



<u>Rationale:</u>	FSTM's copyright and fair use policy is based on the United States Copyright Law, Title 17, US Code, 1976. This policy is vital to ensure that FSTM students, instructors and staff members adhere to the US copyright law regarding the photocopies or other reproductions of copyrighted material. In addition to US Copyright law, the following sources have also been consulted: <u>Fair Use of Guidelines of 1997</u> <u>TEACH Act of 2002</u> <u>Digital Millennium Copyright Act</u> <u>DMCA exemptions of 2006</u> The purpose of this policy is to help the FSTM learning community to have a better understanding of what is legally allowed with regard to copyright.
<u>Requirements:</u>	<u>United States Copyright Law, Title 17, US Code, 1976.</u> MEAC: Demo V.D3.5 Provide a copy of your copyright policy and procedures regarding fair use of intellectual property including course materials, online materials and in other applications.
<u>Policy</u>	This policy applies to FSTM staff, students, instructors, and alumna and all are expected to comply with the policy. Copyright provides the creator or author of a literary or artistic creation with rights to produce copies of his or her materials to publish and sell. Copyright exists for many different types of media including: ● Literary works ● Musical compositions with or without lyrics ● Works of drama ● Choreography ● Other art work ● Motion picture ● Audiovisual work ● Sound recordings



Copyright law is very complicated and has stipulations regarding “fair use,” which itself depends upon a number of circumstances for use. These are the important ideas regarding copyright and fair use:

- Copyright provides the holder with exclusive rights to the materials.
- The copyright protects the holder’s right to “copy, distribute, adapt, perform, display, and create derivative or collected works.”
- All copyrighted materials require permission from the copyright holder to reproduce the work unless the use falls under the terms of an exemption like the fair use exemption.
- All members of the FSTM learning community must make a good faith effort to both understand copyright as it applies to FSTM work and make an application of fair use.
- All members should attempt to determine whether or not their use of copyrighted material meets the criteria of fair use or whether they need to seek permission for use.
- The four questions to help determine fair use are:
 - Will the copyrighted materials be used for nonprofit, educational, or commercial use?
 - Is this an informational work or a creative work? Informational works are more likely to be considered fair use.
 - How much of the work are you thinking of reproducing? The more you’re using the less likely it is to fall under fair use.
 - Will your use have an impact on the potential market for the copyright holder? For example, will your use prevent someone from purchasing this material?
- Nonprofit use will not always constitute fair use.

Copyright Policy for Classroom Use Guidelines

In general, classroom instructors may reproduce photocopied materials to students in class without the publisher’s prior permission, if:

- The same photocopied materials isn’t used every semester
- Only one copy is used for each student, which then becomes the student’s property
- Students are NOT assessed a fee for use
- The materials include a copyright notice
- The school library should have at least one copy of the work

General Guidelines for Print and Electronic Sources

- One book chapter
- One article from a journal at a time
- One article from newspaper edition



	• Multiple excerpts from a single book or journal issue will be accepted only if the total length of the submission is 10% or less of the total length of the book or journal issue <u>Classroom Showings of Copyrighted Material Guidelines</u> Classroom use of a copyrighted audiovisual material is permitted according to following guidelines: • Must be used by students and/or instructors • Must be used as part of a specific course's curriculum • Takes place in a classroom <u>Guidelines for Using Multimedia Sources</u> Existing multimedia (music, lyrics, music videos, motion media, photographs, and illustrations) can be incorporated into a student or faculty project. The amount of the copyrighted work that a student may use in her/his educational multimedia project is restricted by specific portion limitations (see below). Attribution and acknowledgement are required. Students must credit the sources of the copyrighted works, display copyright notice and ownership information, and include notice of use restrictions. • Copyrighted Music, Lyrics, and Music Videos: up to 10%, but in no event more than 30 seconds. • Motion Media Work: no more than 3 minutes. • Photographs and Illustrations: no more than 5 images by an artist or photographer. For photographs or illustrations from a published collective work, no more than 10% This information will be shared with the students, instructors, and staff.
Approval	