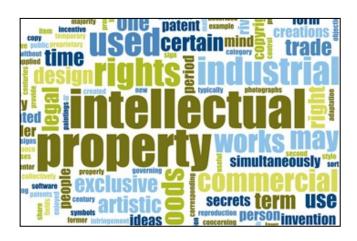
Digital Media: Copyright, Fair Use, Public Domain



Copyright

In the DoDEA Virtual High School it is prohibited to use any copyrighted material in any of the courses. The TEACH ACT *does not* apply! These include images, audio files, movie files, and documents of any file extension. Please click the link, <u>Copyright</u> Resource (PDF) to learn more about Copyright provisions as stated by the U.S. Copyright Office.



If you wish to provide resources that supplement and enhance your course content, you may provide a link (url) to the source file. However, you cannot download it and then directly upload it into your course. It is authorized to use Public Domain works and materials covered under Fair Use.

Fair Use

Section 107 of the Copyright Act states that "the fair use of a copyrighted work, including such use by reproduction in copies..., for purposes such as criticism, comment, news reporting, teaching ..., scholarship, or research, is not an infringement of copyright." If you wish to use copyrighted supplemental media (videos, images, handouts, etc.) under Fair Use in your course, you must request a waiver or permission. Please contact your Instructional Designer and subject matter area Administrator.

In determining whether or not you wish to use an object under Fair Use, please consider the following four factors:

- 1. Purpose of use: Copying and using selected parts of copyrighted works for specific educational purposes qualifies as fair use, especially if the copies are made spontaneously, are used temporarily, and are not part of an anthology.
- 2. Nature of the work: For copying paragraphs from a copyrighted source, fair use easily applies. For copying a chapter, fair use may be questionable.

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- 3. Proportion/extent of the material used: Duplicating excerpts that are short in relation to the entire copyrighted work or segments that do not reflect the "essence" of the work is usually considered fair use.
- 4. The effect on marketability: If there will be no reduction in sales because of copying or distribution, the fair use exemption is likely to apply. This is the most important of the four factors for Fair Use (Princeton University).

LIMIT YOUR BORROWING:

Quantitatively: Quote or closely paraphrase as little as possible to make your point: under 10% is best; above 20% is high risk (though a recent case allowed that, where mainly facts were copied).

Qualitatively: Avoid using the "heart" of the original, what most people would buy the work to read.

Public Domain

Public Domain is defined as work belonging to the public as a whole and include the following: government documents and works, works with an expired copyright or no existing protection, and works published over 75 years ago. Instructors are encouraged to use Public Domain works to support and enhance instructional content within courses. The resources below provide Public Domain works that instructors may use. This list is a general list. You may use other websites to find Public Domain works, but you must site the source and produce the license agreement.

Educational Public Domain Resources

- Free Federal Resources for Educational Excellence at http://www.free.ed.gov/
- Fotopedia at http://www.fotopedia.com/
- NASA Multimedia at http://www.nasa.gov/multimedia/index.html
 - o Read the Guidelines at http://www.nasa.gov/multimedia/guidelines/index.html
- Flickr at http://www.flickr.com/
- Creative Commons at http://creativecommons.org/
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