the same teacher from term to term without permission.
- 4) No charge shall be made to the student beyond the actual cost of the photocopying.

The full text and discussion of Reproduction of Works for Educators and Librarians, including the Guidelines, may be accessed at: <http://www.copyright.gov/circs/circ21.pdf>