

SCHOOLS AND COPYRIGHT

What do students need to know to protect themselves from copyright violations?



Ignoring this symbol could lead to ugly publicity, extensive litigation, and stiff financial penalties.

Did you know?

- Computer software violations are a felony.
- “Bounty-hunters” are hired by some companies to identify and report violators of copyright law and guidelines.
- A limit of one image per book or periodical issue may be used in a project or report.
- Music from CD’s may not be dubbed or copied to a cassette tape.
- Compiling video clips from several different videos is a violation of copyright guidelines.



- Information found on the Internet is copyrighted unless accompanied by a message explicitly permitting duplication.
- Technology allows easy duplication but does not necessarily make the duplication legal. In other words, just because you can does not mean you may.

Types of Infringement

- innocent = a person has made every effort to comply with copyright law by following guidelines but unknowingly overlooked something.
- standard = a person makes no effort to become informed about or comply with copyright law and guidelines.
- willful = a person is aware of but chooses to disregard copyright law and guidelines.

Infringement Discovery

- Some companies require sales representatives to report observed copyright infringements.
- Discovery of infringements can be as simple as a parent or school visitor noticing a violation in a school publication or at a school event and reporting the discovery.

Infringement Penalties

- \$500 to \$20,000 per work infringed upon.
- Up to \$100,000 in cases of willful infringement.
- \$20,000 per violation per day in cases of computer software.

Infringement Law Suit

- The person who violates the law is the primary offender.
- Secondary offenders having knowledge of the infringement (contributory and/or vicarious infringers).

Steps to Take

- Plan your project well in advance of the deadline allowing time to request permission from copyright holders.
- Ask the classroom teacher or library media specialist for a sample letter requesting permission from the copyright holder.
- Do not assume you may use any and all material without asking for permission.
- There are guidelines for print, audiovisual, video, multimedia, music, and others. Students are permitted to use limited amounts of material without permission. Learn about the limitations detailed in the guidelines. Ask the classroom teacher or library media specialist for the specific guidelines for the type of material you want to use.

Information

Sources of information include:

- Copyright Issues in Schools: Learn how to protect yourself and your school from violating copyright law. Margaret-Ann F. Howie, LRP Publications, 1997.
- Fair Use Guidelines for Educators. Compiled by Linda K. Enghagen, J.D., Sterling Publications, 1997.
- Software Use and the Law: A Guide for Individual Business, Educational Institutions, and User Groups. Software Publisher Associations, (202) 452-1600.

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