RIGHT & FAIR

Copyright & Fair Use

Presented at NYS PTA Summer Leadership Conference by Bonnie Russell, Immediate Past President

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AGENDA

- Copyright law
- Fair Use in educational settings
- Public Domain & Creative Commons
- Copy Centers
DISCLAIMER

We are not lawyers or copyright police!
WHAT IS COPYRIGHT?

https://www.youtube.com/watch?v=4bK8AZSYtPU
COPYRIGHT IS...

Copyright Law - 17 USC 102

- Protects original works of authors and inventors of creations in a fixed medium
- Allows creators to benefit from their work
ONLY the OWNER of a WORK has the RIGHT to:

- DISPLAY it
- Transform it
- REPRODUCE it
- Perform it
- DISTRIBUTE copies of it

Exceptions ~ Fair Use
HOW DOES THIS APPLY TO ME?
HAVE YOU EVER...

- Used a Google image
- Screenshot an image
- Copied an article for your class
- Used music in a slideshow or video
- Downloaded a YouTube video
- Shown a movie or streaming service in class
- Added clipart to a classroom communication
HAVE YOU EVER...

- Converted a VHS to DVD
- Copied pages from a workbook
- Copied a book’s pages or chapters
- Required students to include images in projects (without attribution)
Responsibility of all Educators

★ Embrace integrity and ethics
★ Teach by example
Copyright & Acceptable Use

TEACHING

MODELING

REQUIRING
NOT JUST FOR RESEARCH PAPERS

But in...

ALL SUBJECT AREAS
ALL GRADE LEVELS
ALL THE TIME!
FOUR FACTORS OF FAIR USE

- Purpose and character of the use
- Nature of the copyrighted work
- Amount and substantiality used
- Market effect

Copyright and FairUse Guidelines for Teachers
Purpose & Character of Use

Education & Research

Make sure:

- Material is grounded in the curriculum
- Copyrighted works are clearly marked (to prevent further distribution)
- Teaching occurs in the context of classroom use
Amount & Substantiality Used

Less is best, but not always

Is it:
- the “heart” of the work
- an important part of work
Nature of the Copyrighted Work

- Transformative factor
- Imaginative vs factual
- Purpose of original works as a creative expression
Market Effect

Is there Financial Impact?

Is the Impact Widespread?
PUBLIC DOMAIN

- Ideas
- Facts & Statistics
- Government publications
- Works prior to 1923
- 95 yrs after publication
- 70 yrs after death of creator
PLACES THAT ARE HELPFUL FOR FINDING MEDIA

- MUSIC
- IMAGES
- VIDEOS
Search
Creative Commons

http://search.creativecommons.org
Filter your Google Search

http://images.google.com > Tools > Usage Rights
Filter your Bing Search

http://bing.images.com > Filter > License
and always give

ATTRIBUTION

TEACHING

MODELING

REQUIRING


WE SHOULD

Link, Rather than Download

Use Public Domain or Creative Commons

Purchase

Ask Permission
PERMISSION

Step 1: Contact the Copyright Owner
Step 2: Get Permission from the Owner
Step 3: Keep a Record

See your librarian for more information or help
BEST OPTIONS AND LAST RESORTS

▸ Create something original
Copy Center Requirements

You Must:

Judge for Fair Use

*Fair Use Checklist

Sign Off on all Requests
Thank you
CREDITS


Images:


A list of Copyright Resources can be found at: http://tinyurl.com/ol3s5sk

Blog posts from Book Creator’s blog:
- http://www.redjumper.net/blog/2015/12/understanding-copyright-licensing-attribution-photos-images/
- http://www.redjumper.net/blog/2015/12/the-top-5-sources-for-images-and-photos-on-your-ipad/

Blog post from Matt Miller’s ‘Ditch That Textbook’ blog:

Free digital citizenship instructional resources from Common Sense Media:
- https://www.commonsensemedia.org/educators/digital-citizenship

YouTube video series from Discovery Learning
- https://www.youtube.com/watch?v=sX9AdRBjTtk&list=PLYXO3WIKLHGD6T_mC0-ZiR2h-YUwnDbo
Thank you