

Administrative Procedures 6470R For Board Policy 6470

Acceptable Computer Use and Internet Access Provisions & Procedures for all employees, students, volunteers and contractors

1. Purpose

To establish administrative procedures ensuring the proper use of Ravena-Coeymans-Selkirk's computer and network resources and services by its employees, independent contractors and other computer users. All computer and network users have the responsibility to use these resources in an efficient, effective, ethical and lawful manner.

The following provisions, rules and conditions apply to all users of computer and network resources and services, including Internet resources, wherever the users are located. It applies to all computer and Internet communication facilities owned, leased, operated or contracted by RCS. Violations of this policy may result in disciplinary action.

Violations will be investigated by the Office of the Director of Technology and forwarded to the Office of Business Administrator, for non-teaching staff, vendors, volunteers or contractors, the Office of the Superintendent, for faculty, respective building Principal for students. All violations will be adjudicated in accordance with the current procedures and law.

2. Introduction

Ravena-Coeymans-Selkirk has the right, but not the duty, to monitor any and all aspects of the computer system, including, but not limited to e-mail, newsgroups or Web site usage to ensure compliance with this policy. The computers and computer accounts given to employees and students are to assist them in the performance of their jobs or the furtherance of their studies. **Neither Students nor Employees should have an expectation of privacy in anything they create, send, or receive on the computer.** The computer and network systems belong to Ravena-Coeymans-Selkirk School District and may be used for **school business or educational purposes only**. Personal use should be *strictly limited and occasional*. Personal use does not constitute a right or privilege of employment and may be revoked at the discretion of the superintendent.

2.1 External Conditions of Use

Where use of external networks is involved, policies governing such use also are applicable and must be adhered to.

3. Equipment

Computer users are governed by the following provisions, which apply to all use of computer and telecommunication resources and services. Computers and network resources and services include, but are not limited to the following: host computers, servers, workstations, standalone computers, laptops, software, printers, and internal or external communications networks (Internet, commercial online services, bulletin board systems, and e-mail systems) that are accessed directly or indirectly from Ravena-Coeymans-Selkirk's computer facilities.

4. Revisions

This policy may be amended or revised periodically as the need arises.

5. Responsibilities of Users

Access to the RCS network and to Internet resources infrastructure both within and beyond RCS campus, sharing of information, and security of the intellectual products of the community all require that each and every user accept responsibility to protect the rights of the community.

The term "users," as used in this policy, refers to all employees, independent contractors, vendors, volunteers, students and other persons or entities accessing or using Ravena-Coeymans-Selkirk's computer and telecommunications resources and services. Ravena-Coeymans-Selkirk is not responsible for the actions of individual users.

5.1 Copyrights and Licenses

Users must comply with all software licenses, copyrights and all other state and federal laws governing intellectual property. **Users may not install software onto any computer or RCS network without first receiving express authorization to do so from the Director of the Office of Information Technology.**

- a. Copying - All software, music or documents protected by copyright must not be copied except as specifically stipulated by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any RCS user or system, except pursuant to a valid license or as otherwise permitted by copyright law. An exception to this policy is the Microsoft "Work at Home" agreement which is addressed in a separate document.
- b. Creating CD's/DVD's – RCS users may not use RCS computer equipment to create, i.e. "burn", a compilation of or copy of any copyrighted material for any purpose.
- c. "Ripping" – Ripping is the process of transferring audio directly from CD/DVD to a computer's hard drive. Ripping is permitted for educational purposes only as permitted by the Fair Use Guidelines, Appendix A. Copyrighted music and video used for educational purposes should be deleted at the end of the project or school year.

- d. Number of Simultaneous Use - The number and distribution of copies must be handled in such a way that the number of simultaneous users does not exceed the number of original copies purchased by that department, unless otherwise stipulated in the purchase contract.
- e. Copyrights - In addition to software, all other copyrighted information (text, images, music, icons, programs, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must be properly attributed.
- f. Fair Use Guidelines for Educational Multimedia – Fair use of electronic multimedia, as defined by Section 107 of the Federal Copyright Act, provide principles for fair use of electronic media in an educational setting. See Appendix A for the complete guidelines.
- g. Plagiarism of computer information is subject to the same sanctions as apply to plagiarism in any other media.

5.2 Integrity of Information Resources

Computers users must respect the integrity of computer-based information resources.

- a. Modification or Removal of Equipment -- Computers users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by RCS without proper authorization from the Director of Information Technology.
- b. Bypassing Security or Filtering – No user will attempt to bypass any security measure or Internet Filtering measure install by the District.
- c. Encroaching on Others' Access and Use - Computer users must not encroach on others' access and use of RCS's computers. This includes but is not limited to: the sending of chain-letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs; running grossly inefficient programs when efficient alternatives are known by the user to be available; unauthorized modification for system facilities, operating systems, or disk partitions; attempting to crash or tie up a RCS computer or network; and damaging or vandalizing RCS computing facilities, equipment, software, or computer files.
- d. Unauthorized Programs – Users must not load, or attempt to load, any computer programs without the express permission of the Director of Technology. This includes, but is not limited to, AOL instant messenger, mIRC or similar Internet Relay Chat program, CD/DVD programs similar to Roxio or Nero that create, burn, rip or copy CD's or DVD's.
- e. Destructive Programs - Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system and/or damage the software or hardware components of the system. Computer users must use great care to ensure they do not use programs or utilities which interfere with other computer users or which modify normally protected or restricted portions of the system or user accounts. Computer users must not use network links for any use other than permitted in network guidelines.

5.3 Unauthorized Access

A user's ability to connect to other computer systems throughout the network does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems. Computer users must refrain from seeking to gain unauthorized access to information resources or enabling unauthorized access.

- a. Abuse of Computing Privileges - Users of RCS information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so, regardless of whether computer, software, data, information, or network in question is owned by RCS. For example, abuse of the networks to which RCS belongs or the computers at other sites connected to those networks will be treated as an abuse of RCS computer privileges.
- b. Reporting Problems - Any defects discovered in system accounting or system security must be reported to the Office of the Director of Information Technology so that steps can be taken to investigate and solve the problem.
- c. Password Protection - Users are responsible for safeguarding their passwords for the system. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords.

5.4 Privacy

Most systems provide mechanism for the protection of private information from examination by others. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to private information are a violation of RCS policy. Authorized system administrators may access computer users' files at any time for maintenance purposes. System administrators will report suspected unlawful or improper activities to the Director of Information Technology.

- a. Unlawful Messages - Use of electronic communication facilities (such as mail or talk, or systems with similar functions) to send fraudulent, harassing, obscene, threatening or other messages that are a violation of applicable federal, state, or other law or STATE or RCS policy is prohibited. Users encountering or receiving such material should immediately report the incident to their supervisor.
- b. Mailing Lists - Users must respect the purpose and charters of computer mailing lists (including local network newsgroups and bulletin-boards). The user of an electronic mailing list is responsible for determining the purpose of the list before sending messages to or receiving messages from the list. Subscribers to an electronic mailing list will be viewed as having solicited any material delivered by the list as long as that material is consistent with the list's purpose. Persons sending to a mailing list any materials which are not consistent with the list's purpose will be viewed as having sent unsolicited material.
- c. Advertisements - In general, RCS's electronic communication facilities should not be used to transmit commercial or personal

advertisements, solicitations or promotions (See Commercial Use, below.) This includes, but is not limited to Web-based sites such as E-bay.

- d. Information belonging to others - users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users without the permission of those users.

5.5 Political, Personal and Commercial Use

- a. Political use - RCS information resources must not be used for personal partisan political activities.
- b. Personal Use - RCS information resources should not be used for personal activities not related to appropriate RCS functions, except in an incidental manner. All communication from any RCS computing device may be monitored and recorded.
- c. Commercial use - RCS information resources should not be used for commercial purposes.

6. Internet Access and Use

The Internet is a powerful medium for information dissemination and gathering. Because of the immense variety of information accessible from anywhere in the world, and the freedom of speech supported by the internet, RCS, as owner of the RCS server, must determine guidelines for appropriate content and format that meet its standards of professionalism and compliance with Federal CIPA laws.

6.1 Internet Access Account Terms and Conditions

RCS requires that users having Internet connectivity access will adhere to the following guidelines:

- o all account requests must be presented through the Office of District Information Technology;
- o all RCS regulations must be followed;
- o no pornographic/obscene material will be displayed or linked directly;
- o no copyrighted materials may be displayed without the written authorization form the holder of the copyright;
- o confidentiality of student information, including grades, schedules, and other personal data, must be maintained;
- o information on personal pages that does not reflect official RCS policy must be labeled to indicate such;
- o RCS reserves the right to monitor all Internet activities and transactions.

RCS may revoke Internet privileges at any time for abuse of resources or direct conflict with any stated policy, Internet or otherwise.

6.2 E-mail and Internet Etiquette Guidelines

- a. Users should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Anything created on the computer may, and likely will, be reviewed by others.
- b. Users shall not forward e-mail which is marked as private or confidential to any other person or entity without the express permission of the sender. E-mail which is not designated by the sender as private or confidential shall be deemed eligible to share.
- c. Users should not alter or copy a file belonging to another user without first obtaining permission from the owner of the file. The ability to read, alter, or copy a file belonging to another user does not imply permission to read, alter, or copy that file.

6.3 Creation and Maintenance of World Wide Web (WWW) Pages

All WWW pages created for or by departments or organizations within RCS and placed on the Web Server are considered an official representation of RCS and thus must be in compliance with the stated mission and standards for RCS. These official pages must be approved by the responsible administrator or Communications Office PRIOR to their public placement.

RCS will also provide access to an area on its servers where faculty, staff, and students enrolled in certain classes can publish their own personal WWW pages. Web pages published by the faculty, staff and students in this "personal area" **may be** reviewed by and/or removed by RCS administration if, in the opinion of the building administrator or Office of the Superintendent, violates the Ravena-Coeymans-Selkirk Computer Use and Internet Access Provisions set down in this document. The content of those WWW pages are the sole responsibility of their publishers. RCS shall not be responsible for the material or opinions expressed in these homepages. The publishers of those individual personal homepages shall display the following disclaimer on each Web Page:

"This Web page has been created by individual faculty or staff member. Ravena-Coeymans-Selkirk ("RCS") makes absolutely no guarantee as to the currency, accuracy, or quality of information published and/or archived; nor will RCS accept any responsibility for other organizations, businesses or private persons who provide information on the RCS system. The views and opinions expressed on this page or any links made available are strictly those of the Web Page author and do not necessarily state or reflect those of RCS. The contents of these pages have not been reviewed or approved by Ravena-Coeymans-Selkirk School District."

7. User Agreement

Each user agrees to comply with the foregoing policy, rules and conditions governing the use of Ravena-Coeymans-Selkirk's computer and telecommunications resources and services and that they understand that violation of this policy may result in disciplinary action.

The Policy on Computer Use and Internet Access along with the Acceptable Computer Use and Internet Access Provisions are available at <http://www2.rcscsd.org/boardpolicy/internet.htm>

Signature

Date

Printed Name

Adopted 8/14/2003
Modified 9/2004, 1/2005

APPENDIX A

Fair Use Guidelines For Educational Multimedia*

1. INTRODUCTION

1.1 Preamble

Fair use is a legal principle that defines the limitations on the exclusive rights** of copyright holders. The purpose of these guidelines is to provide guidance on the application of fair use principles by educators, scholars and students who develop multimedia projects using portions of copyrighted works under fair use rather than by seeking authorization for non-commercial educational uses. These guidelines apply only to fair use in the context of copyright and to no other rights.

There is no simple test to determine what is fair use. Section 107 of the Copyright Act*** sets forth the four fair use factors which should be considered in each instance, based on particular facts of a given case, to determine whether a use is a "fair use": (1) the purpose and character of use, including whether such use is of a commercial nature or is 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.

While only the courts can authoritatively determine whether a particular use is fair use, these guidelines represent the participants'**** consensus of conditions under which fair use should generally apply and examples of when permission is required. Uses that exceed these guidelines may nor may not be fair use. The participants also agree that the more one exceeds these guidelines, the greater the risk that fair use does not apply.

The limitations and conditions set forth in these guidelines do not apply to works in the public domain--such as U.S. Government works or works on which copyright has expired for which there are no copyright restrictions--or to works for which the individual or institution has obtained permission for the particular use. Also, license agreements may govern the uses of some works and users should refer to the applicable license terms for guidance.

The participants who developed these guidelines met for an extended period of time and the result represents their collective understanding in this complex area. Because digital technology is in a dynamic phase, there may come a time when it is necessary to review the guidelines. Nothing in these guidelines shall be construed to apply to the fair use privilege in any context outside of educational and scholarly uses of educational multimedia projects.

This Preamble is an integral part of these guidelines and should be included whenever the guidelines are reprinted or adopted by organizations and educational institutions. Users are encouraged to reproduce and distribute these guidelines freely without permission; no copyright protection of these guidelines is claimed by any person or entity.

*These Guidelines shall not be read to supersede other preexisting education fair use guidelines that deal with the Copyright Act of 1976.

**See Section 106 of the Copyright Act.

***The Copyright Act of 1976, as amended, is codified at 17 U.S.C. Sec.101 et seq.

****The names of the various organizations participating in this dialog appear at the end of these guidelines and clearly indicate the variety of interest groups involved, both from the standpoint of the users of copyrighted material and also from the standpoint of the copyright owners.

1.2 Background

These guidelines clarify the application of fair use of copyrighted works as teaching methods are adapted to new learning environments. Educators have traditionally brought copyrighted books, videos, slides, sound recordings and other media into the classroom, along with accompanying projection and playback equipment. Multimedia creators integrated these individual instructional resources with their own original works in a meaningful way, providing compact educational tools that allow great flexibility in teaching and learning. Material is stored so that it may be retrieved in a nonlinear fashion, depending on the needs or interests of learners. Educators can use multimedia projects to respond spontaneously to students' questions by referring quickly to relevant portions. In addition, students can use multimedia projects to pursue independent study according to their needs or at a pace appropriate to their capabilities. Educators and students want guidance about the application of fair use principles when creating their own multimedia projects to meet specific instructional objectives.

1.3 Applicability of These Guidelines

(Certain basic terms used throughout these guidelines are identified in bold and defined in this section.)

These guidelines apply to the use, without permission, of portions of lawfully acquired copyrighted works in educational multimedia projects which are created by educators or students as part of a systematic learning activity by nonprint educational institutions.

Educational multimedia projects created under these guidelines incorporate students' or educators' original material, such as course notes or commentary, together with various copyrighted media formats including but not limited to, motion media, music, text material, graphics, illustrations, photographs and digital software which are combined into an integrated presentation. **Educational institutions** are defined as nonprofit organizations whose primary focus is supporting research and instructional activities of educators and students for noncommercial purposes.

For the purposes of the guidelines, **educators** include faculty, teachers, instructors, and others who engage in scholarly, research and instructional activities for educational institutions. The copyrighted works used under these guidelines are **lawfully acquired** if obtained by the institution or individual through lawful means such as purchase, gift or license agreement but not pirated copies. Educational multimedia projects which incorporate portions of copyrighted works under these guidelines may be used only for **educational purposes** in systematic learning activities including use in connection with non-commercial curriculum-based learning and teaching activities by educators to students enrolled in courses at nonprofit educational institutions or otherwise permitted under Section 3. While these guidelines refer to the creation and use of educational multimedia projects, readers are advised that in some instances other fair use guidelines such as those for off-air taping may be relevant.

2. PREPARATION OF EDUCATIONAL MULTIMEDIA PROJECTS USING PORTIONS OF COPYRIGHTED WORKS

These uses are subject to the Portion Limitations listed in Section 4. They should include proper attribution and citation as defined in Sections 6.2.

2.1 By students:

Students may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia projects for a specific course.

2.2 By Educators for Curriculum-Based Instruction:

Educators may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia programs for their own teaching tools in support of curriculum-based instructional activities at educational institutions.

3. PERMITTED USES OF EDUCATIONAL MULTIMEDIA PROGRAMS CREATED UNDER THESE GUIDELINES

Uses of educational multimedia projects created under these guidelines are subject to the Time, Portion, Copying and Distribution Limitations listed in Section 4.

3.1 Student Use:

Students may perform and display their own educational multimedia projects created under Section 2 of these guidelines for educational uses in the course for which they were created and may use them in their own portfolios as examples of their academic work for later personal uses such as job and graduate school interviews

3.2 Educator Use for Curriculum-Based Instruction:

Educators may perform and display their own educational multimedia projects created under Section 2 for curriculum-based instruction to students in the following situations:

3.2.1 for face-to-face instruction,

3.2.2 assigned to students for directed self-study,

3.2.3 for remote instruction to students enrolled in curriculum-based courses and located at remote sites, provided over the educational institution's secure electronic network in real-time, or for after class review or directed self-study, provided there are technological limitations on access to the network and educational multimedia project (such as a password or PIN) and provided further that the technology prevents the making of copies of copyrighted material.

If the educational institution's network or technology used to access the educational multimedia project created under Section 2 of these guidelines cannot prevent duplication of copyrighted material, students or educators may use the multimedia educational projects over an otherwise secure network for a period of only 15 days after its initial real-time remote use in the course of instruction or 15 days after its assignment for directed self-study. After that period, one of the two use copies of the educational multimedia project may be placed on reserve in a learning resource center, library or similar facility for on-site use by students enrolled in the course. Students shall be advised that they are not permitted to make their own copies of the multimedia project.

3.3 Educator Use for Peer Conferences:

Educators may perform or display their own multimedia projects created under Section 2 of these guidelines in presentations to their peers, for example, at workshops and conferences.

3.4 Educator Use for Professional Portfolio

Educators may retain educational multimedia projects created under Section 2 of these guidelines in their personal portfolios for later personal uses such as tenure review or job interviews.

4. LIMITATIONS--TIME, PORTION, COPYING AND DISTRIBUTION

The preparation of educational multimedia projects incorporating copyrighted works under Section 2, and the use of such projects under Section 3, are subject to the limitations noted below.

4.1 Time Limitations

Educators may use their educational multimedia projects created for educational purposes under Section 2 of these guidelines for teaching courses, for a period of up to two years after the first instructional use with a class. Use beyond that time period, even for educational purposes, requires permission for each copyrighted portion incorporated in the production. Students may use their educational multimedia projects as noted in Section 3.1.

4.2 Portion Limitations

Portion limitations mean the amount of a copyrighted work that can reasonably be used in educational multimedia projects under these guidelines regardless of the original medium from which the copyrighted works are taken. **In the aggregate** means the total amount of copyrighted material from a single copyrighted work that is permitted to be used in an educational multimedia project without permission under these guidelines. These limits apply cumulatively to each educator's or student's multimedia project(s) for the same academic semester, cycle or term. All students should be instructed about the reasons for copyright protection and the need to follow these guidelines. It is understood, however, that students in kindergarten through grade six may not be able to adhere rigidly to the portion limitations in this section in their independent development of educational multimedia projects. In any event, each such project retained under Sections 3.1 and 4.3 should comply with the portion limitations in this section.

4.2.1 Motion Media

Up to 10% or 3 minutes, whichever is less, in the aggregate of a copyrighted motion media work may be reproduced or otherwise incorporated as part of a multimedia project created under Section 2 of these guidelines.

4.2.2 Text Material

Up to 10% or 1000 words, whichever is less, in the aggregate of a copyrighted work consisting of text material may be reproduced or otherwise incorporated as

part of a multimedia project created under Section 2 of these guidelines. An entire poem of less than 250 words may be used, but no more than three poems by one poet, or five poems by different poets from any anthology may be used. For poems of greater length, 250 words may be used but no more than three excerpts by a poet, or five excerpts by different poets from a single anthology may be used.

4.2.3 Music, Lyrics, and Music Video

Up to 10%, but in no event more than 30 seconds, of the music and lyrics from an individual musical work (or in the aggregate of extracts from an individual work), whether the musical work is embodied in copies, or audio or audiovisual works, may be reproduced or otherwise incorporated as a part of a multimedia project created under Section 2. Any alterations to a musical work shall not change the basic melody or the fundamental character of the work.

4.2.4 Illustrations and Photographs

The reproduction or incorporation of photographs and illustrations is more difficult to define with regard to fair use because fair use usually precludes the use of an entire work. Under these guidelines a photograph or illustration may be used in its entirety but no more than 5 images by an artist or photographer may be reproduced or otherwise incorporated as part of an educational multimedia project created under Section 2. When using photographs and illustrations from a published collective work, not more than 10% or 15 images, whichever is less, may be reproduced or otherwise incorporated as part of an educational multimedia project created under Section 2.

4.2.5 Numerical Data Sets

Up to 10% or 2500 fields or cell entries, whichever is less, from a copyrighted database or data table may be reproduced or otherwise incorporated as part of an educational multimedia project created under Section 2 of these guidelines. A field entry is defined as a specific item of information, such as a name or Social Security number, in a record of a database file. A cell entry is defined as the intersection where a row and a column meet on a spreadsheet.

4.3 Copying and Distribution Limitations

Only a limited number of copies, including the original, may be made of an educator's educational multimedia project. For all of the uses permitted by Section 3, there may be no more than two use copies only one of which may be placed on reserve as described in Section 3.2.3.

An additional copy may be made for preservation purposes but may only be used or copied to replace a use copy that has been lost, stolen, or damaged. In the

case of a jointly created educational multimedia project, each principal creator may retain one copy but only for the purposes described in Sections 3.3 and 3.4 for educators and Section 3.1 for students.

5. EXAMPLES OF WHEN PERMISSION IS REQUIRED

5.1 Using Multimedia Projects for Non-Educational or Commercial Purposes

Educators and students must seek individual permissions (licenses) before using copyrighted works in educational multimedia projects for commercial reproduction and distribution.

5.2 Duplication of Multimedia Projects Beyond Limitations Listed in These Guidelines

Even for educational uses, educators and students must seek individual permissions for all copyrighted works incorporated in their personally created educational multimedia projects before replicating or distributing beyond the limitations listed in Section 4.3.

5.3 Distribution of Multimedia Projects Beyond Limitations Listed in These Guidelines

Educators and students may not use their personally created educational multimedia projects over electronic networks, except for uses as described in Section 3.2.3, without obtaining permissions for all copyrighted works incorporated in the program.

6. IMPORTANT REMINDERS

6.1 Caution in Downloading Material from the Internet

Educators and students are advised to exercise caution in using digital material downloaded from the Internet in producing their own educational multimedia projects, because there is a mix of works protected by copyright and works in the public domain on the network. Access to works on the Internet does not automatically mean that these can be reproduced and reused without permission or royalty payment and, furthermore, some copyrighted works may have been posted to the Internet without authorization of the copyright holder.

6.2 Attribution and Acknowledgement

Educators and students are reminded to credit the sources and display the copyright notice © and copyright ownership information if this is shown in the original source, for all works incorporated as part of the educational multimedia

projects prepared by educators and students, including those prepared under fair use. Crediting the source must adequately identify the source of the work, giving a full bibliographic description where available (including author, title, publisher, and place and date of publication). The copyright ownership information includes the copyright notice (©, year of first publication and name of the copyright holder).

The credit and copyright notice information may be combined and shown in a separate section of the educational multimedia project (e.g. credit section) except for images incorporated into the project for the uses described in Section 3.2.3. In such cases, the copyright notice and the name of the creator of the image must be incorporated into the image when, and to the extent, such information is reasonably available; credit and copyright notice information is considered "incorporated" if it is attached to the image file and appears on the screen when the image is viewed. In those cases when displaying source credits and copyright ownership information on the screen with the image would be mutually exclusive with an instructional objective (e.g. during examinations in which the source credits and/or copyright information would be relevant to the examination questions), those images may be displayed without such information being simultaneously displayed on the screen. In such cases, this information should be linked to the image in a manner compatible with such instructional objectives.

6.3 Notice of Use Restrictions

Educators and students are advised that they must include on the opening screen of their multimedia program and any accompanying print material a notice that certain materials are included under the fair use exemption of the U.S. Copyright Law and have been prepared according to the multimedia fair use guidelines and are restricted from further use.

6.4 Future Uses Beyond Fair Use

Educators and students are advised to note that if there is a possibility that their own educational multimedia project incorporating copyrighted works under fair use could later result in broader dissemination, whether or not as commercial product, it is strongly recommended that they take steps to obtain permissions during the development process for all copyrighted portions rather than waiting until after completion of the project.

6.5 Integrity of Copyrighted Works: Alterations

Educators and students may make alterations in the portions of the copyrighted works they incorporate as part of an educational multimedia project only if the alterations support specific instructional objectives. Educators and students are advised to note that alterations have been made.

6.6 Reproduction or Decompilation of Copyrighted Computer Programs

Educators and students should be aware that reproduction or decompilation of copyrighted computer programs and portions thereof, for example the transfer of underlying code or control mechanisms, even for educational uses, are outside the scope of these guidelines.

6.7 Licenses and Contracts

Educators and students should determine whether specific copyrighted works, or other data or information are subject to a license or contract. Fair use and these guidelines shall not preempt or supersede licenses and contractual obligations.

APPENDIX B: (as of DECEMBER 12, 1996)

1. ORGANIZATIONS ENDORSING THESE GUIDELINES:

Agency for Instructional Technology (AIT)
 American Association of Community Colleges (AACCC)
 American Society of Journalists and Authors (ASJA)
 American Society of Media Photographers, Inc. (ASMP)
 American Society of Composers, Authors and Publishers (ASCAP)
 Association for Educational Communications and Technology (AECT)
 Association for Information Media and Equipment (AIME)
 Association of American Publishers (AAP)*
 Association of American Colleges and Universities (AAC&U)
 Association of American University Presses, Inc. (AAUP)
 Broadcast Music, Inc. (BMI)
 Consortium of College and University Media Centers (CCUMC)
 Creative Incentive Coalition (CIC)**
 Iowa Association for Communications Technology (IACT)
 Information Industry Association (IIA)
 Instructional Telecommunications Council (ITC)
 Maricopa Community Colleges/Phoenix
 Motion Picture Association of America (MPAA)
 Music Publishers' Association of the United States (MPA)
 National Association of Regional Media Centers (NARMC)
 Recording Industry Association of America (RIAA)
 Software Publishers Association (SPA)

2. U.S. GOVERNMENT AGENCIES SUPPORTING THESE GUIDELINES:

U.S. National Endowment for the Arts (NEA)
U.S. Copyright Office
U.S. Patent and Trademark Office

3. INDIVIDUAL COMPANIES AND INSTITUTIONS ENDORSING THESE GUIDELINES:

Houghton-Mifflin
John Wiley & Sons, Inc.
McGraw-Hill
Time Warner, Inc.

**** ADDITIONAL INFORMATION ON SOME OF THE ORGANIZATIONS WHO HAVE ENDORSED THESE GUIDELINES**

The Association of American Publishers (AAP) membership includes over 200 publishers.

The Information Industry Association (IIA) membership includes 550 companies involved in the creation, distribution and use of information products, services and technologies.

The Software Publishers Association (SPA) membership includes 1200 software publishers.

****The Creative Incentive Coalition membership includes the following organizations:**

- Association of American Publishers
- Association of Independent Television Stations
- Association of Test Publishers
- Business Software Alliance
- General Instrument Corporation
- Information Industry Association
- Information Technology Industry Council
- Interactive Digital Software Association
- Magazine Publishers of America
- The McGraw-Hill Companies
- Microsoft Corporation
- Motion Picture Association of America, Inc.
- National Cable Television Association
- National Music Publisher's Association
- Newspaper Association of America
- Recoding Industry Association of America
- Seagram/MCA, Inc.

- Software Publishers Association
- Time Warner, Inc.
- Turner Broadcasting System, Inc.
- West Publishing Company
- Viacom, Inc.

APPENDIX C: ORGANIZATIONS PARTICIPATING IN GUIDELINE DEVELOPMENT:

Being a participant does not necessarily mean that the organization has or will endorse these guidelines.

- Agency for Instructional Technology (AIT)
- American Association of Community Colleges (AACCC)
- American Association of Higher Education (AAHE)
- American Library Association (ALA)
- American Society of Journal Authors, Inc. (ASJA)
- American Society of Media Photographers (ASMP)
- Artists Rights Foundation
- Association of American Colleges and Universities (AAC&U)
- Association of American Publishers (AAP)
- Harvard University Press
- Houghton Mifflin
- McGraw-Hill
- Simon and Schuster
- Worth Publishers
- Association of College Research Libraries (ACRL)
- Association for Educational Communications and Technology (AECT)
- Association for Information Media and Equipment (AIME)
- Association of Research Libraries (ARL)
- Authors Guild, Inc.
- Broadcast Music, Inc. (BMI)
- Consortium of College and University Media Centers (CCUMC)
- Copyright Clearance Center (CCC)
- Creative Incentive Coalition (CIC)
- Directors Guild of America (DGA)
- European American Music Distributors Corp.
- Educational institution represented
- American University
- Carnegie Mellon University
- City College/City University of New York
- Kent State University
- Maricopa Community Colleges/Phoenix
- Penn State University

--University of Delaware
Information Industry Association (IIA)
Instructional Telecommunications Council (ITC)
International Association of Scientific, Technical and Medical Publishers
Motion Picture Association of America (MPAA)
Music Publishers Association (MPA)
National Association of State Universities and Land-Grant Colleges (NASULGC)
National Council of Teachers of Mathematics (NCTM)
National Educational Association (NEA)
National Music Publishers Association (NMPA)
National School Boards Association (NSBA)
National Science Teachers Association (NSTA)
National Video Resources (NVR)
Public Broadcasting System (PBS)
Recording Industry Association of America (RIAA)
Software Publishers Association (SPA)
Time-Warner, Inc.
U.S. Copyright Office
U.S. National Endowment for the Arts (NEA)
Viacom, Inc.

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