

ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160
Procedure No.
July 1, 2022
Date

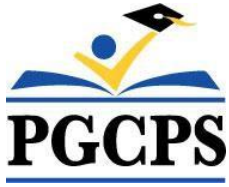
- I. **PURPOSE:** To provide guidelines for the ownership of copyright in works created within Prince George’s County Public Schools (PGCPS). To also reduce risks of infringement or allegations thereof, and to maintain a desirable flexibility to accommodate specific needs.

- II. **POLICY:** An equitable education constitutes access to essential academic, social, emotional, and economic resources, supports, and opportunities in order to progress and promote each student throughout their educational journey. It maximizes academic success for each student through rigorous instruction, with appropriate educational resources, so that our students shall achieve their highest potential, strengthen their social/emotional wellbeing, and ensure that their academic goals are achieved. (Board Policy 0101)

- III. **BACKGROUND:**
 - A. Copyright laws have been developed to ensure the rights of authors and producers to their work. Although many educators might feel that their good intentions to bring the best and most current information to their students outweigh any other considerations, there are legal limits to copying and specific procedures that must be followed in reproducing the work of others. Failure to adhere to these rules may be a violation of copyright laws as well as a specific violation of the policy of the PGCPS. Liability resulting from a school employee’s failure to follow these guidelines may be the responsibility of the employee depending on the particular circumstances.

 - B. In the course of providing education and related services, the use and reproduction of materials protected by copyright may be beneficial. Federal law requires that the Board of Education maintain a policy for the treatment of copyrighted materials for educational purposes by its employees and students. In addition, the Board of Education recognizes that both employees and students may consider creating works that are, or might be, owned by the Board. As a result, certain disclosures must be made to the Board by employees and/or students to ensure that all appropriate intellectual property registrations and applications are filed and before the intellectual property is sold, used for profit or disclosed to the public.

- IV. **DEFINITIONS:**
 - A. Copyright – A form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of



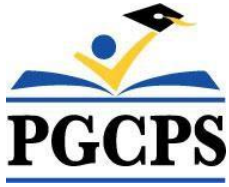
ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160
Procedure No.
July 1, 2022
Date

expression. Copyright covers both published and unpublished works. It is a form of intellectual property law.

- B. Copyright Administrator – A member of the PGCPS administration that assists faculty and staff members with application of the Fair Use standards to a particular situation.
- C. Face-to-Face Teaching Exemption – An exemption to copyright for instructors to perform or display copyrighted materials during face-to-face teaching activities.
- D. Fair use – Fair use is a judicial doctrine codified in Section 107 of the federal Copyright Act. This doctrine acts as a limitation on the exclusive rights of copyright owners and provides that the reproduction of a copyrighted work may be deemed “fair use,” when the purpose is criticism, comment, news reporting, teaching (including making multiple copies for classroom use), scholarship, or research.
- E. Meme image – A meme is an image or video that represents the thoughts and feelings of a specific audience.
- F. Print – The term print includes all published materials including material from books, periodicals, newsletters, and newspapers. Pictures and drawings appearing in print are also included.
- G. Software – Software is any program or set of instructions designed to direct a computer to perform functions.
- H. Student work product – The work created by an individual while enrolled as a Prince George’s County Public Schools student. Student work product includes:
 - 1. written reports, essays, tests, and homework;
 - 2. personal class notes;
 - 3. art projects; and
 - 4. computer software.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

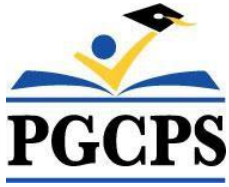
6160
Procedure No.
July 1, 2022
Date

- I. Television – Broadcast television consists of programming that can be received off the airwaves without the use of a cable system.

- J. Work made for hire –
 - 1. A work made for hire is:
 - a. a work prepared by an employee within the scope of their employment;
or
 - b. a work specially ordered or commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire.

 - 2. A work made for hire may not be copyrighted by the individual employee.

- V. **PROCEDURES:** The guidelines below are to be followed by all PGCPS employees. Principals and administrators are responsible for the dissemination of this information among their staff.
 - A. The Board of Education abides by the copyright laws currently in force under Title 17 of the United States Code. Any use or reproduction of copyrighted materials will be done either with the written permission of the copyright holder or within the bounds of “fair use,” as defined in 17 U.S.C. § 107. All employees and students are expected to adhere to all applicable copyright laws and guidelines which cover the reproduction, distribution, and use of:
 - 1. Print resources;
 - 2. Music;
 - 3. Recordings;
 - 4. Theatrical performances;
 - 5. Computer software;



ADMINISTRATIVE PROCEDURE

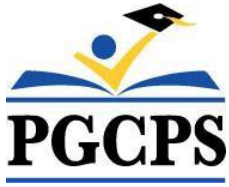
COPYRIGHT GUIDELINES

6160
Procedure No.
July 1, 2022
Date

6. Television and video resources; and
7. Online and electronic resources and licensing.

B. General Requirements

1. Employees and students are strictly prohibited from any use or duplication of copyright material not allowed by copyright law, “fair use” guidelines, licenses, or contractual agreements. Where a use does not fall within one of the foregoing permitted uses, prior written permission shall be obtained. At no time shall it be necessary for an employee to violate copyright laws in order to properly perform their duties.
2. Under the copyright laws, certain photocopying of copyrighted works for educational purposes may take place without the permission of the copyright owner under the doctrine of “fair use.” The copyright law does not fully define “fair use” or provide specific guidelines; rather, it sets forth various factors, which must be balanced in each case to determine whether a given use is a “fair use.”
3. It should also be noted that PGCPS may have procured a license or subscription to use copyrighted materials. Absent such license or subscription, the guidelines set forth herein are to be used to determine whether or not the prior permission of the copyright owner is to be sought for photocopying for classroom, in-service, or other professional use. If the proposed photocopying is not permitted under the guidelines, permission to copy materials is to be sought from the copyright owner unless the copying has been approved by the Copyright Administrator, as outlined in section E below. After permission has been sought, copying should be undertaken only if permission has been granted, and in accordance with the terms of the permission. A license or copyright holder’s permission to utilize the materials will often have restrictions, such as use for educational purposes only. It is the responsibility of employees and students to understand any such limitations.
4. Certain works may be in the public domain and not subject to copyright protections, including works:
 - a. authored by the United States Government;
 - b. originally non-copyrightable;



ADMINISTRATIVE PROCEDURE

6160

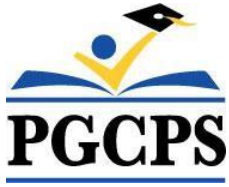
Procedure No.

COPYRIGHT GUIDELINES

July 1, 2022

Date

- c. authored prior to 1923;
 - d. clearly marked as in the public domain; and/or
 - e. expressly authorized by a creative common license and as specified by the copyright owner.
- C. Creation of Work –
- 1. Works Made for Hire
 - a. Works created by employees within the scope of their employment are properties of the Board of Education. Examples of works which the Board hereby takes ownership are:
 - i. PGCPS Website;
 - ii. Individual School Website;
 - iii. Curriculum documents;
 - iv. Instructional materials for use in PGCPS or a specific school;
 - v. Software and platforms developed for use by PGCPS, a specific school and/or the Board; and
 - vi. Other works created for classroom use and instruction.
 - b. Supplies, equipment, or materials created alone by a PGCPS employee, or created in association with other employees, for which time, facilities, materials, or resources of PGCPS have been used or which were created as part of the employee’s job responsibilities, are the property of the Board of Education.
 - c. Factors to be considered when determining if a work is a “work made for hire” include:
 - i. Does the Board have control over the work? (Was the work done with PGCPS equipment? Was the work done at the employee’s job site?)
 - ii. Does the Board have control over the employee? (Does PGCPS have control of the employee’s schedule in creating the work? Does PGCPS determine how the employee is paid?)
 - iii. Is the Board’s status related to the nature of the work created? (Is the Board in the business of producing such works?)



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

July 1, 2022

Date

2. Student Work Product

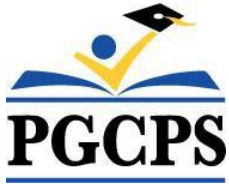
- a. Under Maryland law, the Board may not claim ownership rights, property rights, or the copyright to the student work product of a student enrolled in PGCPS. If a student's intellectual property is published or produced, the notice of copyright shall be used. Additionally, parents of PGCPS students as well as eligible students (*e.g.*, students 18 years of age and older) are to be provided with an annual notice in which they may choose to disallow the use of the student's intellectual property in any PGCPS or external media publications, reproduction and/or displays.
- b. Before PGCPS may publish, reproduce, and/or display (excepting displays on classroom walls or school hallways) any student work product (*e.g.*, a drawing, an essay, a musical score, a choreographic sequence, a computer program, a short film), including in any PGCPS publication, or in an external media publication, staff must first determine if the parent or guardian of the student or the eligible student has opted-out of having the student's intellectual property shared in such a way.
- c. Student work product that is included in a PGCPS or external publication must include the copyright notice. See Section P.

D. Training

As copyright law is frequently updated, the Copyright Infringement training in SafeSchools is available as a resource for all PGCPS staff (Vector Solutions at <http://pgcps.md.safeschools.com>). This course is intended to be a helpful guide to aid educators in making good choices about content use for classroom instruction as well as for reference. The Instructional Supervisor in the Office of Library Media Services will maintain current resources for staff to use to learn more about the application of copyright rules, Creative Commons, and also Maryland State Department of Education's Open Educational Resources (OER). These OER's are less restricted by copyright and available online in peer-reviewed environments.

E. Review by the Copyright Administrator

1. The doctrine of fair use permits photocopying in certain situations beyond those specified in these guidelines or those that might be agreed to by the copyright owner.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

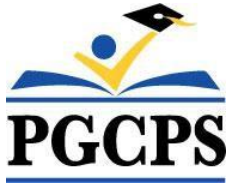
6160

Procedure No.

July 1, 2022

Date

- a. In order to preserve the ability of individual faculty members to utilize the doctrine of fair use in appropriate circumstances without incurring the risk of having personally to defend an action brought by a copyright owner who may disagree as to the limits of fair use, a faculty member may request a review of any proposed copying by the Copyright Administrator, who shall contact the Office of General Counsel for legal review and interpretation as necessary. Requests must be made not less than seven (7) days before anticipate use.
 - b. If after receiving guidance from the Office of General Counsel, the Copyright Administrator determines that some or all of the proposed photocopying is not prohibited by the copyright law, the Copyright Administrator will so advise the faculty member.
 - c. In that event, should any such photocopying by the faculty member thereafter give rise to a claim of copyright infringement, the Board of Education will defend and indemnify the faculty member against any such claim.
 - d. The faculty member and Copyright Administrator should also check and determine whether PGCPS has already procured a license or subscription to use the copyrighted materials.
2. For print materials, the Copyright Administrator is the Instructional Supervisor in the Office of Library Media Services.
 3. For computer software, the Copyright Administrator is the Director of Instructional Technology Support.
 4. For television, the Copyright Administrator is the Supervisor, Digital and Visual Communications.
- F. Fair Use
1. While each situation must be determined based on the specific facts, a reproduction of a copyrighted work qualifies as “fair use” based on evaluation of the following factors:
 - a. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes (*how* the work will be used);



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

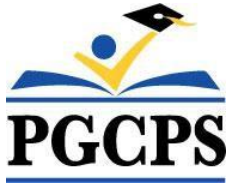
July 1, 2022

Date

- b. the nature of the copyrighted work (the *kind* of work being used; is the work “entertaining in nature” or “informational”? Fair use is more likely when the copyrighted work is of a factual or nonfiction nature (*e.g.*, a biography or historical account) as opposed to a piece of fiction (*e.g.*, a romance novel or comedic movie)). Fair use is also more likely if the subject work is published, rather than unpublished;
- c. the amount and substantiality of the portion used in relation to the copyrighted work as a whole (quantity: how *much* of the work is being used relative to the original? how *much* needs to be copied to meet your purposes?) (qualitatively: are you copying the *focal point* of the work, the major idea articulated in the original?); and
- d. the effect of the use upon the potential market for or value of the copyrighted work (the *economic impact* on the work; does the use of the copyrighted work harm the original copyright holder? Is there harm to the marketability of the original work?).
- e. The above four factors are weighed in each situation, and all four are, in theory, equally important. However, courts historically have focused on the first and fourth factors.

G. Print and Audio Materials

1. Print materials include information that may be found in textbooks and their related materials, books, graphics (*e.g.*, charts, diagrams, graphs, cartoons, pictures, maps), periodicals and sheet music. Audio materials include recorded books, recorded music, and podcasts.
2. Copying text (both in hard copy and electronic) for classroom use that meets both the fair use test and the three print tests may be undertaken without securing permission from the copyright owner or Copyright Administrator. (Although, when in doubt, it is advisable to contact the Copyright Administrator.)
3. The three print tests are brevity, spontaneity, and cumulative effect as defined and explained below:
 - a. Brevity – copy the least amount of information necessary



ADMINISTRATIVE PROCEDURE

6160

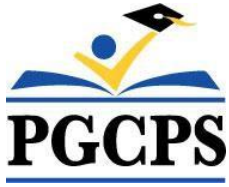
Procedure No.

COPYRIGHT GUIDELINES

July 1, 2022

Date

- b. Spontaneity
 - i. The copying is at the instance and inspiration of the individual teacher, and not directed by a higher authority;
 - ii. The inspiration and decision to use the work and the moment of its use of maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission; and
 - iii. The copying cannot be repeated with respect to the same item by the same teacher from term to term.
 - c. Cumulative effect
 - i. The copying of the material is for only one course in the school in which the copies are made.
 - ii. Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three items from the same collective work or periodical volume during one class term.
 - iii. The limitations of cumulative effect shall not apply to current news periodicals and newspapers and current news sections of other periodicals.
4. Additional Guidelines
- a. Only one copy may be provided to each student. No charge may be made beyond the actual cost of copying. Each copy should carry forward any copyright notice from the original materials.
 - b. Workbooks, tests, answer sheets, and other consumables cannot be copied. (This does not include books of blackline masters, which are produced for the sole purpose of in-school copying. Such material contains notice that copying is allowed.)
 - c. Copying shall not be used to create, replace or substitute for anthologies, compilations, or collective works. Nor may the copies substitute for the purchase of books, publishers' reprints or periodicals.
 - d. These guidelines apply to the multiple copying of items for classroom use as well as for in-service training or other professional use.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

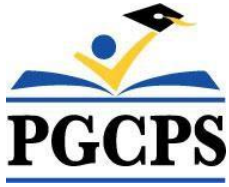
6160

Procedure No.

July 1, 2022

Date

- e. However, for teaching, research, or preparation to teach a class, a teacher may, without meeting the tests of brevity, spontaneity, and cumulative effect, make a single copy of an entire chapter from a book; an article from a periodical or newspaper; a short story, essay or poem; a chart graph, diagram, drawing, cartoon or picture from a book; periodical, or newspaper.
5. Copying from a Book
- a. Chapter in a book/Prose
- i. You may make copies (one for each student in your classroom) of either a complete article, story, or essay of less than 2,500 words or an excerpt of not more than 1,000 words or 10% of the work, whichever is less, but in any event, a minimum of 500 words is permitted.
- a) The numerical limits stated above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.
- b. Illustration: You may copy one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
- c. Poetry: You may make multiple copies of a complete poem if:
- i. it is 250 words or less and if printed on not more than two pages; or
- ii. if from a longer poem, an excerpt of not more than 250 words.
- d. “Special” works: Certain works or less than 2,500 words which may be in poetry, prose, or “poetic prose” which often combine language with illustrations and which are intended sometimes for children and other times for a more general audience.
- i. Such “special works” may not be reproduced in their entirety.
- ii. An excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.
6. Sheet Music
- a. Fair use guidelines for sheet music are stricter than for other print materials.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

July 1, 2022

Date

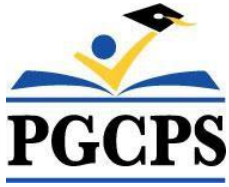
- b. Multiple copies may be made of up to 10% of a work if the material copied does not comprise an entire performable unit such as a section, movement, etc. Multiple copying of an entire performable unit is not permitted in the school system.
- c. A single copy of an entire performable unit may be made for academic purposes if the work is out of print or it is unavailable except as part of a larger work.
- d. Only a single copy of a recording of performances by students may be made. The use of the recording is limited to evaluation and rehearsal.
- e. Any copyright notice appearing on the original work should be reproduced on the copies.
- f. No copying may be made to create or substitute for anthologies or collective works, or to substitute for the purchase of music. No copying of consumables such as workbooks and tests may be made.

H. Computer Software

Most commercial software programs contain statements indicating that the company retains ownership; the purchaser buys a license to use the software. Because of this, the freedom to make copies is not allowed.

I. Digital Copying and Posting

1. Employees may not download, copy and paste, or upload copyrighted images or materials to PGCPS digital properties, such as:
 - a. websites, including pgcps.org and Google sites;
 - b. social media channels;
 - c. PDFs posted on-line;
 - d. PGCPS flyers; or
 - e. school websites and social media accounts.



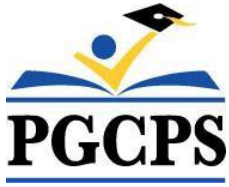
ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160
Procedure No.

July 1, 2022
Date

2. Employees may not download copyrighted materials obtained through an online search (e.g., a Google search), upload it to PGCPS' website and social media channels, nor send to others via email.
 3. Employees who are utilizing non-PGCPS Google sites hosted on the PGCPS domain must comply with paragraph I.1. above.
 4. Employees may not post a copyrighted "meme" image saved on their phone on a PGCPS school social media feed.
- J. Recordings: Visual and Audible
1. System-owned: Individual schools or employees may not duplicate school system-owned recorded media.
 - a. All approved, recorded media is available online (see the content supervisor's webpage on the PGCPS website).
 - b. School system employees are not authorized to produce or own individual copies.
 2. Personally owned: School system employees must check copyright information concerning the use of any personally owned commercially-produced recorded media and the content must have already been approved for classroom use for the targeted grade level.
 - a. Copying of such recorded media for any purpose on school system-owned equipment is forbidden.
 - b. Personally owned recorded media may be used only after review by a professional and with the permission of the principal after they have been approved for use in the school system.
- K. Technology, Education, and Copyright Harmonization (TEACH) Act
1. Enacted in 2002, and recognizing new advances in technology and their role in teaching, the TEACH Act is a federal law that aims to balance the needs of educators and students engaged in distance, remote, or online learning with the rights of copyright owners. It provides an expansion of an educator's rights, in addition to fair use, to use copyrighted works in digital teaching materials without first necessitating permission from the copyright holder. Other copyright exemptions, such as fair use, only apply to face-to-



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

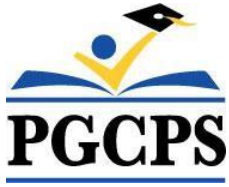
Procedure No.

July 1, 2022

Date

face classroom settings. Note that the TEACH Act is utilized when students are engaged in distance learning, not simply the use of digital materials which can occur in any classroom.

2. The TEACH Act covers materials made ready for remote or online use by students enrolled in classes taught in a traditional classroom and also distance learning courses. In order for the TEACH Act to apply, the performance or display must be a part of the regular classroom instruction and be accessible only to PGCPS students who are enrolled in the online/hybrid course, whether or not the students are present on school grounds or off.
3. Faculty may perform or display copyrighted works in distance/remote/virtual education or in an online learning environment when each of the following factors is met:
 - a. The instructional material is provided at the direction of or under the supervision of the instructor and is an integral part of, or directly related to, the course curriculum (*i.e.*, the material is not unrelated background material or for entertainment);
 - b. The amount of material provided is comparable to that typically displayed in the live classroom session (face-to-face teaching);
 - c. The transmission of material is limited to the students enrolled in the course, which must be effectuated through use of passwords or similar measures;
 - d. The material is available to the students for a limited period of time, no longer than the class session or an amount of time reasonably necessary to facilitate the learning objectives;
 - e. The use does not include the transmission of textbook materials, materials typically purchased or acquired by students, or works developed specifically for online uses;
 - f. The material is acquired lawfully under the copyright law; and



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

July 1, 2022

Date

- g. The following statement is provided at the student's access point to the materials:

Courses within this platform may contain copyright protected materials. Any further use of these materials may be in violation of copyright law. The federal copyright law prohibits the downloading, saving, revising, copying or distributing of these materials without permission. Only students enrolled in the course may use these materials. The materials are limited to the course's duration and shall not be further downloaded unless the instructor authorizes it.

L. Television (Broadcast and Cable)

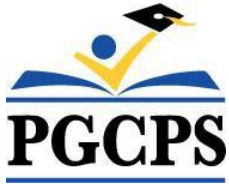
1. Educational use of television programs recorded off the air, or from cable, is allowed by copyright law with certain restrictions.
2. Restrictions will be available on the websites of the particular television stations/providers.

M. Maryland Public Television (Channel 22)

1. Each year, Maryland Public Television publishes a schedule, which is available on its website.
2. This schedule, and an additional copyright page, identifies recording limitations and/or restrictions for use.

N. Digital and Visual Communications – PGCPS 96/38

1. The PGCPS broadcast professionals maintain the cable station which produces hundreds of hours of original programming spotlighting students, schools, curriculum, arts, athletics, policies and more.
2. Educational programs aid in achievement for students in all areas and provide staff development and training for teachers and other employees.
3. Channel 96/38 is also your first stop for weather and emergency [school closings](#).
4. Use guidelines are available on the Digital and Visual Communications website.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

July 1, 2022

Date

O. Showing Movies

1. Copyrighted movies may be shown in a K-12 school setting only if **all of the following** criteria are met:
 - a. The movie is used as an essential part of the core, required curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus.) (Unless a public performance license is obtained, movies shown as rewards (such as at the end of a successful school year), for fund-raising purposes, or for other non-instructional recreational/entertainment purposes (*e.g.*, family movie night, before- and after-school programs, recess, cafeteria) are not permitted.)
 - b. The showing takes place in a classroom setting with only enrolled students in attendance.
 - c. A teacher or instructor is present, engaged in face-to-face teaching activities.
 - d. The movie being used is a legitimate copy, not recorded from a legitimate copy or recorded from TV.
 - e. This means the "Face-to-Face Teaching Exemption" does not apply outside the nonprofit, in-person, classroom teaching environment. It doesn't apply to movies shown online – even if they're part of course-related activities and websites. It also doesn't apply to interactions that are not in-person – even simultaneous distance learning interactions.

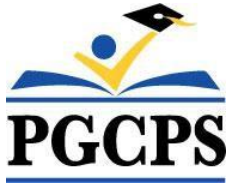
P. Copyright Notices

1. The following copyright notice should be affixed to PGCPS's works that are posted on the district's website or distributed broadly:

Copyright © 2022, Prince George's County Public Schools. All rights reserved.

2. The following copyright notice should be affixed to student work product:

Copyright © 2022, [STUDENT NAME]. All rights reserved.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160

Procedure No.

July 1, 2022

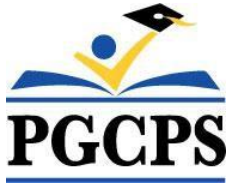
Date

Q. Violation of the Procedures

1. In the case of a court action for damages, a finding of willful infringement would preclude the School Board paying any judgment rendered against an employee and paying any attorney's fees or costs which the employee would incur in conjunction with a lawsuit and may render the employee liable to the School Board for any damages which the School Board is liable to pay. A willful infringement of copyright law may result in disciplinary action of an employee or a student.
2. Claim of Copyright Infringement
 - a. PGCPS will respond to notices of alleged copyright infringement that comply with the Digital Millennium Copyright Act ("DMCA") and any other applicable laws. Therefore, if you believe that your work has been copied in a way that constitutes copyright infringement, please provide PGCPS with the following information:
 - i. a physical or electronic signature of the copyright owner or a person authorized to act on their behalf;
 - ii. identification of the copyrighted work claimed to have been infringed;
 - iii. identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit PGCPS to locate the material;
 - iv. your contact information, including your address, telephone number, and an email address;
 - v. a statement by you that you have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
 - vi. a statement that the information in the notification is accurate, and, under penalty of perjury, that you are authorized to act on behalf of the copyright owner.

Email such allegation to: Communications@pgcps.org

- b. Upon receipt of a proper notification of claimed infringement under the DMCA, PGCPS will follow the procedures outlined in the DMCA. Additionally, PGCPS accommodates and does not interfere with standard technical measures used by copyright owners to protect their materials.



ADMINISTRATIVE PROCEDURE

COPYRIGHT GUIDELINES

6160
Procedure No.
July 1, 2022
Date

VI. MONITORING AND COMPLIANCE:

- A. The Copyright Administrators, *i.e.*, the Office of Library Media Services Instructional Supervisor, the Director of Instructional Technology Support, and the Digital and Visual Communications Supervisor, will be responsible for tracking faculty members' requests for a review of any proposed copying. The Copyright Administrators will utilize a tracking form that tracks the following information: date, school name, person submitting the request, link to the material, planned use of the material, reviewer's name, and review results.
- B. Each school principal/designee must annually facilitate a process to distribute and collect the Student Publicity form (see AP 5134).

VII. RELATED PROCEDURES:

- Administrative Procedure 5134 (FERPA – Annual Notice and Directory Information)

VIII. LEGAL REFERENCES:

Copyright Act of 1976, Title 17 of the United States Code, *as amended*
Digital Millennium Copyright Act, Pub. L. No. 105-304, 112 Stat. 2860 (Oct. 28, 1998)
Technology, Education, and Copyright Harmonization (TEACH) Act of 2002, P.L. 107-273 § 13301, and now Section 110(2) of the Copyright Act (Nov.2, 2002)
Md. Code Annotated, Education Article, § 4-130

- IX. MAINTENANCE AND UPDATE OF THESE PROCEDURES: The Division of Academics will be responsible for updating this administrative procedure as needed. This administrative procedure will be regularly reviewed by the Office of Digital and Visual Communications (TV 96 & 38), the Office of Instructional Technology Support, and the Office of Library Media Services and updated as required.

- X. CANCELLATIONS AND SUPERSEDES: This administrative procedure cancels and supersedes Administrative Procedure 6160, dated July 22, 1992.

- XI. EFFECTIVE DATE: July 1, 2022