

UTILIZATION OF PROGRAMS IN INSTRUCTIONAL SETTINGS

Teachers have permission to use programs without a public performance license as stipulated by Section 110 (1) of the Copyright Statute (U.S. Code, Title 17). Programs include videos, DVDs, television programs, on-line/streaming video, digital video, movies, etc. Exceptions to Section 110 of the Copyright Statute (U.S. Code, Title 17) include:

- extracurricular or recreational uses
- transmissions outside the school building
- using an unlawfully made copy

When not covered by fair use guidelines and Section 110 (1) of the Copyright Statute (U.S. Code, Title 17), performance rights must be obtained from the copyright holder, or their legal designee.

ALL VIEWING

- Site-based decisions may limit use of program viewing, including the viewing of current events by grade level or department.
- Teachers are responsible for following all guidelines for programs used in their lesson plans even when utilized by a substitute teacher.
- Substitute teacher's use of programs should be in keeping with the teacher's lesson plan. Emergency use of irrelevant programs is not in compliance with Section 110 (1) of the Copyright Statute (U.S. Code, Title 17).

TELEVISION VIEWING

- Television viewing should be curriculum related, age appropriate, and meet "rated" guidelines.
- Closed circuit transmission of programs is permissible in an instructional setting when the conditions of Section 110 (1) of the Copyright Statute (U.S. Code, Title 17) are met.

VIDEO RATING

- Rated programs (PG, PG-13, R) viewed on or off campus must be preceded by permission from the Principal and the *Parental Permission for Viewing of Rated and Questionable Non-Rated Programs* forms returned for all students in the class. Permission forms must be kept on file. Rated media in the school collection must be clearly marked with precautions including the reasons for restriction (i.e. language, sexual content, violence).
- Elementary and middle school students may not view R rated programs. No student will be allowed to view NC-17 movies ("No One/Child 17 and under admitted").
- If a student does not have permission to view a PG, PG-13 or R-rated program, the teacher must give that student a non punitive alternative assignment.
- These guidelines apply to all programs related to approved school activities.

VIDEO VIEWING

- Teachers are required to preview all pre-recorded programs before student viewing.
- Staff must follow all video request procedures as stipulated by Section 110 (1) of the Copyright Statute (U.S. Code, Title 17).

- Teachers wishing to use videos DVDs, television programs, online/streaming video, digital video, movies, etc. from outside the school collection (“home use only”) should comply with site-based decisions regarding approval, Board of Education policies, and copyright laws.
- Non-rated programs must be age appropriate, curriculum related, and follow the conditions set forth in Section 110 (1) of the Copyright Statute (U.S. Code, Title 17).
- The 10-day fair use guidelines are applicable to most commercial broadcasts, and the 7-Day School Rerecord Rights are applicable to PBS.
- Copying of commercial programming beyond the parameters of the fair use guidelines is prohibited. Archival copying is not applicable to audiovisual and electronic formats.
- School-produced videotapes should be confined to use for the designated purpose within the school. Viewing outside the school premises (i.e. web sites, multimedia presentations, civic meetings, etc.) requires principal’s approval and a signed *Guardian Permission for Student Publishing* form for the students filmed.

Legal References: Communication Act of 1934, as amended, 47 U.S.C. § 609; G.S. 115C-102 .6A-C(5), GS 115c-518, GS 115c-522, GS 115c-522.1, GS 115c-518, GS 147-33.111.

Cross References: Copyright Compliance (policies 3230/7330), School Improvement Plan (policy 3430), Standards of Expected Student Behavior (policy 4310), Public Records (policy 5070), Staff Responsibilities (policy 7300), Professional Development and Assistance (policy 1610/7800)

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Revised: November 7, 2005, July 3, 2006, August 4, 2008, May 11, 2015

Parental Permission for Viewing of Rated and Questionable Non-Rated Programs

The following program is going to be presented for student viewing. Since this program contains questionable material, your child **MUST** have permission to participate in this educational activity.

Teacher's Name: _____

Title of Program: _____

Date program is going to be shown: _____

Rating (Circle): PG PG-13 R NR

Program contains the following questionable material (circle all included):

Violence Language Sexual Content Drug Content Objectionable Images Nudity

Brief synopsis of the program: _____

Educational purpose for presentation of this program: _____

PLEASE RETURN TO YOUR CHILD'S TEACHER

Student Name: _____

_____ Has my permission to view this program

_____ Does NOT have my permission to view this program

Guardian's Signature: _____

Date: _____