

**CRIB-SHEET" ON COPYRIGHT LAW FOR EDUCATORS - January 2001**  
 (when you can copy, use or distribute material without written permission)

- CopyrightBay.com <http://www.nmjc.cc.nm.us/copyrightbay/coprbay.htm>
- Copyright Crash Course- University of Texas <http://www.utsystem.edu/OGC/INTELLECTUALPROPERTY/cprtindx.htm>

**PRINTED material:**

Multiple copies of printed material must meet ALL of these conditions:

1. **Brevity:** You are not copying large amounts of a copyrighted work. (*See limits below.*)
2. **Spontaneity:** Your decision to copy is "at the moment of individual inspiration" and not "premeditated".
  - Between the decision and use you had no time to request permission.
  - The decision belongs to you alone, and is not a collaborative decision.
3. **Cumulative Effect:** You are not making a habit of copying without permission. (*See limits below.*)
4. **Notice of Copyright:** Each copy must include notice of copyright.

TYPE OF MATERIAL	Is a SINGLE copy okay?	What are the limits for MULTIPLE copies?
Workbooks (or other consumables)	Make an overhead transparency	No amount is legal
Tests or answer sheets	Make an overhead transparency	No amount is legal
A chapter in a book	Okay for teacher use	If 2500 words or less
An article (periodical or newspaper)	Okay for teacher use	If 2500 words or less
A short story or essay	Okay for teacher use	If 2500 words or less
Chart, graph, picture or illustration	Okay for teacher use	1 per book or periodical
Prose excerpt of a "special work" (defined as a self-contained work under 2500 words usually with illustrations; e.g., children's books)	Okay for teacher use	1 to 2 pages and not more than 10% of the words
Entire "special work"	Not okay	Never legal
Prose excerpt of longer work	Okay for teacher use	1000 words or 10% of the work, whichever is less
Short poem or section of poem	Okay for teacher use	250 words or less AND not more than 2 pages long
Sheet music	Not okay	<ul style="list-style-type: none"> <li>• No amount is legal if music is to be performed publicly</li> <li>• Okay if used for academic purposes</li> </ul>
Works by the same author	Okay for teacher use (items listed above)	1 piece or two excerpts (must meet limits above)
Works from the same collection, anthology, or periodical volume	Okay for teacher use (items listed above)	3 pieces per course per semester
Total amount of copyrighted material you can copy in a semester	Any number (items listed above)	9 separate instances per course per semester
Government document or other Public Domain documents (see Appendix A in Copyright Handbook)	Okay for teacher use (no limit)	You can copy any amount. (Don't assume something is in the public domain because it is out-of-print, however.)

**AUDIO-VISUAL materials (video, film, laserdiscs, TV programs, DVD):**

<b>TYPE OF MATERIAL</b>	<b>What's okay?</b>	<b>What's NOT okay?</b>
Off air recordings (TV programs)	<ul style="list-style-type: none"> <li>• use for one unit of instruction</li> <li>• use within 10 school days</li> </ul>	<ul style="list-style-type: none"> <li>• retain longer than 45 calendar days</li> <li>• alter, edit or combine parts</li> </ul>
Video purchased by IRC with performance rights	<ul style="list-style-type: none"> <li>• use in classroom</li> <li>• use after school for entertainment</li> <li>• use for "rewards"</li> </ul>	<ul style="list-style-type: none"> <li>• make a copy</li> <li>• alter, edit or combine parts</li> </ul>
Video purchased by IRC without performance rights	<ul style="list-style-type: none"> <li>• use in classroom only, with instructional purpose</li> <li>• use with clubs only if you have a discussion or other instructional purpose</li> </ul>	<ul style="list-style-type: none"> <li>• use for "rewards"</li> <li>• use for after school clubs (unless instructional component)</li> <li>• make a copy</li> <li>• alter, edit or combine parts</li> </ul>
Rented videos	<ul style="list-style-type: none"> <li>• spontaneous decision to use for classroom instruction</li> </ul>	<ul style="list-style-type: none"> <li>• repeated use of entertainment videos that are rented when they could be purchased</li> <li>• use for after school clubs (unless instructional component)</li> <li>• make or use an illegal copy</li> <li>• alter, edit or combine parts</li> </ul>

### **MULTI-MEDIA PRODUCTIONS (integrating text, graphics, audio, video in a computer-based environment)**

<b>TYPE OF MATERIAL</b>	<b>How much can be copied for the production?</b>
Video clips	3 minutes or 10% whichever is less
Text	1000 words or 10% whichever is less
Poems	<ul style="list-style-type: none"> <li>• 250 words</li> <li>• no more than 3 per poet</li> <li>• more than 5 poems per anthology</li> </ul>
Music clips	<ul style="list-style-type: none"> <li>• 30 seconds or 10% whichever is less</li> </ul>
Photos or other images	<ul style="list-style-type: none"> <li>• no more than 5 per author</li> <li>• no more than 15 works or 10% from a collection whichever is less</li> </ul>
Database	<ul style="list-style-type: none"> <li>• 2500 fields or cells or 10% whichever is less</li> </ul>

<b>For ALL multimedia productions:</b>	<b>What's OKAY?</b>	<b>What's NOT OKAY?</b>
USE	Use production for instruction or programs within the building (up to two years)	<ul style="list-style-type: none"> <li>• Sell the production (or make money from it)</li> <li>• Use the production on-line or outside the building (where public has access)</li> </ul>
RETENTION	Retain production for your portfolio or for presentation at professional conferences (no time limit)	Retain production more than two years to use for other reasons

#### **IF you need PERMISSION:**

1. Check the procedure (5:170-R2) in the Copyright Handbook for helpful phone numbers and addresses.
2. Check the sample letter (5:170-E) in the Copyright Handbook.
3. Ask your director or IRC staff for assistance and to help you make judgment calls.

NOTE: This "cribsheet" does not replace the policies and procedures in the Copyright Handbook; consult them for more details