

# GROSSMONT COLLEGE

## COPYRIGHT REGULATIONS

No employee of the Grossmont-Cuyamaca Community College District shall duplicate in any manner, any printed copyrighted material unless such duplication and its use falls within the boundaries of the “fair use” doctrine.

The Copyrights Act attempts to define “fair use” and establishes fixed limitations on duplication for schools and libraries. The law codifies four standards for determining fair use: (1) the purpose and character of the use including whether such use is of a commercial nature or for nonprofit educational purposes; (2) the nature of the copyrighted work; (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and (4) the effect of the use upon the potential market for, or value of, the copyrighted work.

A copy of the “printed materials” section of the regulations will be posted in the immediate vicinity of each copy machine.

The following guidelines for duplication or printed copyright materials will be observed by all employees of the District:

### 1. **Books and Periodicals**

- A. A teacher or designee may make a single copy of any of the following for use in teaching or preparing to teach:
  - (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
  - (4) A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
  
- B. A teacher may make multiple copies (not to exceed more than one copy per pupil in a course) of any of the following:
  - (1) Poems or excerpts of poems of less than 250 words
  - (2) Complete articles, stories, or essays of less than 2500 words
  - (3) Prose excerpts of 1000 words or 10% of the work, whichever is less
  - (4) One chart, graph, drawing, etc., per book or periodical issue
  - (5) Excerpts from children’s books containing up to 10% of the works in text.

C. A teacher **MAY NOT** make multiple copies of the following:

- (1) Works that have been copied for other courses in the school
- (2) More than one work or two excerpts from one author in one term
- (3) More than three works or two excerpts from one anthology or periodical volume in one term
- (4) Works more than nine times in one term.

D. A teacher **MAY NOT** make copies of:

- (1) Works to take the place of anthologies
- (2) “Consumable” works such as work books and test booklets
- (3) The same work from term to term.

In each instance where multiple copies are allowed, each copy must include a notice of copyright.

## 2. **Music and Recordings**

As with guidelines for books and periodicals, duplicating copyrighted musical works is prohibited to replace collective works or “consumable” materials. In addition, music educators **may not** copy such works for purpose of performance or to substitute for the purchase of music.

A music educator **may** copy printed music in the following limited circumstances:

- A. Emergency copying to replace purchased copies which are needed for a performance.
- B. Copying of excerpts or works for nonperformance purposes, if they do not comprise performable units (e.g., a movement), and are less than 10% of the works.
- C. Copying of complete works if out of print or unavailable except in large works and used for teaching purposes.

Schools are permitted to retain single copies of the following recordings:

- A. Performance by students for evaluation or rehearsal purposes.
- B. Recordings made for the purpose of constructing aural exercises or examination.

### 3. **Reproduction of Works by Libraries**

The Copyright Act imposes major restrictions on reproduction of works by school libraries. Systematic duplication of multiple copies is forbidden by law with exception of the following carefully defined exceptions:

- A. Inter-library loan arrangements are permitted, provided that copying is not done to substitute for subscriptions to or purchase of a work.
- B. Libraries may make up to **six (6)** copies of the following:
  - (1) A periodical article published within the last five (5) years.
  - (2) Excerpts from longer works.
- C. Libraries must keep detailed records of all inter-library loan requests.
- D. Libraries may make **single** copies of articles or excerpt of records or longer works for students, provided the articles become the property of the student.
- E. Libraries may make copies of unpublished works for preservation, published works to replace damaged copies, and out-of-print works which cannot be obtained at a fair price.

To avoid liability for copyright infringement on the part of the library or an employee as a result of unsupervised duplicating, libraries must display notices to the effect that making a copy may be subject to the copyright law.

### 4. **Educational Performance and Displays**

The Copyright Act defines fair use of copyrighted materials in classroom teaching and educational broadcasting. Teachers may use such material in “face-to-face” teaching activities. Such protection does not extend, however, to knowing use of unauthorized reproductions of works.

Nonprofit instructional broadcasts are given limited protection from infringement claims. An exemption is granted to works used in regular instructional programs for both closed circuit and open circuit in-school reception. In such situations, broadcasters need not obtain permission to perform non-dramatic literary or musical works, but must receive permission to act out dramas or musicals or show motion pictures and slide shows.