



Pikes Peak State College (PPSC) Educational Procedure

EP 085 – Use of Copyrighted Information

Originated:

Unknown

Revised:

September 2024

July 2017

References:

[U.S. Copyright Office Fair Use Index](#)

[Copyright: 2002 TEACH Act](#)

[CCCS Board Policies & System Procedures](#): BP 3-90 – Copyrights and Patents, SP 3-90 – Learning Object Repositories, SP 6-10 – Acceptable Use of Information Assets Procedure, SP 10-10B – Social Media Accounts.

Approved By:

Jacquelyn Gaiters-Jordan

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Jacquelyn Gaiters-Jordan

Jacquelyn Gaiters-Jordan (Dec 10, 2024 21:14 MST)

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12/10/2024

Date

Joseph Miller

Faculty Senate President, Pikes Peak State College

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Deidre Schoolcraft
EP Committee Chair, Pikes Peak State College


Deidre Schoolcraft (Dec 11, 2024 06:22 MST)

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Date

I. Purpose:

The purpose of this Educational Procedure is to state the minimum standards for educational fair use. It is understood that the conditions determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying or use of electronic material permitted under these guidelines may not be permissible in the future; and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines.

II. Scope:

This educational procedure applies to all PPSC Employees and students.

III. Procedure:

OVERVIEW:

Moreover, the following statement of guidelines is not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in [Section 107 of the Copyright Revision Bill](#). There may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.

The U.S. Copyright Office Fair Use Index measures fair use with the following four factors:

- Purpose: Is the usage educational in nature or intended for commercial purposes? Not all educational uses of copyrighted materials are fair use, but educational and non-profit uses are more likely to be fair use.
- Nature: Use of copyrighted creative works is less likely to fall within “fair use” than use of an article, news item, or other factual work.
- Amount: What portion of the copyrighted work was used, and how substantial to the thesis of the work that portion was.
- Effect: How this usage affects the audience and potential market for the copyrighted work.

A. GUIDELINES:

1. SINGLE COPY FOR TEACHERS

A single copy may be made of any of the following for teaching purposes:

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

2. MULTIPLE COPIES FOR CLASSROOM USE

- Multiple print or digital copies of articles, book chapters, or other works may be made for classroom use or discussion provided that: There is a clear connection between the work being copied and the instructor's pedagogical purpose
- The amount copied is tailored to include only what is appropriate for the instructor's specific educational goals
- The access to works distributed online is only provided for the duration of the course for which they are provided, and limited to students enrolled in a course and other appropriate individuals (e.g. teaching assistants for the course)
- Each copy includes full attribution in a form satisfactory to scholars in that field

3. SOME EXAMPLES OF ACTIVITIES THAT COURTS HAVE REGARDED AS FAIR USE

- Quotation of excerpts in review for purposes of illustration, criticism or comment
- Quotation of short passages in a scholarly or technical work, for illustration or clarification
- Parody of the content of the work
- Summary of an article, with brief quotations
- Reproduction of a small part of a work by a teacher or student to illustrate a lesson
- Reproduction of legislative report or a judicial proceeding

4. OTHER CONSIDERATIONS

- You should not copy works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets, and answer sheets.
- Copying should not substitute for the purchase of books or periodicals.
- Instructors must provide notice to students that course materials may be copyright protected.

5. ONLINE AND DISTANCE EDUCATION

Congress passed a law, known as the [TEACH Act](#), that permits the use of copyrighted works for online and distance education in limited circumstances. The requirements for compliance are somewhat complex, and the TEACH Act should be considered as one of several options available to instructors when using copyrighted works in distance education courses.

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12.10.24

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