

Cabot Public Schools

Library Media Policies and Procedures

**Board Approved
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I. DISTRICT MISSION STATEMENT OF CABOT PUBLIC SCHOOLS

We are committed to educating all students to be responsible citizens who value learning, treat others with dignity and respect, and successfully adapt to the demands of a rapidly changing society.

II. Philosophy

The philosophy and goals of Cabot's school library media centers reflect those adopted by Cabot School District. Each school has a licensed Library Media Specialist (Appendix A). District library media specialists are aware of the goals for the school district and are dedicated to achieving those goals. Goals of the library media centers of Cabot Public Schools are the following:

- A. Provide a wide range of appropriate educational resources that enable students to become information literate in order to enhance student achievement while supporting the curriculum.
- B. Enable students to become lifelong learners in order to function effectively in a democratic society.
- C. Provide a safe, nurturing, and orderly environment for teaching and learning.
- D. Enhance staff effectiveness by providing leadership, resources, and professional development.
- E. Strengthen the partnership and support for learning among students, staff, families and community.

Additionally, the CPSD School Library Media and Information Technology Specialists will abide by Arkansas Act 1786 of 2003, "The Public School Library Media Services and Technology Act," which calls specifically for the creation of a selection policy, and by the First Amendment to the Constitution of the United States.

III. MAINTAINING THE COLLECTION

A. RESPONSIBILITY FOR SELECTION AND CHALLENGES OF MATERIALS

The Board of Education of Cabot Public Schools is legally responsible for all matters relating to the operation of Cabot Public Schools. The Board delegates responsibility for the selection of library materials to the professionally trained personnel employed by the school system. Selection of materials can involve many people: principals, teachers, supervisors, school library media specialists, students, and parents. This selection process is a cooperative, continuing process, with the final responsibility vested in the library media specialist. Patrons may voice their concerns through the District Challenge Procedures.

B. CRITERIA FOR SELECTION OF LIBRARY MATERIALS

Selection of library materials is initiated by the school library media specialist after evaluating the individual school's needs and considering requests of faculty and students, knowledge of the curriculum and educational application, and knowledge of the existing collection. The library media specialist will use professional selections aids such as School Library Journal, Kirkus Review, publishers, etc, as necessary. The Library Bill of Rights (Appendix B) will serve as a major reference and guide for the selection process.

Materials for library purchase are considered on the basis of the following criteria:

1. overall purpose and educational significance
2. validity, timeliness or permanence, and appropriateness of material
3. contribution that the subject matter makes to the curriculum and the interests of the students
4. high artistic quality and/or literary style
5. high degree of potential user appeal including varied interests that reflect religious, ethnic, and cultural backgrounds
6. representation of opposing sides of controversial issues
7. reputation and significance of the author, producer, or publisher
8. variety of format
9. value commensurate with cost and/or need

10. age appropriateness
11. gift materials are evaluated by basic selection standards; patrons wishing to contribute materials should consult with the library media specialist prior to fundraising efforts for gift materials and/or acquisition of materials intended as gifts.

C. EVALUATION

Continuous evaluation of the collection will ensure that the library media center is fulfilling its mission to provide materials to meet patrons' interests and needs.

D. BUDGET

In formulating its annual library budget, the Cabot Public School District will comply with Arkansas State Standards.

E. CONSIDERATION FILE

The Library Media Specialist should maintain a Consideration File for future purchases. This file should reflect school needs, staff recommendations, and reviews.

F. WEEDING LIBRARY MATERIALS

Extensive thought and care is given to the selection of materials; the same care will be applied when weeding. Weeding ensures that the collection remains current and is used by the patrons it is selected to serve. Systematic weeding is an important part of the selection process. De-selection of materials that do not conform to the district guidelines (Appendix C) should occur using the suggested weeding schedule (Appendix D). In addition to the district age and circulation guidelines, some general guidelines for weeding include the following:

1. Books of poor appearance such as those with torn, dirty, or yellow pages, or books with dirty or unattractive covers.
2. Books of poor content including those that are outdated, poorly written, or contain inaccuracies.
3. Sets of textbooks unless single copies are kept for reference use.

G. POSITION ON INTELLECTUAL FREEDOM

All CPSD Library Media Centers abide by the ALA Library Bill of Rights in the selection of materials. A particular work is not rejected on the basis of the writer's or producer's point of view or the possible controversial nature of the material.

H. FINES/LOST OR DAMAGED MATERIALS

Junior and Senior High School library media specialists will charge students a standard fee for overdue library materials. Administrators and/or library media specialists of each school within the district will determine the charge for damaged books that are still in usable condition. Replacement cost will be charged to the patrons of each school if the book is damaged beyond use or lost.

I. PROCEDURES FOR CLASSROOM TEACHER MATERIALS

Classroom teachers will sign out instructional materials. CAO will order necessary library processing after consultation with each school's library media specialist for any new Instructional materials starting July 1, 2009.

J. PATRON CONFIDENTIALITY

In accordance with Arkansas law (Act 903, 13-2-701 1989), (Appendix E), circulation records and borrower's application files are confidential regardless of the source of inquiry.

IV. PROCEDURES FOR RECONSIDERATION

The procedures concerning challenged materials are outlined below. These procedures provide the library media center with a firm and clearly defined course of action within the context of the principles of intellectual freedom, the student's right to access of materials, and the professional responsibility and integrity of the staff. **In the event of a challenge, questioned materials will not be removed before the process of review is completed.** (Appendix F, G, and H)

A. PRELIMINARY RECONSIDERATION PROCESS

1. When a patron complains about materials within a library media center, the complaint shall first be referred to the school's library media specialist who will then notify the principal.

2. The library media specialist shall explain to the complainant the school's selection policy and the school philosophy.
3. The library media specialist shall explain the questioned material's usefulness in the educational program or refer the complainant to someone who can identify and explain the use of the material.
4. If the complainant wishes to make a formal challenge, (s)he will be supplied with a Request for Reconsideration form (Appendix G). The complainant must return the form to the library media specialist within ten school days of its receipt, or the matter will be considered resolved.

B. FORMAL RECONSIDERATION PROCESS

1. Preliminary Procedures
 - a. The complainant may only request reconsideration of one title at a time and at one school at a time.
 - b. If the Request for Reconsideration Form is completed, signed, and returned within the required time frame by the complainant, the reevaluation process will commence.
 - c. Upon receipt of the Request for Reconsideration Form, the principal will inform the superintendent of the formal complaint.
 - d. The Request for Reconsideration shall be referred to a Reconsideration Committee at the school level. The principal appoints committee members. The Committee shall be composed of a principal, teacher, two parents/community members, and a library media specialist. The parents will be chosen by a random draw from the Library advisory board. This board will be chosen by the Library Media Specialist at each school at the start of each school year. The library media specialist must be employed at another school within the district—not the library media specialist at the school where the complaint is lodged.
 - e. The Reconsideration committee must be formed within three school days from the date the formal

complaint was lodged. Copies of the challenged title and reviews of the work will be distributed by the Library Media Specialist to the committee members by the third day.

2. Procedures for Reconsideration

- a. A Reconsideration Committee meeting will take place within 15 school days of the formal complaint.
- b. The library media specialist at the school where the complainant originates will be responsible for getting and disseminating review information and copies of the book/material to the Reconsideration Committee.
- c. The Reconsideration Committee shall examine the whole of the challenged material based on its merit and appropriateness for the intended educational use.
- d. The complainant shall be allowed to address the Principal before the reconsideration committee convenes privately.

3. Resolution

- a. The Selection Policy for Library Materials, professional reviews of the material, and the material's intended educational purpose are measures for evaluating challenged material.
- b. A written report of the Committee's finding will be archived with the principal and library media specialist and copies forwarded to the superintendent.
- c. The principal shall notify the complainant in writing of the Committee's decision. The complainant may request a discussion with the building Principal about the written report.
- d. If the complainant is still not satisfied with the decision of the Reconsideration Committee, (s)he may appeal the decision in writing within 72 hours of notification to the superintendent. The superintendent will arrange a meeting between the complainant and

the Superintendent. This shall serve as the final review.

- e. The superintendent is responsible for monitoring the Reconsideration Process to ensure that the district's policy is followed.

V. COPYRIGHT POLICY

A. STATEMENT

Cabot Public School District will adhere to the provisions of copyright law, as stated in Copyright Law (P.L. 94-533). The district prohibits the copying of any material not specifically allowed by the law, fair-use, license agreement or permission of the copyright holder (APPENDIX I).

B. FAIR USE

Section 107 of the 1976 Copyright Law that took effect in 1978 discussed four factors that determine whether copying can be done legally. All four of these factors must be considered in determining fair use.

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes. If the purpose of copying does not fall into the categories of criticism, comment, newspaper reporting, teaching, scholarship or research, it is not fair use. The fair use guidelines are not to be interpreted as any sort of non-profit or educational "cart blanche" for copying.
2. The nature of the copyrighted work.
"Where the nature of the copyrighted work is more in the nature of a collection of facts than in the nature of a creative or imaginative work, alleged infringers have a greater license to use portions of such work under fair use doctrine than they would have if creative work were involved." (New York Times Co. v Roxbury Data Interface, Inc.) In other words, copying a news magazine article (factual) is more likely to be allowed under fair use factor than copying a short story (creative).
3. The amount and substantiality of the portion used in relation

to the copyrighted work as a whole (usually 10% limit). The use of an entire work, in other words wholesale copying, can NEVER be a fair use, even in the cases where the infringer had no intent to infringe. Copying a large portion of a work or the “essence” of a work is an infringement.

4. The effect of the use upon the potential market for or value of the copyrighted work. Copying parts of, or an entire work, for use in a classroom cannot be done simply because the purpose is educational. Use the fair use statute to determine the legality of copying when the instances of copying are not directly addressed by law.

C. RIGHTS AND RESPONSIBILITIES FOR LIBRARY MEDIA SPECIALISTS

The following steps will be taken by the library media specialists:

- Inform others about the services the library media center can provide based upon limits imposed by copyright law.
- Display copyright notices in appropriate places.
- Maintain current copyright information (Appendix D)

APPENDIX A ROLES OF LIBRARY MEDIA SPECIALIST

Information Specialist –

Provide resources to patrons through a systematically developed collection within the school and through access to resources outside the school.

- * evaluate information in all formats
- * oversee program development

Provide assistance to patrons in identifying, locating, and interpreting information housed in and outside the library media center.

- * model searching for information
- * train others in the information process
- * provide online resources
- * instruct patrons in the use of electronic card catalog

Provide learning opportunities related to new technologies, use, and production of a variety of media formats.

- * understand technological advances for information access

Provide instruction in the use of the library media center.

Instructional Consultant -

Participate in building, district, department, and grade level curriculum development and assessment projects.

- * collaborate with classroom teachers to identify materials that best support and enrich an instructional unit
- * design learning tasks and assessments to meet standards
- * provide vision and leadership in curriculum development

Provide professional development in new and emerging technologies, use of appropriate technologies, incorporation of technology into the instructional program, and the laws and policies pertaining to the use and communication of ideas and information including copyright.

- * provide expertise and guidance in incorporating technology into instructional program
- * instruct students and staff in laws and policies dealing with copyright

Keep patrons informed of new acquisitions of software and hardware and instruct patrons in its optimal use.

Teacher of Information and Technology Skills –

Provide assistance in the use of technology to access information and networks that will enhance access to resources.

- * teach students research process
- * teach information literacy skills
- * teach critical thinking and problem solving skills

Develop and implement a plan that ensures that skills are taught in a logical sequence for kindergarten through grade twelve.

- * link information needs with print and electronic resources
- * direct program and activities

Provide expertise and instruction in the use of electronic retrieval systems, such as electronic card catalog and computer-generated bibliographies.

Provide instruction in the use of the library media center.

Program Administrator –

Develop a broad understanding of the curriculum, visualize the big picture and connect with the school mission.

Guide and direct all activities related to the library media program

- * work with budgets
- * juggle multiple activities
- * manage and maintain all multi-media equipment
- * manage staff
- * manage facilities

Serve various clientele – students, parents, teachers, classified staff.

Plan, execute, and evaluate program continually to ensure quality and relevance in learning community.

Provide knowledge, vision, and leadership to plan for the future.

Facilitate study groups of students and staff.

Provide and participate in professional development.

- * conferences
- * journal information
- * professional library materials
- * book talks
- * web resources
- * information literacy
- * research strategies

APPENDIX B LIBRARY BILL OF RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services:

- A. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- B. Libraries provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal issues.
- C. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- D. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.
- E. A person's right to use the library should not be denied or abridged because of origin, age, background, or views.
- F. Libraries which make exhibit space and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948.
Amended February 2, 1961, and January 23, 1980,
Inclusion of "age" reaffirmed by January 23, 1996,
by the ALA Co

APPENDIX C GUIDELINES FOR DESELECTION

The Library Media Center collection will be continually reevaluated in relation to evolving curriculum, new format materials, new instructional methods, and user needs. Materials no longer appropriate should be removed. Lost and worn materials of lasting value should be replaced. Weeding should entail the same care, thought, and judgment as selection. In general, last copies and out-of-print books are retained, if their information value is secure.

Books that should be weeded from the collection include the following:

1. Duplicate copies of titles that are no longer in demand.
2. Titles which have been superseded by newer editions.
3. Books that are worn, damaged, or not in sufficient demand to justify extensive repair or binding.
4. Books that contain out-of-date material.
5. Sets of textbooks or old textbooks unless single copies are to be used for reference.
6. Sets of readers which can be returned to the classroom or other storage areas.

**APPENDIX D
WEEDING SCHEDULE**

000	Encyclopedias	New edition is needed at least every five years.
	Bibliographies	Seldom of use after five years from date of copyright.
	Books about reading	Guides, etc. Value determined by use.
100	Ethics, etc.	Value determined by use. Most unscholarly works are useless after ten years.
200	Religion	Value determined by use. Collection should contain basic information (but not propaganda) about as many sects and religions as possible.
300	Social Sciences	See that controversial issues are well represented on both sides.
310	Almanacs/Yearbooks	Superseded by each new volume. Seldom of much use after five years.
320	Politics/Economics	Books dealing with historical aspects-determined by use, timely or topical material: discard after approximately ten years. Replace with new editions when available.
340-350	Government	Ten years. Watch for new material on government to supersede older.
360	Social Welfare	Weeding depends on use. Most non-historical materials are passed after ten years.

370-380	Education, Commerce	Keep historical materials if used. Non historical materials replace after ten years.
390	Folkways	Keep basic materials; weeding depends on use.
400	Languages	Keep basic materials; weeding depends on use.
500	Pure Science	Except for botany and natural history, science books are usually outdated within five years.
600-618	Invention, Medicine	Five years, except for basic materials on inventions and anatomy.
620	Farms, Garden, Domestic Animals, etc.	Keep up to date with new editions and new material to replace older.
621	Radio, TV	Five years at most.
630	Farms, Gardens, etc.	Keep up to date with new edition.
640	Home Economics	According to use. Keep mostly current material. Keep all cookbooks.
650	Business, etc.	Ten years.
660	Chemical, Food Products	Five – ten years, according to content.
690	Manufacturers, Building	Ten years, except for books on crafts, clocks, guns, or toys that may be useful.
700	Art, Music	Keep basic material.
800	Literature	Keep basic material.
900	History	Depends on use and needs of community and on accuracy of fact and fairness of interpretation.
910	Travel, Geography	Discard travel books before 1960. Keep only if useful.
	Biography	Discard unless subject has permanent interest or importance.
	Rare Books	List books published prior

		to 1900 and other old editions about which you are in serious doubt.
	Periodicals, Newspapers	Five years for those in demand as reference. Magazines may be kept longer and bound after one year.
	Pamphlets	Weed according to nonfiction, but keep only up to date materials.
	Government Documents	Order and discard according to use and requests of patrons.

APPENDIX E
CONFIDENTIALITY OF PATRON RECORDS ARKANSAS CODE 13-2-701

13-2-701. Definitions.

As used in this subchapter:

(a) "Confidential library records" means documents or information in any format retained in a library that identify a patron as having requested, used, or obtained specific materials, including, but not limited to, circulation of library books, materials, computer database searches, interlibrary loan transactions, reference queries, patent searches, requests for photocopies of library materials, title reserve requests, or the use of audiovisual materials, films, or records; and

(b) "Patron" means any individual who requests, uses, or receives services, books, or other materials from a library.

History. Acts 1989, No. 903, § 1.

13-2-702. Penalty.

(a) Any person who knowingly violates any of the provisions of this subchapter shall be guilty of a misdemeanor and shall be punished by a fine of not more than two hundred dollars (\$200) or thirty (30) days in jail, or both, or a sentence of appropriate public service or education, or both.

(b) No liability shall result from any lawful disclosure permitted by this subchapter.

(c) No action may be brought under this subchapter unless the action is begun within two (2) years from the date of the act complained of or the date of discovery.

History. Acts 1989, No. 903, § 2.

13-2-703. Disclosure prohibited.

(a) Library records which contain names or other personally identifying details regarding the patrons of public, school, academic, and special libraries and library systems supported in whole or in part by public funds shall be confidential and shall not be disclosed except as permitted by this subchapter.

(b) Public libraries shall use an automated or Gaylord-type circulation system that does not identify a patron with circulated materials after materials are returned.

History. Acts 1989, No. 903, § 2.

13-2-704. Disclosure permitted.

A library may disclose personally identifiable information concerning any patron to:

- (1) The patron;
- (2) Any person with the **informed, written consent of the patron given at the time the disclosure is sought;**
- (3) A law enforcement agency or civil court, pursuant to a search warrant; or
- (4) Any person, including, but not limited to, the patron, who has received an automated telephone notification or other electronic communication for overdue materials or reserve materials if the person making the request can verify the telephone number or e-mail address to which the notice was sent.

**APPENDIX F
REQUEST FOR RECONSIDERATION**

Attach extra pages if needed to complete statements.

Author, composer, producer, artists, etc.: _____

Title: _____

Publisher & Copyright Date: _____

Request initiated by: _____

Telephone _____ Address _____

Patron represents

_____ Self

_____ Group/Organization Name _____

1. Did you read, view, or listen to the entire work? _____
If not, which pages or sections did you review? _____

2. Have you discussed this work with the librarian or teacher who used it? _____

3. What do you understand to be the general purpose for including this work in the library collection or for using it in the classroom?

4. Did the general purpose for the use of this work, as described by the librarian or teacher, seem a suitable one to you? _____

If not, please explain. _____

5. To what in the work do you object? Please be specific and cite exact parts.

6. What reviews have you read about this work? _____

7. Would you like to be provided with copies of reviews? _____

8. What do you feel might be the result of reading, viewing, or listening to this work?

9. What would you like for the library/school to do about this work?

_____ Remove the material from the curriculum

_____ Remove the material from the library

_____ Other (specify): _____

10. Please recommend another work or works that would convey as valuable or more valuable a picture or perspective of the subject treated.

Title: _____ Author: _____

Signature of Patron

Date

APPENDIX G
Checklist for Reconsideration Committee

Title: _____

Author: _____

Source of material (circle one): Library Classroom Online

A. PURPOSE

1. What is the overall purpose of the material?
2. Was that purpose accomplished? _____Yes _____No
3. Comments:

B. AUTHENTICITY

1. Is the information authored or otherwise sourced?
2. What is the reputation and significance of the author and publisher/producer in the field?
3. Is the material up-to-date? _____Yes _____No
4. Are the translations and retelling faithful to the original?
 _____Yes _____No
5. Are information sources well documented?
 _____Yes _____No
6. Comments:

C. APPROPRIATENESS

1. Does the material promote the educational goals and objectives of the curriculum? _____Yes _____No
2. Is it appropriate for the level of instruction intended?
 _____Yes _____No
3. Are the illustrations appropriate to the subject and age levels?
 _____Yes _____No

D. CONTENT

Is the content of this material well presented by providing adequate scope, range, depth, and continuity? _____Yes _____No

1. Does this material present information not otherwise available?
_____Yes _____No
2. Does this material give a new dimension or direction to its subject?
_____Yes _____No
3. Does this material give a realistic picture of life?
_____Yes _____No
4. Is factual information presented accurately?
_____Yes _____No
5. Are the concepts presented appropriate to the ability/maturity of the intended audience?
_____Yes _____No
6. Do characters speak in a language true to the geographic location or the time period in which they live?
_____Yes _____No
7. Is there a preoccupation with sex, violence, cruelty, brutality, or aberrant behavior that would make this material inappropriate for the intended audience?
_____Yes _____No
8. If there is use of offensive language, is it appropriate to the purpose of the text for the intended audience?
_____Yes _____No
9. Does the material give a broader understanding of human behavior without stressing the differences of class, race, color, sex, education, religion, or philosophy in any unfavorable way?
_____Yes _____No
10. Is the material well written or produced?
_____Yes _____No
11. Does the material make a significant contribution to the history of literature or ideas?
_____Yes _____No

APPENDIX H
Reconsideration Committee Report Form

(Attach extra pages if needed to complete the responses.)

Physical description of challenged material: (author, title, publisher, copyright, producer, etc.)

Justification for inclusion of material (include theme and purpose): _____

Critics' judgment of material (If possible, include copies of reviews, indication the sources): _____

Review Committee's decision and comments (include statement from majority and minority positions): _____

_____ Recommend retention of material

_____ Recommend removal of material from this school

_____ Recommend removal of material at district level

Date _____

Copies sent to the following:

Principal _____

Superintendent _____

Patron _____

SLMS _____

Signatures of Committee Members:

APPENDIX I COPYRIGHT GUIDELINES

The purpose of the following is to provide guidelines so that all district personnel/volunteers are aware of copyright laws and are operating legally within these guidelines. These guidelines state the minimum and not the maximum standards of educational fair use as stated in the copyright law. There may be instances in which copying does not fall within the guidelines stated below and may be permitted under the criteria of fair use.

1. Printed Materials

a. Permitted

(1) At request of an individual teacher, single copies of the following:

- (a) a chapter of a book
- (b) an article from a newspaper or magazine
- (c) a short story, short essay, or short poem whether or not from a collective work.
- (d) a chart, graph, diagram, drawing, cartoon, or picture from a book, magazine, or newspaper.
- (e) a transparency may be made for educational use if none is available for purchase. Each transparency must give credit to the original source.

(2) Multiple copies for classroom use may be made from the following material if the number does not exceed one copy per student in a specific class and if each copy includes an appropriate copyright reference, eg. author, title, date, source:

- (a) a complete poem or excerpts of poems of less than 250 words.
- (b) a complete article, story, or essay of less than 2,500 words.
- (c) prose excerpts of 1,000 words or 10% of the work, whichever is less.
- (d) one chart, graph, drawing, diagram, cartoon, or picture per book or periodical issue.
- (e) an excerpt from a children's book containing up to 10% of the words in the text.

b. Prohibited

- (1) Copying more than one work or two excerpts from a single author during one class term.
- (2) Copying more than three works from a collective work or periodical volume during one class term.
- (3) Copying from more than nine works in one class term.

- (4) Copying used to create or replace or substitute for anthologies or collective works.
- (5) Copying of “consumable” works such as workbooks, standardized tests, answer sheets, etc.

2. Music/Audio

a. Permitted

- (1) Emergency copying to replace purchased copies which are not available for an imminent performance provided purchased replacement copies shall be substituted in a timely manner.
- (2) For academic purposes other than performance, single or multiple copies of excerpts of works may be provided that the excerpts do not comprise a part of the whole which would constitute a performance such as a section, movement or aria, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per pupil.
- (3) Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics altered or added.
- (4) Complete works which are out of print or unavailable except in large works and used for teaching purposes.
- (5) A single copy of sound recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the school or individual teacher.
- (6) A single copy of a sound recording or copyrighted music owned by the school or individual teacher may be made for the purpose of constructing aural exercises or examinations and may be retained for the same.
- (7) A portion of commercial music may be played as background music in student or faculty media productions.

b. Prohibited

- (1) Copying to create or replace or substitute for anthologies, compilations or collective works.
- (2) Copying of or from works intended to be “consumable” such as workbooks, exercises, standardized tests and answer sheets, or like materials, except as noted above in emergencies.
- (3) Copying for the purpose of performance, except as noted in above emergency situations.
- (4) Copying for the purpose of substituting for purchase of music except as in one or two under permissible uses.
- (5) Copying without the inclusion of the copyright notice which appears on the printed copy.

- (6) Use of reproduced music works, or music converted to another format (cd to tape), unless prior written permission has been secured.

3. Videotapes and Films

a. Criteria for Selection of Videotapes and Films

- (1) Videotapes or films must be relevant to the curriculum being studied and appropriate for the age and maturity level of students being taught.
- (2) Videotapes or films should be appropriate with respect to racial and gender stereotyping and the depiction of violence, even in animation.
- (3) Videotapes or films must be consistent with accepted standards of professional responsibility, rather than programs reflecting advocacy, personal opinion, bias, or partisanship.
- (4) Videotapes or films must be thoroughly reviewed by the instructor prior to use.

b. Criteria for ratings of Videotapes and Films:

- (1) MPAA G-rated videotapes or any unrated material which might fall into this category may be used in elementary and secondary schools with principal approval prior to the scheduled viewing date.
- (2) MPAA PG-rated videotapes or films or any unrated material which might fall into this category may be used in elementary, middle school, or secondary schools with principal approval prior to the scheduled viewing date and must comply with the school's policy on the evaluation and selection of instructional materials.
- (3) MPAA PG-13-rated videotapes or films or any unrated material which might fall into this category may be used in secondary schools with prior approval of the principal and must comply with the school's policy on the evaluation and selection of instructional materials. In middle schools, parental approval prior to the scheduled viewing date is also required.
- (4) MPAA R-rated or X-rated videotapes or films or any unrated material which might fall into this category shall not be shown or used in any classroom or as part of any activity involving elementary, middle, junior high or high school students.

c. AETN Programming

AETN programs have more liberal school off-air recording and use rights than other sources of video programming. The AETN newsletter (*Station Break*) published each month provides information concerning the rights to each program broadcast on AETN. These guidelines and use limitations should be followed when recording or using any AETN program for school use.

d. Broadcasting Channels

An individual may use video programs taped at home as long as (s)he complies with the criteria for selection and ratings as adopted by Cabot School District.

- (1) Videotaped recordings may be retained for no more than 45 calendar days after the recording date, at which time the tape(s) must be erased.
- (2) Videotaped recordings may be shown to students only within the first 10 consecutive school days of the 45 calendar-day retention period. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once when instructional reinforcement is necessary. The tape can be used for evaluation purposes until the 45 day period is up, at which time it must be erased.
- (3) Use of off-air recordings made from a satellite dish must conform to the 45 calendar day retention period established for broadcast and cable programming.
- (4) The taped program shall be used for the specific curriculum application for which it is intended.
- (5) Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content or combined to form teaching anthologies or compilations. All copies of off-air recordings must include the copyright notice on the broadcast programs as recorded.
- (6) Commercial news programs are excluded from the 10 day/45 day use and retention period. However, documentaries and magazine-format and public-affairs broadcasts are not excluded.
- (7) Cable Channels – Off-air taping of cable programs is prohibited for classroom use unless the cable channel is part of the Cable in the Classroom organization. Any program that is taped from a Cable in the Classroom channel should be used in accordance with the guidelines listed in the magazine, *Cable in the Classroom*.

- e. Wilbur D. Mills Educational Service Cooperative (WDMESC):
Currently, video materials are available to schools from WDMESC. These materials borrowed from the Coop's library may not be copied or transferred from one format to another.

- f. All video materials NOT owned by Cabot School District, individually purchased, pre-recorded, or rented videotapes, even though labeled "For Home Use Only" may be used in schools pursuant to Section 107 of the copyright law. The following guidelines should be used:
 - (1) Prior approval must be obtained from the principal before using video materials brought into schools for face to face instructional purposes.
 - (2) The performance should be part of a systematic course of instruction (face-to-face) and not for entertainment or recreation unless an educational performance license was granted at the time of purchase.
 - (3) Attendance at performances should be limited to the pupils enrolled in the course and their teacher(s).
 - (4) The performance should be given in a classroom or similar place of instruction, including libraries and gymnasiums.
 - (5) The performance should be given from a legitimately made copy which was not sold under a license or contract restricting school performances.

- g. Video Reproduction of School Productions
The school should not duplicate for financial gain or otherwise video tape school produced plays, musicals, etc, that require public performance rights unless these specific rights have been acquired by the district.

4. COMPUTER SOFTWARE

Cabot School District intends to comply with the license agreements and/or policy statements in the software packages used in instruction. In circumstances where the interpretation of the copyright law is ambiguous, the district shall look to the applicable license agreement to determine appropriate use of the software. To discourage violation of copyright laws:

- a. The ethical and practical implications of software piracy will be taught to educators and school children in all schools in the district.
- b. Employees will be informed that they are expected to adhere to the

provisions of Public Law 960157 which allows for the making of a back-up copy of computer programs under the following conditions:

- (1) A new copy is created as a necessary step in the utilization of the the computer program in conjunction with a machine and is used in no other manner.
 - (2) A new copy is for archival purposes only and all archival copies are destroyed in the event that the continued possession of the computer program should cease to be rightful.
 - (3) A new copy has been authorized for duplication by the author/publisher and that a courseware use agreement is on file at Central Administrative Office.
- c. When permission is obtained from the copyright holder to use software on a disk-sharing system, efforts will be made to secure this software from copying.
 - d. Under no circumstances shall illegal copies of copyrighted software be made or used on school equipment.
 - e. Multiple loading of software is prohibited unless written permission has been obtained.
 - f. Only certain personnel designated by the Central Administrative Office may sign license agreements for software for the district. Signed copies of software agreements should be on file.

5. Emerging Technologies

In the absence of clearly granted rights related to emerging technologies, it is recommended that educators contact the copyright holder for permission to manipulate or use these technologies in alternative ways.