

Following is the text of guidelines developed as a statement of minimum standards for “fair use” of copyrighted materials for educational purposes under new copyright law. The guidelines were agreed upon by representatives of educational organizations, authors, and publishers who emphasized that the statement was not intended to limit types of copying that are permitted by law.

I. SINGLE COPYING FOR TEACHERS

A single copy may be made of any of the following for a teacher at their individual request for their scholarly research or use in teaching or preparation to teach a class.

- A. a chapter in a book;
- B. an article from a periodical or newspaper;
- C. a short story, short essay or short poem, whether or not from a collective work;
- D. a chart, diagram, drawing cartoon or picture from a book, periodical or newspaper.

II. MULTIPLE COPIES FOR CLASSROOM USE

Multiple copies (not to exceed in any event more than one copy per pupil in a course), may be made by or for the teacher giving the course; provided that

- A. the copying meets the tests of brevity, and spontaneity as defined below;
- B. meets the cumulative effect test as defined below; and
- C. each copy includes a notice of copyright.

DEFINITIONS

Brevity

- (i) Poetry: (a) a complete poem if less than 250 words and if printed on not more than two pages, or, (b) from a longer poem, an excerpt of not more than 250 words.
- (ii) Prose: (a) either a complete article, story, or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10 percent of the work, whichever is less, but in any event a minimum of 500 words. *[Each of the numerical limits stated in “i” and “ii” above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]*
- (iii) Illustration: one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.
- (iv) “Special” works: contain works in poetry, prose, or “poetic prose” which often combine language with illustration and which are intended sometimes for children and at other times for a more general audience and fall short of 2,500 words in their entirety.

Paragraph “ii” notwithstanding such “special” works may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such “special” work and containing not more than 10 percent of the words found in the text thereof may be reproduced.

Spontaneity

- (i) The copying is at the instance and inspiration of the individual teacher, and
- (ii) 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.

Cumulative Effect

- (i) The copying of the material is for only one course in the school in which copies are made.
- (ii) Not more than one short poem, article, story, essay, or two excerpts from the same author, not more than three from the same collective work or periodical volume during one class term.
- (iii) There shall not be more than nine instances of such multiple copying for one course during one class term. *[The limitations stated in “i” and “ii” above shall not apply to current newspapers and current news sections of other periodicals.]*

III. PROHIBITIONS AS TO I AND II

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets, and like consumable material.
- C. Copying shall not
 - (a) substitute for the purchase of books, publishers’ reprints, or periodicals;
 - (b) be directed by higher authority;
 - (c) be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of photocopying.

COPYRIGHT RESPONSIBILITY FORM

By signing the front of this form, the signer takes complete responsibility for obtaining copyright permission. **RESPONSIBILITY SHOULD BE TAKEN VERY SERIOUSLY.** Any questions concerning The Johns Hopkins University’s copyright guidelines should be directed to the General Counsel’s Office