

# **LIBRARY COLLECTION POLICIES**

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## **Barrington 220 Community Unit School District**

Barrington School Libraries....

Providing a resource-rich environment that empowers students to become effective users of information and technologies, fosters a love of reading, and prepares students for a productive role in a global society.

## **Introduction**

Barrington Community Unit School District 220 was formed in 1973 as a consolidated unit, combining two elementary districts and a high school district into one unit that educates students from pre-kindergarten through high school. Located about 35 miles northwest of Chicago, District 220 encompasses 72 square miles. It covers 12 villages: all of Barrington, Lake Barrington, Tower Lakes; and portions of Barrington Hills, Carpentersville, Deer Park, Fox River Grove, Port Barrington, Hoffman Estates, Inverness, North Barrington, and South Barrington. In addition, District 220 is geographically located in 4 counties: Cook, Lake, McHenry, and Kane. It has one high school, two middle school campuses for grades 6-8, eight elementary schools, and one early childhood center.

This document reflects library collection practices and aligns those practices with the Barrington CUSD 220 Instructional Materials Policy. It is intended as procedural guidelines for the District library information specialists.

## **Mission of the School Library Media Program**

In 2009 the American Association of School Librarians (AASL) revised the mission of the school library media program to reflect the expanding responsibilities of the school library media specialist in helping learners develop the skills needed to be successful in work and in life in the 21<sup>st</sup> century. The revised mission statement appears below:

“The mission of the school library media program is to ensure that students and staff are effective users of ideas and information. The school library media specialist (SLMS) empowers students to be critical thinkers, enthusiastic readers, skillful researchers, and ethical users of information by:

- collaborating with educators and students to design and teach engaging learning experiences that meet individual needs.
- instructing students and assisting educators in using, evaluating, and producing information and ideas through active use of a broad range of appropriate tools, resources, and information technologies.
- providing access to materials in all formats, including up-to-date, high-quality, varied literature to develop and strengthen a love of reading.
- providing students and staff with instruction and resources that reflect current information needs and anticipate changes in technology and education.
- providing leadership in the total education program and advocating for strong school library media programs as essential to meeting local, state, and national education goals.”

American Association of School Librarians. (2009). *Empowering learners: guidelines for school library media programs*. p. 8.

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## **J. Collection Management Policy**

### **1a. Overview**

The mission of Barrington CUSD 220 is to *“inspire all learners to achieve excellence.”* The Barrington CUSD 220 School Library Media Program supports the educational goals of its schools by developing information-literate students, creating lifelong learners, and helping teachers teach. The purpose and responsibility of the Barrington CUSD 220 School Library Media Program is to provide a comprehensive collection of educational materials that supports the curriculum, the philosophy, and the learning needs of its schools. To accomplish this mission, the following objectives for selection have been adopted:

1. To provide materials which support the curriculum and learning.
2. To provide equitable access to a variety of information materials that reflect the individual needs, interests, abilities, diverse socioeconomic backgrounds, variance in language and culture, and maturity levels of the students served.
3. To provide materials which reflect all sides of issues, beliefs, and ideas for the purpose of developing critical readers and thinkers.
4. To develop a collection of popular print and non-print materials of high interest that attracts students to reading for pleasure, recreation and personal interest.

### **1b. Selection Responsibility**

The Board of Education of Barrington CUSD 220 is legally responsible for all matters relating to the operation of the school district including the selection and purchase of all instructional materials. Authority for selection is delegated to the professional library staff. The library information specialist may work independently, and consult staff, students, other professionals, and community members for their suggestions regarding selection and recommendations. Staff may also be asked to view resources, though the final decision on selection rests with the library information specialist who can ensure the selection meets the collection needs.

Selection is based upon evaluation by:

- the professional (certified) library staff
- professional library journals and other review media
- other responsible professionals

The collection will be developed systematically, ensuring a well-balanced coverage of subjects, opinions, and formats and a wide range of materials on various levels of difficulty supporting the diverse interests, needs and viewpoints of the school community.

## **1c. Selection Criteria**

It is the primary objective of the library media center to implement, enrich, and support the educational curriculum of the school. Selection emphasis is placed on providing a wide range of fiction and nonfiction materials that promote a life-long love of reading, support the instructional program, and contribute to the professional goals of its staff. Materials reaching beyond the academic curricula, but meeting cultural, career, recreational, and information needs of the community are also given consideration. It is the responsibility of the library media center to provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view. Materials are selected to reflect cultures, beliefs, and viewpoints of our diverse community.

Criteria used in selection can be one or more of the following:

- Support the district's general educational goals and the educational goals and objectives of individual schools and specific courses.
- Enrich and support both the curriculum and the personal needs of our students and faculty, taking into consideration diverse interests, abilities, socioeconomic backgrounds, maturity levels, cultures, and extra-curricular interests.
- Encourage an appreciation for both informational and recreational reading, viewing, and listening.
- Include all print, non-print, and electronic materials.
- Meets standards of high quality in content, format, literary merit, authority of the author, and reputation of the publisher/producer.
- Represents opposing points of view on controversial issues, encouraging individual analysis.
- Expect usage ( for occasional needs, interlibrary loan may be used as a viable alternative to ownership).
- Currency and timeliness of the material.
- Incorporate emerging technology to meet the outlined criteria.

## **1d. Selection Procedure**

The library information specialist, in conjunction with teachers and administrators, will be responsible for the selection of materials. In coordinating this process, the library information professional will do the following:

1. Use reputable, unbiased, and professionally prepared selection aids when firsthand examination of materials is not possible.
2. Arrange, when possible, for firsthand examination of materials to be purchased.
3. Consider recommendations from faculty, students, parents, and the community.
4. Purchase duplicates of extensively used materials.
5. Purchase replacements for worn, damaged, or missing materials basic to the collection.
6. Identify strength and weakness of the existing collection in a particular subject area.
7. Consider cost efficiency of materials by providing the best value for the money and the long-term value to the collection.
8. Consider appropriateness of chosen format for the subject matter.

## **1e. Review Sources**

Tools used in selection include professional journals, trade journals, subject bibliographies, publishers' promotional materials, and reviews from reputable sources. Suggestions from patrons are welcome and provide library information specialists with useful information about interests or needs that may not be adequately met by the collection. Patron suggestions will be governed by this "Materials Selection Policy" when making additions to, or deleting from the collection. Outside professionals may also be consulted.

## **1f. Donations and Gifts**

Barrington CUSD 220 welcomes gifts of books, periodical subscriptions, media, and other educational materials and equipment. Materials and equipment are accepted with the understanding that the item(s) meet(s) the same standards as materials being considered for purchase. Gift materials may bear the name of the donor individual or organization.

Memorial materials may be donated and may bear the name of the person being honored. Persons wishing to make donations should be encouraged to leave the selection of such material to the school library information specialist or the Principal.

Gifts are irrevocable; those not added to the collection or those deleted from the collection may be disposed of as the library information specialist deems appropriate.

Delegated school district or library personnel reserve the right to determine appropriate use, housing, and maintenance of gifts.

In compliance with IRS policy, the library information specialist or other school district personnel will not appraise gifts. The donor will sign a donor contract indicating that the gift is irrevocable and subject to the statements set forth in this Gift Policy (See Appendix A for donor contract form).

## **1g. Evaluation**

The collection needs to be constantly evaluated to ensure that it meets the needs of its users. In coordinating this process, the library information specialist will do the following:

- Solicit suggestions from staff and students
- Survey students and staff during the school year to identify any areas of the collection lacking during that past year.
- Collect circulations statistics via the automated library system to relate the number of each type of resource in the collection and the circulation of these resources.
- Analyze the library collection using digital collection mapping tools.
- Acquire and study current curriculum documents: curriculum maps, program outcomes, course outcomes, unit and lesson plans.
- Be familiar with the content of the *Illinois Standards Aligned Instruction for Libraries*.
- Keep lists of unfulfilled requests or unmet needs.
- Consider balance of print, non-print, and electronic materials.
- Consider student demographics and collection balance.

## **1h. Deselection**

In compliance with American Library Association guidelines, the library media center collection will be continually reevaluated in relation to evolving curriculum, new formats of materials, new instruction methods, and the current needs of its users. Materials no longer appropriate should be removed from the collection. The library information specialist assumes the responsibility for deselection, or weeding, the collection. Weeding is an ongoing process practiced throughout the year by the library professional staff to make space available for valuable items; to provide a more appealing, up-to-date collection; to make the library easier for patrons to use; and to provide reliable information. Resources will be removed from circulation using the following criteria:

1. Materials are worn, torn, or spoiled; or if pages or parts are missing or have significant disfigurement as to destroy the value.
2. Materials contain information that is out-of-date, factually inaccurate or stereotypical images and characterizations.

3. The technical quality of non-print materials is poor (faded or off-color visual, faulty or inferior audio) or the format is obsolete.
4. Materials do not fit the general purpose of the library media center.

Process discarded materials according to the **Discarding Materials** procedure in this document.

## **1i. Lost and Damaged Items**

Students are responsible for all materials borrowed in their name and must pay replacement costs, plus processing fee, if the items are lost or damaged. Library automation system reminders with the replacement cost will be given to students. If the items are still outstanding, a letter is sent or a phone call is made to the parent or guardian. If the items are not returned or paid for, the student may have restricted borrowing privileges.

Follow acceptable alternatives for dealing with lost and damaged materials;

- Collect replacement cost of item.
- Assign school-community service.
- Accept reasonable replacement copy.

## **1j. Discarding Materials**

Items that are discarded because they are worn out, outdated, biased, etc., must be disposed of according to the following procedures. Items that meet district criteria, but are discarded from the library collection because they no longer circulate, may be placed in a classroom for further use by teachers and students.

1. Change home location to Discard/Withdrawn in the library automation system.
2. Remove barcode, spine label, and date due pocket/slip.
3. Stamp "DISCARD" or "WITHDRAWN" over school library stamp.
4. Box the discard materials and label box with school name, "SURPLUS," and date.
5. Print a list of the discarded items using the List Item report and place in box(es).
6. Arrange for transfer of box(es) to the central processing office.

## II. Reevaluation of Materials Policy

### 2a. Overview

The Board of Education of Barrington CUSD 220, which is responsible for the purchase of all materials, recognizes the student's right of free access to many different types of materials. The Board also recognizes the right of teachers and administrators to select materials in accord with current trends in education and to make them available in the schools. Once an item has been accepted as qualifying under the District Materials Selection Policy, it will not be removed at the request of those who disagree with its inclusion unless it can be shown that retention of the item would be a violation of that policy.

Selection of resources will not be made on the basis of any anticipated approval or disapproval. The choice of library materials is an individual matter. While a person may reject materials for oneself, he or she may not restrict access to those materials by others. Selection will be based solely on the merits of the work as outlined in the Barrington CUSD 220 Library Policies. The Board subscribes to the following:

- *Library Bill of Rights* (American Library Association)
- *Access to Resources and Services in a School Library Media Program* (American Library Association)
- *Freedom to Read Statement* (American Library Association)

### 2b. Procedures for Reevaluation of Materials

The district library program supports the rights and responsibilities regarding free speech both written and oral. There may be objections to certain materials at some point and the following procedures should be employed:

#### 1. *Library Media Center Review*

An effort should be made before filing a formal objection, to rectify the matter informally by contacting the library information specialist of the school where the complaint took place. The person questioning the materials will discuss his or her concern with the school library information specialist from the designated school library where the material was borrowed. The library information specialist will explain how the materials are selected and if possible, provide a professional review of the questioned material. In the event that the problem cannot be resolved informally, the complainant may present a formal objection.

A request for review or reconsideration of any library material in the school shall be presented in writing (form available upon request) and shall include a full description of the work in question along with specific items, passages, excerpts or parts of the material to which the objection is being made. Reasons for objections shall be given and the

statement shall be signed and dated. If the librarian has not received the formal request within two weeks, it shall be considered closed.

## *2. School Review*

The person questioning the material will return a completed “Request for Reevaluation of Materials Form” to the school library information specialist who will forward a copy to the principal and to the district Director of Library Media Services. All questioned materials will remain in circulation until a final decision is reached. The school library information specialist and principal will view the questioned material in its entirety and complete a “Request for Reevaluation of Materials Form.” A meeting will be held with the school library information specialist, the complainant, and principal within 10 school days to review the questioned material. If the challenge is unresolved to the satisfaction of all parties, the questioned material will be referred to a District Review Committee for further review.

## *3. District Review*

A district review committee will be selected by the Director of Library Media Services and will comprise of:

- a parent
- a district/school administrator
- a district certified teacher
- a district certified school library information specialist

The committee members are responsible for reading the questioned material in its entirety and for making one of the following recommendations:

- Leave material on the library shelf
- Reclassify the material
- Restrict the use of material
- Remove the material from the collection

The committee will make a recommendation about the material’s status to the School Board. The Board will review the committee decision and determine the item’s final disposition. The Board’s decision is final. Material that has undergone a review may neither be reconsidered nor brought up for reevaluation until one calendar year after the recommendation is given. The principal shall notify the complainant of the decision of the Board.

**2c. Request Form**

**Barrington Community School District 220**

**Request for Reevaluation of Materials**

*Please return the completed form to the school librarian within 10 school days. Please print.*

**Questioned Material:**

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher or Producer: \_\_\_\_\_

Type of Material: \_\_\_\_\_

(library material, assigned text, supplemental reading material)

\_\_\_ Book \_\_\_ Magazine \_\_\_ Newspaper \_\_\_ Audio Recording \_\_\_ Other (please specify)

\_\_\_ Electronic Information/Network \_\_\_ Video/DVD \_\_\_ Software

**Person Questioning the Material:**

Name of Requester: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_

Telephone: \_\_\_\_\_ School Site: \_\_\_\_\_

Do you represent self? \_\_\_\_\_ Organization \_\_\_\_\_ If an organization, please specify:

\_\_\_\_\_

What would you like the District to do about this resource?

- Withdraw it from the District's educational program.
- Refer it to a District committee for evaluation.
- Exclude the student(s) listed below from using the resource.

\_\_\_\_\_

What brought this resource to your attention? \_\_\_\_\_

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Have you read or viewed this material in its entirety? \_\_\_\_\_

Are you aware of professional evaluations and reviews of this material? If so, please attach. \_\_\_\_\_

What concerns you about this resource? (Please be specific, cite pages or frames, use additional pages if necessary):

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What do you believe is the main idea, concept, or purpose of this material? \_\_\_\_\_

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Are you familiar with the curriculum to which this material relates or the teacher's purpose in using this work? \_\_\_\_\_

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What do you feel might be the result of reading/viewing this material in a learning situation? \_\_\_\_\_

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Signature of Requester: \_\_\_\_\_ Date \_\_\_\_\_

### **III. Barrington CUSD 220 Board Policy – Copyright**

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the District's copyright compliance procedures and to obey the copyright laws. No staff member shall, without first obtaining the permission of the Superintendent or designee, install or download any program on a District-owned computer. The District is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the superintendent, or the person designated as the copyright compliance officer, whenever the staff member is uncertain about whether using or copying material complies with the District's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. At no time shall it be necessary for a District staff member to violate copyright laws in order to properly perform his or her duties.

Adopted July 1, 2001.

#### **3.a. Fair Use**

Fair use provides users the rights to make reasonable uses of copyrighted materials without the specific consent of the author. The responsibility of proving fair use falls to the educator using the materials.

There are six guidelines reserved exclusively for the copyright holder of a copyrighted work:

1. Reproduction – the right to reproduce the work in copies.
2. Adaptation – the right to produce derivative works based on the copyrighted work.
3. Distribution – the right to distribute copies.
4. Performance – the right to perform the work publicly
5. Display – the right to display the work publicly
6. Digital performance of sound recordings.

Copyright law provides several fair use exemptions in which reproduction of copyrighted materials is permissible. In determining fair use, the following factors must be considered:

1. The purpose of character of the 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
4. The effect of the use upon the potential market for or value of the copyrighted work.

All four of the above fair use factors are considered in determining an appropriate application of the fair use doctrine.

### **Photocopying**

#### **You may reproduce a single copy of the following:**

1. A chapter from a book
2. An article from a periodical or newspaper
3. A short story, sort essay or short poem, whether or not from a collective work
4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

#### **You may reproduce multiple copies of the following:**

1. A complete poem if less than 250 words and if not printed on more than two pages
2. An excerpt from a long poem, but not to exceed 250 words
3. A complete article, story or essay of less than 2,500 may be copied in its entirety
4. An excerpt from a play, a novel, or a letter, but not to exceed 1000 words or 10% of the whole, whichever is less
5. Only two pages of a picture book may be copied as long as those pages do not comprise more than 10% of the text of the book
6. One chart, graph, diagram, cartoon, or picture per book or periodical issue
7. Special works, e.g. an anthology, combing prose, poetry and illustration, not limited to no more than 10% of the total

Note: All preceding must bear the copyright notice or legend.

#### **Limits to the preceding:**

1. Copying is made for one course only
2. One work from a single author
3. No more than three authors from a collective work
4. No more than 9 items in multiples per one class term
5. Copying should not be used to create or replace or substitute for anthologies or collective works
6. Copying of “consumable” works, i.e. workbooks, exercises, standardized tests, test booklets and answer sheets is absolutely prohibited.
7. Same item may not be reproduced from term to term
8. No charge may be made to students beyond actual photocopying cost

Note: The limitations above do no apply to current news periodicals, newspapers, current news section of other periodicals.

## **Computer Software**

1. The owner of a copy of a software program may make another copy or adaptation of the program.
  - a. If it is an essential step to utilize that program in conjunction with a machine, i.e. to load it on a hard drive, to translate from one computer language to another or to convert from a floppy disk to a CD.
  - b. When it is for archival purposes.
2. You may have only one backup of a software program. This backup copy is for emergency uses only and may never be installed onto another computer. This includes loading a program on to more than one computer by using one CD or diskette intended for a single user.
3. If a computer program must be installed onto a network, a network license is required.
4. You may not install a computer program on our computer at home and your computer at school unless you own two copies of the programs or have permission to do so from the copyright owner or the software license.

## **Music**

Public performance of recorded music is prohibited unless the performance rights have been granted.

### **You may make copies of music under the following conditions:**

1. An emergency photocopy for an imminent performance, however one must purchase a replacement copy as soon as possible.
2. The photocopy of an excerpt of a work does not exceed 10% of a work and does not constitute a performable unit, i.e. a section, movement, or aria.
3. A single copy of a copyrighted performance by students is used for evaluation or rehearsal purposes.
4. When a recording format is obsolete i.e. 33 1/3 or 45 rpm, and no other version is available for purchase, you may transfer the recording to a suitable format.

5. A multimedia presentation may use up to 30 seconds of a popular song.
6. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not (a) distorted, or (b) the lyrics, if any, are not distorted, and (c) no lyrics are added.

**Limits to the preceding:**

1. The owner of a sound recording may not make copies of the original even archival copies.
2. Copies may not be made to substitute for actual purchase of the music except in an emergency for academic purposes as outlined as above.
3. Copies may not be made without including the copyright notice which appears on the printed copy.

**Audiovisual – Off-Air Taping**

According to the Fair Use Guidelines an educational institution may tape programs off-air if they adhere to the following conditions:

1. The privilege of off-air taping applies only to non-profit educational institutions. Programs must be used directly for instruction and not for entertainment.
2. A broadcast program may be recorded off-air simultaneously with broadcast transmission and retained by the educational institution for a period not to exceed 45 calendar days after the date of recording. The program then must be erased. Cable programs may have different copyright restrictions. Check Cable in the Classroom (<http://ciconline.org>) for guidelines.
3. Even though the program may be held 45 days, it may only be used once and repeated once with each class by an individual teacher during the first 10 consecutive school days during the 45-day calendar retention period.
4. After the first consecutive school days, off-air recordings may be used up to the end of the 45-day retention period only for teacher evaluation purposes and may not be used for student exhibition.
5. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded off-air more than once by the same teacher, regardless of the number of times the program may be broadcast.

6. The program must be recorded in its entirety including copyright notice, and may not be altered. Off-air recording may not be physically or electronically combined compilations.
7. A record must be maintained and on file of all off-air programs shown to students.
8. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

## **Reproduction of Audiovisual Works**

### **Permissible Uses**

1. Creating a series of slides or overhead transparencies from multiple sources, such as magazines, books, encyclopedias, etc. as long as the series doesn't exceed one photograph, drawing, chart or diagram per source.
2. Creating a single overhead transparency from a single page of a consumable workbook.
3. Using a projector to enlarge a map of an area for tracing in a larger scale, as long as the map is not reproduced with those parts that make it copyrightable, such as, color scheme, how cities and buildings are symbolized, etc.
4. Duplicating visual or audio materials of a non-dramatic literary work in order to provide materials for the deaf or blind.

### **Prohibitions**

1. No duplication of cassette tapes for archival, backup or multiple uses unless reproduction rights were given at the time of purchase.
2. No reproduction of any audio-visual work in its entirety.
3. No conversion of one media format into another, for example, videotape to DVD or cassette to CD.

## **Film and Video**

In order to use a film or video in the educational program without having to pay royalties for public performance, the use must meet all four of the following criteria:

1. The performance must take place in a classroom or other place of instruction in a nonprofit educational institution; and
2. The performance must be directed by students or teachers of the institution; and
3. The performance must be the in the course of face-to-face teaching activities; and
4. The performance must be made from a copy of the work, which was legally made or acquired.

**The following practices are never acceptable with film or video:**

1. Using a program for recreation or reward without acquiring performance rights;
2. Making an anthology or collection from clips or excerpts;
3. Transferring the work to another medium, e.g. film to video, or video to computer disk except in cases of obsolete media.

### **Internet**

Copyright protection exists for every creator on the Internet. Access to works on the Internet does not mean that these works can be reproduced and reused without permission or royalty payment. Classroom use of materials retrieved from the Internet must be weighed against all four fair use factors just as one may claim fair use for print and audiovisual materials.

**The following practices are acceptable for teachers and students:**

1. Download to a printer, the bibliographic citations or full text of a document identified during a search of a commercial database as the terms of the schools contract with the vendors specify.
2. Use download material for individual research or teaching.
3. Reproduce or otherwise incorporate a work as part of a multimedia program from a copyrighted database or data table up to 10% or 2500 fields or cell entries, whichever is less.

4. Students have more freedom than teachers to use copyrighted materials from the Internet, however the copies made from the Internet must reside with the student.

**The following practices are never allowed:**

1. Reproduction of photographs, images, music, text, and source code in a manner that would violate copyright law.
2. Copying the entire contents of a Web page.
3. Taking information from a Web site, such as the design or graphics, and changing the appearance slightly in order to claim it as a new copyrightable work.
4. Reproduction of a compiled list of links.

**Guidelines for District Online Classrooms**

It is not copyright infringement for teachers and students at an accredited, nonprofit educational institution to transmit performances and displays of copyrighted works as part of an online course if certain conditions are met. If these conditions are not or cannot be met, use of the materials will have to qualify as a fair use or permission from the copyright holder must be obtained.

**What:**

Performances of nondramatic literary works or

Performances of nondramatic musical works or

Performances of reasonable portions of any other work or

Display of any other work in an amount comparable to that typically displayed in a live classroom setting.

**But Not:**

Digital educational works (Works produced or marketed as primarily for performance/display as part of mediated instructional activities transmitted via digital networks) or

Unlawful copies (copies you know or reasonable should know were not lawfully made of acquired).

**When:**

By, at the direction of, or under the actual supervision of the teacher, and as an integral part of a class session, and as part of systematic mediated instructional activities, and directly related and of material assistance to the teaching content.

**How:**

Transmission made solely for and reception limited to (as technologically feasible) students enrolled in the course, and the following controls are in place:

Students may only access the online classroom by using a teacher-assigned password.

Students may only access the materials displayed in the online classroom for the time they are enrolled in the course.

**Fair Use Guidelines for Educational Multimedia for Barrington CUSD 220**

In creating a multimedia presentation, the teacher or student may use a number of separate copyrighted works such as video, graphics, music or other sound recordings, and computer software. This document outlines the limits of acceptable use of copyrighted materials in fair use situations for educational multimedia in Barrington CUSD 220.

**Fair Use Guidelines for Educational Multimedia**

These guidelines refer to multimedia projects created by students and teachers for their own use to meet specific instructional objectives. In general, the portions used must be from lawfully acquired copyrighted works. The multimedia projects created incorporate the copyrighted material with the student's or teacher's original materials. Other fair use guidelines may apply in specific cases, e.g., off-air taping.

All multimedia works, by either teacher or student, must include a statement that the works contain copyrighted materials under the Fair Use exemption of the U.S. Copyright Law. Permission must be sought for all copyrighted work used in their multimedia projects if they are used for non-educational or commercial purposes. Multimedia presentations created by both students and educators must have a citation page which includes the source for the material and the images used in the presentation.

**Permissible for Students**

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

- Students may perform and display these multimedia projects in the district course for which they were created.
- Students may keep their projects indefinitely in their portfolios as examples of their academic work.
- Students need to follow the district copyright guidelines.
- The portion limitations apply cumulatively to each student's project(s) for the same academic semester, cycle, or term.
- Students in grades K-6 are granted more leeway in their use of copyrighted material in terms of the portions limitations.
- Middle school and high school students should properly cite all sources used, including images, graphics, and/or audio.

### **Permissible for Educators**

- Teachers may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia programs in support of curriculum-based instructional activities within the school district.
- Teachers may perform and display these multimedia programs to students in face-to-face instruction or as assigned, directed self-study.
- Teachers may use their multimedia projects for instructional use for a period of up to two years after the first instructional use with a class.
- Teachers may perform or display these multimedia programs at workshops, in-services, and conferences for their peers.
- Teachers may retain projects indefinitely in a portfolio for later personal use purposes such as a tenure review or a job interview.
- The portion limitations apply cumulatively to each teacher's project(s) for the same academic semester, cycle or term.

### **Limitations - Time, Portion, Copying, and Distribution**

- Teachers may use their educational multimedia projects for teaching for up to two years after the first instructional use with a class. Use beyond that, even for

educational purposes, requires permission for each copyrighted portion included in the program.

- Motion Media: 10% or 3 minutes, whichever is less.
- Text Material: 10% or 1000 words, whichever is less.
- Music, Lyrics, and Music Video: Up to 10%, but no more than 30 seconds from an individual musical work or the total extracts from an individual work; any alterations to the musical work should not change the basic melody of the fundamental character of the work.
- Illustrations, Cartoons, and Photographs: Not more than 5 images by an artist or photographer; when from a published collective work, not more than 10% or 15 images, whichever is less.
- Numerical Data Sets: 10% or 2500 fields or cell entries, whichever is less, from a copyrighted database or data table.
- Teachers may make no more than two copies of their multimedia programs, only one of which may be placed in reserve in, e.g. the library media center or computer lab. An archival copy may be made, but only used or copied to replace a lost, stolen, or damaged copy.
- Teachers and students must ask for permission to commercially reproduce and distribute their project(s) or use over electronic networks.

### **Reminders for Students and Educators**

- Apply caution when incorporating works downloaded from the Internet.
- Credit sources and display the copyright notice. Give the full bibliographic citation. The copyright notice includes ©, year of first publication, and the name of the copyright holder, e.g. Copyright © 1997 by Rabbit Ears Production.
- Include a notice on the opening screen that certain materials are used under fair use and are restricted from further use.

## **Requesting Permission to Use Copyrighted Materials**

Beyond the limits of fair use, educators must request permission to use copyrighted materials. Most copyright owners will grant permission for one-time use of parts of their works without charge or upon payment of a minimal fee. Blanket permission should not be requested. Such permission cannot, in most cases be granted. A sample request for permission appears in the Appendix.

## **Guidelines to Remember When Creating Multimedia Presentations**

The following guidelines should be posted in all district Computer Labs and Library Media Centers (Appendix):

- Students and teachers may use copyrighted material in multimedia presentations if quantity limits are observed.
- Students and teachers may use copyrighted material in multimedia presentations if they support direct instruction.
- Students and teachers may keep the multimedia presentations they create for class, though teachers face a 2-year limit.
- Specific limits are established for the amount of material that may be used in multimedia presentations, based on the original medium.

## **Copyright Permission Form**

The following permission form should be surface mailed, faxed, or e-mailed to the copyright holder of the material. Be sure to include the following:

1. The exact item you want to copy ( i.e. what slide, what sequence from a video, what chapters from a book.
2. The number of copies you will be making and how you will be using them.
3. Whether the material will be used in a for-profit or not-for-profit venture.
4. Distribution of the copies (within the district, school, parents of students, etc.).



*Inspiring all learners to  
achieve excellence*

Barrington Community  
Unit School District 220

**BARRINGTON HIGH  
SCHOOL**

•

**BARRINGTON MIDDLE  
SCHOOLS**

Prairie Campus

Station Campus

•

**ELEMENTARY SCHOOLS**

Countryside

Grove Avenue

Hough Street

Arnett C. Lines

North Barrington

Barbara B. Rose

Roslyn Road

Sunny Hill

Woodland

Date \_\_\_\_\_

Permissions Department  
Copyright Owner  
Address \_\_\_\_\_

Dear Permissions Editor:

Our school is requesting permission to use the following material: [describe the work including title, author, date of publication and pages you wish to use. Attach a copy of the material if possible.]. A copy is attached for your reference. Specifically, we would like to [describe how you want to use the material; e.g. reprint, photocopy, publish on-line, use in a multimedia work, etc.] We will be distributing or publishing the material [describe distribution method, the audience, length of finished publication, dates of distribution and whether any fee will be involved.]

If you are not the sole owner in the rights to this work, kindly provide information about other copyright owners including the addresses of persons from whom I should request permission.

If you wish the work to include a specific copyright notice, please include that notice below:

Sincerely,

Signature

\*\*\*\*\*

Please sign the statement below and return in the stamped self-addressed envelope that is enclosed for your convenience. \_\_\_\_\_ This request has been APPROVED, and my signature indicates that I have the authority to grant the permission requested.

\_\_\_\_\_ This approval is limited in the following respects: [Add any limiting language or requirements here.]

\_\_\_\_\_

\_\_\_\_\_ This request has been DENIED.

Name (Please Print) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## **IV. Appendix**



*Inspiring all learners to  
achieve excellence*

Barrington Community  
Unit School District 220

**BARRINGTON HIGH SCHOOL**

•

**BARRINGTON MIDDLE SCHOOLS**

Prairie Campus

Station Campus

•

**ELEMENTARY SCHOOLS**

Countryside

Grove Avenue

Hough Street

Arnett C. Lines

North Barrington

Barbara B. Rose

Roslyn Road

Sunny Hill

Woodland

## *Donor Contract*

*Barrington CUSD 220*

I, \_\_\_\_\_, have donated to Barrington  
CUSD 220 the items identified on the inventory appended to this  
document.

I understand the gift is irrevocable and subject to the statements set forth  
in the Gift Policy of Barrington CUSD 220.

I understand that if I wish to claim a charitable tax deduction for this gift  
donation, then I am responsible for estimating the value of the materials.  
IRS regulations place responsibility for assigning any dollar value to the  
gift materials upon the donor.

\_\_\_\_\_

(Signature of donor)

Date \_\_\_\_\_

## **4b. Library “Bill of Rights”**

### **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.

- I. 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.
  
- II. Libraries should 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 disapproval.
  
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
  
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.
  
- V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.
  
- VI. Libraries which make exhibit spaces 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 January 23, 1996, by the ALA Council

## 4c. Freedom to Read Statement

### Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label “controversial” views, to distribute lists of “objectionable” books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be “protected” against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

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This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

#### **4d. Access to Resources and Services in the School Library Media Program**

##### **An Interpretation of the LIBRARY BILL OF RIGHTS**

The school library media program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem-solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library media program, the principles of the Library Bill of Rights apply equally to all libraries, including school library media programs. Under these principles, all students have equitable access to library facilities, resources, and instructional programs.

School library media specialists assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School library media specialists work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Intellectual freedom is fostered by educating students in the use of critical thinking skills to empower them to pursue free inquiry responsibly and independently. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School library media specialists cooperate with other individuals in building collections of resources that meet the needs as well as the developmental and maturity levels of students. These collections provide resources that support the mission of the school district and are consistent with its philosophy, goals, and objectives. Resources in school library media collections are an integral component of the curriculum and represent diverse points of view on both current and historical issues. These resources include materials that support the intellectual growth, personal development, individual interests, and recreational needs of students.

While English is, by history and tradition, the customary language of the United States, the languages in use in any given community may vary. Schools serving communities in which other languages are used make efforts to accommodate the needs of students for whom English is a second language. To support these efforts, and to ensure equitable access to resources and services, the school library media program provides resources that reflect the linguistic pluralism of the community.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library media program have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School library media specialists resist efforts by individuals or groups to define what is appropriate for all students or teachers to read, view, hear, or access via electronic means.

Major barriers between students and resources include but are not limited to imposing age, grade-level, or reading-level restrictions on the use of resources; limiting the use of interlibrary loan and access to electronic information; charging fees for information in specific formats; requiring permission from parents or teachers; establishing restricted shelves or closed collections; and labeling. Policies, procedures, and rules related to the use of resources and services support free and open access to information.

It is the responsibility of the governing board to adopt policies that guarantee students access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. It is the responsibility of school library media specialists to implement district policies and procedures in the school to ensure equitable access to resources and services for all students.

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Adopted July 2, 1986, by the ALA Council; amended January 10, 1990; July 12, 2000; January 19, 2005; July 2, 2008.

#### **4e. Confidentiality of Library Records**

##### **Confidentiality of Library Records**

The members of the American Library Association,\* recognizing the right to privacy of library users, believe that records held in libraries which connect specific individuals with specific resources, programs or services, are confidential and not to be used for purposes other than routine record keeping: i.e., to maintain access to resources, to assure that resources are available to users who need them, to arrange facilities, to provide resources for the comfort and safety of patrons, or to accomplish the purposes of the program or service. The library community recognizes that children and youth have the same rights to privacy as adults.

Libraries whose record keeping systems reveal the names of users would be in violation of the confidentiality of library record laws adopted in many states. School library media specialists are advised to seek the advice of counsel if in doubt about whether their record keeping systems violate the specific laws in their states. Efforts must be made within the reasonable constraints of budgets and school management procedures to eliminate such records as soon as reasonably possible.

With or without specific legislation, school library media specialists are urged to respect the rights of children and youth by adhering to the tenets expressed in the Confidentiality of Library Records Interpretation of the Library Bill of Rights and the ALA Code of Ethics.

##### **Family Education Rights and Privacy Act (1974)**

“Congress passed the Family Educational Rights and Privacy Act (also known as the Buckley Amendment) to protect the accuracy and confidentiality of student records; it applies to all schools receiving federal funding. The Act prevents educational institutions from disclosing student records or personally identifiable information to third parties without consent, but does not restrict the collection or use of information by schools. The statute also requires educational institutions to give students and their parents access to school records and an opportunity to challenge the content of records they believe to be inaccurate or misleading.”

##### **Illinois Compiled Statutes (75 ILCS 70/) Library Records Confidentiality Act.**

(75 ILCS 70/1) (from Ch. 81, par. 1201)

Sec. 1. (a) The registration and circulation records of a library are confidential information. No person shall publish or make any information contained in such records available to the public unless:

(1) required to do so under a court order; or

(2) the information is requested by a sworn law enforcement officer who represents that it is impractical to secure a court order as a result of an emergency where the law enforcement officer has probable cause to believe that there is an imminent danger of physical harm. The information requested must be limited to identifying a suspect, witness, or victim of a crime. The information requested without a court order may not include the disclosure of registration or circulation records that would indicate materials borrowed,

resources reviewed, or services used at the library. If requested to do so by the library, the requesting law enforcement officer must sign a form acknowledging the receipt of the information. A library providing the information may seek subsequent judicial review to assess compliance with this Section.

This subsection shall not alter any right to challenge the use or dissemination of patron information that is otherwise permitted by law.

(b) This Section does not prevent a library from publishing or making available to the public reasonable statistical reports regarding library registration and book circulation where those reports are presented so that no individual is identified therein.

(b-5) Nothing in this Section shall be construed as a privacy violation or a breach of confidentiality if a library provides information to a law enforcement officer under item (2) of subsection (a).

(c) For the purpose of this Section, (i) "library" means any public library or library of an educational, historical or eleemosynary institution, organization or society; (ii) "registration records" includes any information a library requires a person to provide in order for that person to become eligible to borrow books and other materials and (iii) "circulation records" includes all information identifying the individual borrowing particular books or materials. (Source: P.A. 95-40, eff. 1-1-08.)

(75 ILCS 70/2) (from Ch. 81, par. 1202)

Sec. 2. This Act may be cited as the Library Records Confidentiality Act (Source: P.A. 86-1475.)

**Barrington Community School District 220**

**Request for Reevaluation of Materials**

*Please return the completed form to the school librarian within 10 school days. Please print.*

**Questioned Material:**

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher or Producer: \_\_\_\_\_

Type of Material: \_\_\_\_\_

(library material, assigned text, supplemental reading material)

\_\_\_ Book \_\_\_ Magazine \_\_\_ Newspaper \_\_\_ Audio Recording \_\_\_ Other (please specify)

\_\_\_ Electronic Information/Network \_\_\_ Video/DVD \_\_\_ Software

**Person Questioning the Material:**

Name of Requester: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zipcode: \_\_\_\_\_

Telephone: \_\_\_\_\_ School Site: \_\_\_\_\_

Do you represent self? \_\_\_\_\_ Organization \_\_\_\_\_ If an organization, please specify:

\_\_\_\_\_

What would you like the District to do about this resource?

- Withdraw it from the District's educational program.
- Refer it to a District committee for evaluation.
- Exclude the student(s) listed below from using the resource.

\_\_\_\_\_

What brought this resource to your attention? \_\_\_\_\_

---

---

Have you read or viewed this material in its entirety? \_\_\_\_\_

Are you aware of professional evaluations and reviews of this material? If so, please attach. \_\_\_\_\_

What concerns you about this resource? (Please be specific, cite pages or frames, use additional pages if necessary):

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---

---

---

What do you believe is the main idea, concept, or purpose of this material? \_\_\_\_\_

---

---

Are you familiar with the curriculum to which this material relates or the teacher's purpose in using this work? \_\_\_\_\_

---

What do you feel might be the result of reading/viewing this material in a learning situation? \_\_\_\_\_

---

Signature of Requester: \_\_\_\_\_ Date \_\_\_\_\_



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Hough Street

Arnett C. Lines

North Barrington

Barbara B. Rose

Roslyn Road

Sunny Hill

Woodland

Date \_\_\_\_\_

Permissions Department  
Copyright Owner  
Address \_\_\_\_\_

Dear Permissions Editor:

Our school is requesting permission to use the following material: [describe the work including title, author, date of publication and pages you wish to use. Attach a copy of the material if possible.]. A copy is attached for your reference. Specifically, we would like to [describe how you want to use the material; e.g. reprint, photocopy, publish on-line, use in a multimedia work, etc.] We will be distributing or publishing the material [describe distribution method, the audience, length of finished publication, dates of distribution and whether any fee will be involved.]

If you are not the sole owner in the rights to this work, kindly provide information about other copyright owners including the addresses of persons from whom I should request permission.

If you wish the work to include a specific copyright notice, please include that notice below:

Sincerely,

Signature

\*\*\*\*\*

Please sign the statement below and return in the stamped self-addressed envelope that is enclosed for your convenience. \_\_\_\_\_ This request has been APPROVED, and my signature indicates that I have the authority to grant the permission requested.

\_\_\_\_\_ This approval is limited in the following respects: [Add any limiting language or requirements here.]

\_\_\_\_\_

\_\_\_\_\_ This request has been DENIED.

Name (Please Print) \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

#### **4.h. Fair Use Guidelines**

Fair use provides users the rights to make reasonable uses of copyrighted materials without the specific consent of the author. The responsibility of proving fair use falls to the educator using the materials.

There are six guidelines reserved exclusively for the copyright holder of a copyrighted work:

2. Reproduction – the right to reproduce the work in copies.
2. Adaptation – the right to produce derivative works based on the copyrighted work.
3. Distribution – the right to distribute copies.
4. Performance – the right to perform the work publicly
5. Display – the right to display the work publicly
6. Digital performance of sound recordings.

Copyright law provides several fair use exemptions in which reproduction of copyrighted materials is permissible. In determining fair use, the following factors must be considered:

2. The purpose of character of the 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
4. The effect of the use upon the potential market for or value of the copyrighted work.

All four of the above fair use factors are considered in determining an appropriate application of the fair use doctrine.

#### **Photocopying**

**You may reproduce a single copy of the following:**

4. A chapter from a book
2. An article from a periodical or newspaper
3. A short story, sort essay or short poem, whether or not from a collective work
4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

**You may reproduce multiple copies of the following:**

2. A complete poem if less than 250 words and if not printed on more than two pages

5. An excerpt from a long poem, but not to exceed 250 words
6. A complete article, story or essay of less than 2,500 may be copied in its entirety
4. An excerpt from a play, a novel, or a letter, but not to exceed 1000 words or 10% of the whole, whichever is less
5. Only two pages of a picture book may be copied as long as those pages do not comprise more than 10% of the text of the book
8. One chart, graph, diagram, cartoon, or picture per book or periodical issue
9. Special works, e.g. an anthology, combining prose, poetry and illustration, not limited to no more than 10% of the total

Note: All preceding must bear the copyright notice or legend.

**Limits to the preceding:**

9. Copying is made for one course only
10. One work from a single author
11. No more than three authors from a collective work
12. No more than 9 items in multiples per one class term
13. Copying should not be used to create or replace or substitute for anthologies or collective works
14. Copying of “consumable” works, i.e. workbooks, exercises, standardized tests, test booklets and answer sheets is absolutely prohibited.
15. Same item may not be reproduced from term to term
16. No charge may be made to students beyond actual photocopying cost

Note: The limitations above do not apply to current news periodicals, newspapers, current news section of other periodicals.

**Computer Software**

5. The owner of a copy of a software program may make another copy or adaptation of the program.
  - a. If it is an essential step to utilize that program in conjunction with a machine, i.e. to load it on a hard drive, to translate from one computer language to another or to convert from a floppy disk to a CD.
  - b. When it is for archival purposes.
2. You may have only one backup of a software program. This backup copy is for emergency uses only and may never be installed onto another computer. This includes loading a program on to more than one computer by using one CD or diskette intended for a single user.

3. If a computer program must be installed onto a network, a network license is required.
4. You may not install a computer program on our computer at home and your computer at school unless you own two copies of the programs or have permission to do so from the copyright owner or the software license.

### **Music**

Public performance of recorded music is prohibited unless the performance rights have been granted.

#### **You may make copies of music under the following conditions:**

3. An emergency photocopy for an imminent performance, however one must purchase a replacement copy as soon as possible.
4. The photocopy of an excerpt of a work does not exceed 10% of a work and does not constitute a performable unit, i.e. a section, movement, or aria.
3. A single copy of a copyrighted performance by students is used for evaluation or rehearsal purposes.
4. When a recording format is obsolete i.e. 33 1/3 or 45 rpm, and no other version is available for purchase, you may transfer the recording to a suitable format.
5. A multimedia presentation may use up to 30 seconds of a popular song.
6. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not (a) distorted, or (b) the lyrics, if any, are not distorted, and (c) no lyrics are added.

#### **Limits to the preceding:**

1. The owner of a sound recording may not make copies of the original even archival copies.
2. Copies may not be made to substitute for actual purchase of the music except in an emergency for academic purposes as outlined as above.

3. Copies may not be made without including the copyright notice which appears on the printed copy.

### **Audiovisual – Off-Air Taping**

According to the Fair Use Guidelines an educational institution may tape programs off-air if they adhere to the following conditions:

1. The privilege of off-air taping applies only to non-profit educational institutions. Programs must be used directly for instruction and not for entertainment.
2. A broadcast program may be recorded off-air simultaneously with broadcast transmission and retained by the educational institution for a period not to exceed 45 calendar days after the date of recording. The program then must be erased. Cable programs may have different copyright restrictions. Check Cable in the Classroom (<http://ciconline.org>) for guidelines.
3. Even though the program may be held 45 days, it may only be used once and repeated once with each class by an individual teacher during the first 10 consecutive school days during the 45-day calendar retention period.
4. After the first consecutive school days, off-air recordings may be used up to the end of the 45-day retention period only for teacher evaluation purposes and may not be used for student exhibition.
6. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded off-air more than once by the same teacher, regardless of the number of times the program may be broadcast.
6. The program must be recorded in its entirety including copyright notice, and may not be altered. Off-air recording may not be physically or electronically combined compilations.
7. A record must be maintained and on file of all off-air programs shown to students.
8. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

### **Reproduction of Audiovisual Works**

#### **Permissible Uses**

1. Creating a series of slides or overhead transparencies from multiple sources, such as magazines, books, encyclopedias, etc. as long as the series doesn't exceed one photograph, drawing, chart or diagram per source.

2. Creating a single overhead transparency from a single page of a consumable workbook.
3. Using a projector to enlarge a map of an area for tracing in a larger scale, as long as the map is not reproduced with those parts that make it copyrightable, such as, color scheme, how cities and buildings are symbolized, etc.
4. Duplicating visual or audio materials of a non-dramatic literary work in order to provide materials for the deaf or blind.

### **Prohibitions**

4. No duplication of cassette tapes for archival, backup or multiple uses unless reproduction rights were given at the time of purchase.
5. No reproduction of any audio-visual work in its entirety.
6. No conversion of one media format into another, for example, videotape to DVD or cassette to CD.

### **Film and Video**

In order to use a film or video in the educational program without having to pay royalties for public performance, the use must meet all four of the following criteria:

5. The performance must take place in a classroom or other place of instruction in a nonprofit educational institution; and
6. The performance must be directed by students or teachers of the institution; and
7. The performance must be the in the course of face-to-face teaching activities; and
8. The performance must be made from a copy of the work, which was legally made or acquired.

### **The following practices are never acceptable with film or video:**

1. Using a program for recreation or reward without acquiring performance rights;
- 2.. Making an anthology or collection from clips or excerpts;

3. Transferring the work to another medium, e.g. film to video, or video to computer disk except in cases of obsolete media.

### **Internet**

Copyright protection exists for every creator on the Internet. Access to works on the Internet does not mean that these works can be reproduced and reused without permission or royalty payment. Classroom use of materials retrieved from the Internet must be weighed against all four fair use factors just as one may claim fair use for print and audiovisual materials.

#### **The following practices are acceptable for teachers and students:**

1. Download to a printer, the bibliographic citations or full text of a document identified during a search of a commercial database as the terms of the schools contract with the vendors specify.
6. Use download material for individual research or teaching.
7. Reproduce or otherwise incorporate a work as part of a multimedia program from a copyrighted database or data table up to 10% or 2500 fields or cell entries, whichever is less.
8. Students have more freedom than teachers to use copyrighted materials from the Internet, however the copies made from the Internet must reside with the student.

#### **The following practices are never allowed:**

4. Reproduction of photographs, images, music, text, and source code in a manner that would violate copyright law.
5. Copying the entire contents of a Web page.
6. Taking information from a Web site, such as the design or graphics, and changing the appearance slightly in order to claim it as a new copyrightable work.
4. Reproduction of a compiled list of links.

## **Guidelines for District Online Classrooms**

It is not copyright infringement for teachers and students at an accredited, nonprofit educational institution to transmit performances and displays of copyrighted works as part of an online course if certain conditions are met. If these conditions are not or cannot be met, use of the materials will have to qualify as a fair use or permission from the copyright holder must be obtained.

### **What:**

Performances of nondramatic literary works or

Performances of nondramatic musical works or

Performances of reasonable portions of any other work or

Display of any other work in an amount comparable to that typically displayed in a live classroom setting.

### **But Not:**

Digital educational works (Works produced or marketed as primarily for performance/display as part of mediated instructional activities transmitted via digital networks) or

Unlawful copies (copies you know or reasonable should know were not lawfully made of acquired).

### **When:**

By, at the direction of, or under the actual supervision of the teacher, and as an integral part of a class session, and as part of systematic mediated instructional activities, and directly related and of material assistance to the teaching content.

### **How:**

Transmission made solely for and reception limited to (as technologically feasible) students enrolled in the course, and the following controls are in place:

Students may only access the online classroom by using a teacher-assigned password.

Students may only access the materials displayed in the online classroom for the time they are enrolled in the course.

## **Fair Use Guidelines for Educational Multimedia for Barrington CUSD 220**

In creating a multimedia presentation, the teacher or student may use a number of separate copyrighted works such as video, graphics, music or other sound recordings, and computer software. This document outlines the limits of acceptable use of copyrighted materials in fair use situations for educational multimedia in Barrington CUSD 220.

### **Fair Use Guidelines for Educational Multimedia**

These guidelines refer to multimedia projects created by students and teachers for their own use to meet specific instructional objectives. In general, the portions used must be from lawfully acquired copyrighted works. The multimedia projects created incorporate the copyrighted material with the student's or teacher's original materials. Other fair use guidelines may apply in specific cases, e.g., off-air taping.

All multimedia works, by either teacher or student, must include a statement that the works contain copyrighted materials under the Fair Use exemption of the U.S. Copyright Law. Permission must be sought for all copyrighted work used in their multimedia projects if they are used for non-educational or commercial purposes. Multimedia presentations created by both students and educators must have a citation page which includes the source for the material and the images used in the presentation.

#### **Permissible for Students**

- Students may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia projects for a specific district course.
- Students may perform and display these multimedia projects in the district course for which they were created.
- Students may keep their projects indefinitely in their portfolios as examples of their academic work.
- Students need to follow the district copyright guidelines.
- The portion limitations apply cumulatively to each student's project(s) for the same academic semester, cycle, or term.
- Students in grades K-6 are granted more leeway in their use of copyrighted material in terms of the portions limitations.
- Middle school and high school students should properly cite all sources used, including images, graphics, and/or audio.

### **Permissible for Educators**

- Teachers may incorporate portions of lawfully acquired copyrighted works when producing their own educational multimedia programs in support of curriculum-based instructional activities within the school district.
- Teachers may perform and display these multimedia programs to students in face-to-face instruction or as assigned, directed self-study.
- Teachers may use their multimedia projects for instructional use for a period of up to two years after the first instructional use with a class.
- Teachers may perform or display these multimedia programs at workshops, in-services, and conferences for their peers.
- Teachers may retain projects indefinitely in a portfolio for later personal use purposes such as a tenure review or a job interview.
- The portion limitations apply cumulatively to each teacher's project(s) for the same academic semester, cycle or term.

### **Limitations - Time, Portion, Copying, and Distribution**

- Teachers may use their educational multimedia projects for teaching for up to two years after the first instructional use with a class. Use beyond that, even for educational purposes, requires permission for each copyrighted portion included in the program.
- Motion Media: 10% or 3 minutes, whichever is less.
- Text Material: 10% or 1000 words, whichever is less.
- Music, Lyrics, and Music Video: Up to 10%, but no more than 30 seconds from an individual musical work or the total extracts from an individual work; any alterations to the musical work should not change the basic melody of the fundamental character of the work.
- Illustrations, Cartoons, and Photographs: Not more than 5 images by an artist or photographer; when from a published collective work, not more than 10% or 15 images, whichever is less.
- Numerical Data Sets: 10% or 2500 fields or cell entries, whichever is less, from a copyrighted database or data table.

- Teachers may make no more than two copies of their multimedia programs, only one of which may be placed in reserve in, e.g. the library media center or computer lab. An archival copy may be made, but only used or copied to replace a lost, stolen, or damaged copy.
- Teachers and students must ask for permission to commercially reproduce and distribute their project(s) or use over electronic networks.

### **Reminders for Students and Educators**

- Apply caution when incorporating works downloaded from the Internet.
- Credit sources and display and the copyright notice. Give the full bibliographic citation. The copyright notice includes ©, year of first publication, and the name of the copyright holder, e.g. Copyright © 1997 by Rabbit Ears Production.
- Include a notice on the opening screen that certain materials are used under fair use and are restricted from further use.

#### **4i. Guidelines to Remember When Creating Multimedia Presentations**

The following guidelines should be posted in all district Computer Labs and Library Media Centers (Appendix):

- Students and teachers may use copyrighted material in multimedia presentations if quantity limits are observed.
- Students and teachers may use copyrighted material in multimedia presentations if they support direct instruction.
- Students and teachers may keep the multimedia presentations they create for class, though teachers face a 2-year limit.
- Specific limits are established for the amount of material that may be used in multimedia presentations, based on the original medium.