AN MCW LIBRARIES COPYRIGHT GUIDE

MULTIPLE COPIES FOR CLASSROOM USE

In the Copyright Revision Act of 1976, Section 107, establishes guidelines for teachers, librarians, and other educational instructors. The guidelines embody three standards: brevity, spontaneity, and cumulative effect. These guidelines are a minimum, and in special circumstances, may be exceeded under the rubric of "fair use." Medical College of Wisconsin Libraries believes these recommendations are in keeping with our mission to be facilitators in the educational process while remaining in the "safe harbor" of U.S. copyright law.

Copies may be made by the instructor provided that:

- multiple copies are not ever to exceed more than one copy per pupil in a course.

- copying shall not be used to create, replace, or be substituted for anthologies, compilations, and other collective works.

- no charge beyond the actual cost of the copying is charged to the students.

- copying does not substitute for the purchase of books, periodicals, publisher reprints etc.

- copying shall not be repeated with respect to the same item by the same teacher from term to term.

- copying cannot be directed by a higher authority.

- copying of, or from a work is not intended to be "consumable" in the course of studying or teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets etc.

- copying meets the test of brevity as defined below:

  Poetry...A poem must be 250 words or less and/or no longer than two pages. Only an excerpt of 250 words or less may be used for a longer poem.

  Prose...An article, story or essay must be less than 2,500 words or an excerpt of a longer work may not exceed 1,000 words or be more than 10% of the actual work.

  Illustration...Only one chart, diagram, drawing, cartoon, or picture can be used per book or periodical issue.

  Special Work...A unique or special work is not to exceed 2,500 words. An excerpt of a work must not be longer than two published pages and/or 10% of that work.

- copying meets the test of spontaneity as defined below:

  The copying is at the instance or inspiration of the individual teacher, and the inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission to use the material.

- copying meets the test of cumulative effect as defined below:

  a.) The copying of the material is for only one course in the school.

  b.) Not more than one short poem, article, essay, story or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

  c.) There shall not be more than nine instances of such multiple copying for one course during one class term.

MCW Libraries/This help sheet is based on U.S Copyright law and recommended guidelines/August 2000/Final/ jcg