

# **CESA 10 INSTRUCTIONAL MEDIA CENTER HANDBOOK**

## **Policies and Procedures**



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## **INSTRUCTIONAL MEDIA CENTER VISION**

It is the belief of the Instructional Media Center (IMC) staff that the primary purpose of the center is (1) to provide instructional and professional development materials and administrative assistance to local school districts, (2) to support and assist those districts in providing quality educational opportunities on an equitable basis and in a cost effective manner, and (3) find new ways of serving and collaborating with faculty, administrators and agency staff.

## **Mission Statement**

The CESA 10 Instructional Media Center (IMC) supports the agency's legislative mandate "...to serve educational needs in all areas of Wisconsin by serving as a link both between school districts and between school districts and the state. Cooperative educational service agencies may provide leadership, coordination and education services to school districts, University of Wisconsin System institutions and technical colleges. Cooperative educational service agencies may facilitate communication and cooperation among all public and private schools, agencies and organizations that provide services to pupils." (Wis. Stat. s. 116.01)

The Instructional Media Center is a cooperative effort between CESA 10 member school districts and CESA 10 service areas and projects. Its mission is to provide and distribute high-quality print and non-print resources for classroom instruction and professional development. The IMC will also address subscriber needs to locate information, develop information literacy skills, and access digital services.

IMC staff will regularly review its mission and strive to discover new methods and improvements for better service to its members.

## **INSTRUCTIONAL MEDIA CENTER SERVICES**

- Select, organize, and make available for circulation a wide variety of high-quality print and non-print instructional and professional resources.
- Provide guidance and assistance to educators in their use of IMC materials.
- Sponsor, develop, and implement programs, exhibits, displays, book lists, etc., which improve awareness of the collection and services to subscribing districts and CESA 10 staff.
- Provide training related to accessing the IMC collection, electronic resources, and other specialized databases.
- Cooperate with other educational or community agencies and organizations when possible.
- Secure information beyond its own resources when requested. (Using interlibrary loan and other resource sharing methods provided through the regional library system and state.)
- Lend to other libraries through interlibrary loan as requested by the Indianhead Federated Library System interlibrary loan clearinghouse.
- Provide service during hours which best meet the needs of the education community.

## **POLICY ON INTELLECTUAL FREEDOM**

The CESA 10 Board of Control and the Instructional Materials Center subscribes in principles of intellectual freedom inherent in the *First Amendment* of the *Constitution of the United States*. In addition, the Board supports the statements of policy on library philosophy as expressed in the American Library Association's *Library Bill of Rights*, *Freedom to Read*, and *Freedom to View* and *Student's Right to Read* of the National Council of Teachers of English.

Approved by Board of Control  
December 8, 2005

# SELECTION POLICY

The Instructional Media Center acquires, organizes, develops, provides access to, and delivers resources in support of classroom instruction and professional development to member school districts and CESA 10 staff. As an “area-level library” (*School Library Media Programs: A Resource and Planning Guide*) the primary collection goal is to make available “materials that are costly and used only infrequently” and to supplement existing collections within member school districts.

The purpose of this policy is to provide guidelines for the selection, acquisition, evaluation and maintenance of library resources in the field of education. It will be used as a selection aid for library staff and as a guide for library users to understand the scope and coverage of the collection.

CESA 10 Board of Control and the CESA 10 Instructional Materials Center supports the statements of policy on library philosophy as expressed in the American Library Association’s *Library Bill of Rights*, *Freedom to Read*, and *Freedom to View* statements and *Student’s Right to Read* of the National Council of Teachers of English.

*The Selection Policy will be reviewed and/or revised every five (5) years as part of an ongoing non-discrimination evaluation process as prescribed by Wisconsin Administrative Rule PI 9.*

Approved by Board of Control  
December 8, 2005  
Reviewed January 5, 2009



# SELECTION PROCEDURES

## Introduction

The Instructional Media Center is administratively associated with the Special Education Department, however it serves all service areas within the agency. The IMC houses an extensive collection of instructional and professional development materials in many formats, including, but not limited to: books, tests, videos, DVDs, audiocassettes, kits, models, manipulatives, and equipment. In addition, the IMC also subscribes to and makes available online databases. These resources can be used by educators from member districts for specific loan periods and are supported by service areas and projects within CESA 10.

Because of the volume of publishing, as well as the limitations of budget and space, the IMC must have a *Selection Policy* with which to meet the interest and need of its learning community. The *Selection Policy* contributes to the planning, funding, organization, maintenance, evaluation, and deselection of resources and also serves to acquaint users with the principles of selection.

The IMC recognizes that some materials are controversial and that any given item may offend some members within school districts. Selection of materials will not be made on the basis of anticipated approval or disapproval, but solely on the basis of the principles stated in this policy. However, it is expected that each borrower will select materials from the IMC collection based on its appropriateness to educational goals as set by their local school board and that items will be previewed by the instructor.

## Responsibility for Selection

The ultimate responsibility for selection of IMC materials rests with the media specialist. This responsibility may be shared with other staff members of CESA 10 and member school district media specialists and teaching staff; however, because the media specialist must be available to answer to the Board of Control and the member school districts for actual selections made, the media specialist has the authority to reject or select any item contrary to the recommendations of the staff.

## Principles of Selection

All materials selected shall be consistent with the following principles of selection:

- Resources will support the instructional and professional development objectives of member school districts and CESA 10 staff.
- Resources shall meet high standards of quality in factual content and presentation.
- Resources shall be appropriate for subject area and for the age, emotional development, ability level, learning styles, and social development of students.
- Resources shall be suitable in physical format and appearance for intended use.
- Resources pertaining to controversial topics shall be selected for the purpose of maintaining a balanced collection representing the various views of our pluralistic society.
- Resources will be considered which meet the requirements of students with special needs.

## Criteria for Selection

IMC staff members shall use the following criteria as a general guide in selection:

- Educational significance and suitability
- Item is expensive
- Demand for item is low or sporadic
- Duplicate of high demand item
- Specialized equipment or resource
- Appropriately packaged for transportation

Individual titles may be evaluated by specific criteria, including:

- Contribution in support of curricula
- Support of professional development needs
- Quality of production
- Authority
- Scope
- Arrangement and organization
- Relevance and recency of information
- Contribution to differing viewpoints on controversial topics
- High artistic quality and/or appeal
- Evaluation from review sources, including school district and CESA staff
- Current IMC holdings
- Budget or space constraints

## **Procedures for Selection**

In selecting learning resources, the IMC staff will evaluate the current collection and needs of district educators and CESA staff. IMC staff will then consult various authoritative evaluation tools, which may include:

- School Library Journal
- Teacher Librarian
- Knowledge Quest
- publisher's catalogs
- professional associations
- web sources

The lack of a review or an unfavorable review shall not be the sole reason for rejecting a title which is in demand. Materials are evaluated on the basis of the work as a whole, not on a part taken out of context.

Requests, suggestions, and reactions for the purchase of instructional materials shall be gathered from district personnel and CESA 10 staff to the greatest extent possible.

## **Special Collections**

Several special collections have been established within the IMC, each with a specific collection focus and circulation restrictions.

### **Hearing-Impaired Collection**

The hearing-impaired collection consists of resources to support the education of children with hearing impairments. Materials cataloged to this area are purchased by CESA 10 teachers of the

hearing-impaired, interpreters, and audiologists and use is restricted to those agency employees. Items in this collection are identified by HI at the beginning of the call number and the assignment of HEARING IMPAIRED COLLECTION in location field.

### **Visually-Impaired Collection**

The visually-impaired collection consists of resources to support the education of children with visual impairments. Materials cataloged to this area are purchased by CESA 10 teachers of the visually-impaired and use is restricted to those agency employees. Items in this collection are identified by VI at the beginning of the call number and the assignment of VISUALLY IMPAIRED COLLECTION in location field.

### **Occupational Therapy Collection**

The occupational therapy collection consists of material and equipment used to support services to children with disabilities. Materials cataloged to this area are purchased by CESA 10 occupational therapists and use is restricted to those agency employees. Items in this collection are identified by OT at the beginning of the call number and the assignment of OT COLLECTION in location field. There is also an OT/PT designation for materials used by both departments.

### **Physical Therapy Collection**

The physical therapy collection consists of material and equipment used to support services to children with disabilities. Materials cataloged to this area are purchased by CESA 10 physical therapists and use is restricted to those agency employees. Items in this collection are identified by PT at the beginning of the call number and the assignment of PT COLLECTION in location field. There is also an OT/PT designation for materials used by both departments.

### **School Psychologist's Collection**

Some tests, particularly intelligence tests, are purchased for the exclusive use of CESA 10 school psychologists and special education consultants. Any circulation restrictions are noted in the item record.

### **Test Protocols**

The IMC maintains a limited number of protocols to be used by teachers and specialists for testing individual students. If five or more protocols are needed, additional copies should be purchased from the publisher by the school district.

### **SciMaTech Resource Center Collection**

This collection is available to districts subscribing to SciMaTech. It provides hands-on equipment, teaching modules and resources, curriculum and staff development materials in the areas of science, math and technology for member school districts and their teachers. Items in this collection are identified by a SCI at the end of the call number and the assignment of SCIMATECH in location field.

### **Environmental Services Video Series Collection**

As part of the Environmental Management and Occupational Health and Safety Program, a series of videocassettes has been made available to school districts purchasing those services.

## **DESELECTION POLICY**

Instructional media center management includes the weeding or deselection of materials which no longer meet the requirements of the educational institutions it serves. A current and useful collection is maintained through a continual withdrawal and replacement process. Replacement or removal of materials is dependent upon physical condition, copyright date, current demand, educational value, more recent acquisitions, and availability of newer editions. This ongoing process of deselection is the responsibility of the Instructional Media Center's media specialist and is authorized by the Board of Control. Material weeded may be offered to other school libraries or agency staff. Certain superseded or otherwise outdated materials may be suitable only for recycling.

The media specialist will consult with a specific department or project coordinator before withdrawing materials purchased by that department or project.

## RECONSIDERATION POLICY

Although materials are carefully selected, there can arise differences of opinion regarding the suitability of materials. Any school district employee or CESA 10 staff member may object to learning resources in the Instructional Media Center collection. An established procedure for processing and responding to criticism of approved material shall be followed. This procedure is for the purpose of considering the opinions of those persons in the schools and the community who are not directly involved in the selection process.

The CESA 10 Board of Control and the Instructional Materials Center staff subscribes in principles of intellectual freedom inherent in the *First Amendment* of the *Constitution of the United States*. In addition, the Board supports the statements of policy on library philosophy as expressed in the American Library Association's *Library Bill of Rights*, *Freedom to Read*, and *Freedom to View* and *Student's Right to Read* of the National Council of Teachers of English.

Approved by Board of Control  
December 8, 2005

# RECONSIDERATION PROCEDURES

## Request for Informal Reconsideration

The media specialist, upon receiving a complaint regarding an item in the IMC collection, shall try to resolve the issue informally, through the following steps:

- 1) The media specialist shall explain to the questioner the *Materials Selection Policy*, selection procedure, criteria and the qualifications of those selecting the resource.
- 2) The media specialist shall explain what place the questioned resource occupies in the instructional or professional development collection, its intended educational usefulness, and any additional information pertaining to the item. The media specialist may also refer the questioner to someone who can identify and explain the use of the resource more fully.
- 3) If the questioner wishes to file a formal challenge, a copy of the agency's *Materials Selection Policy* and a *Request for Reconsideration of Instructional Media Center Resources* form shall be delivered to the party concerned by the media specialist.

## Request for Formal Reconsideration

The IMC will keep on hand and make available copies of the *Materials Selection Policy* and *Request for Reconsideration of Instructional Materials* form. All formal objections to IMC resources must be made on these forms.

- 1) The person registering the complaint will receive a copy of the *Materials Selection Policy* as adopted by the Board of Control and the *Request for Reconsideration* form. The form shall be signed by the questioner, with identification given which will allow for a proper reply.
  - a) The *Request for Reconsideration* form will be forwarded to the CESA 10 Administrator and the Director of Special Education. In addition, the appropriate school district administrator or CESA 10 department director will be informed of the formal complaint received.
- 2) Within 20 working days of the receipt of a *Request for Reconsideration* form of an IMC resource, the Director of Special Education shall appoint a reconsideration committee including the following membership as appropriate:
  - a) the CESA 10 IMC media specialist
  - b) CESA 10 Director of Special Education
  - c) one CESA 10 certified staff person working in the content area of the questioned material
  - d) one CESA 10 school library media specialist
  - e) others as appropriate, including:
    - i) CESA 10 teachers from the appropriate grade level and subject area.
    - ii) community members or consultants who may bring specialized knowledge to the discussion.

- 3) The Director of Special Education will arrange for a reconsideration meeting within 10 working days of the appointment of the committee.
- 4) The reconsideration committee shall:
  - a) Name a chairman and secretary for the reconsideration committee.
  - b) Read / view and examine the challenged resource.
  - c) Determine instructional/professional acceptability by reading critical reviews of the resource.
  - d) Weigh strengths and weaknesses based on the resource as a whole, rather than on passages, photographs, etc. out of context.
  - e) Discuss the challenged resource in committee.
  - f) Discuss the challenged item with the questioner when appropriate and as requested by the questioner.
  - g) Prepare a written report within 60 days of the filing of the formal reconsideration form.
- 5) The written report will be forwarded to the CESA 10 Administrator, who shall notify the questioner of the committee's decision.
  - a) The written report will be discussed with the individual questioner if requested.

Notwithstanding any procedure outlined in this policy, the questioner shall have the right to appeal any decision of the reconsideration committee to the Board of Control as the final review panel.

Circulation of challenged material shall not be restricted during reconsideration proceedings.

## INTERLIBRARY LOAN POLICY

Interlibrary loan is an adjunct to, not a substitute for, adequate collection development. However, due to limited budget, space, or demand, interlibrary loan may be used the Instructional Media Center staff to obtain professional materials for agency employees.

In the event that an interlibrary loan item is lost or damaged while in the possession of the borrower, please contact the IMC immediately. The borrower is financially responsible for any damage to or loss of interlibrary loan materials, from the time they are picked up until they are returned.

In return for utilizing interlibrary loan to satisfy the needs of CESA 10 staff, the IMC agrees to make materials available to other libraries through the same interlibrary loan network. The IMC reserves the right to deny an interlibrary loan request due to immediate and constant demand by subscribing school districts within our boundaries and agency staff. The following guidelines will govern interlibrary loan:

- The agency will only accept requests from the system interlibrary loan clearinghouse.
- Items circulated to borrowing libraries will be assigned a three-week loan period. One renewal may be granted.
- The borrowing library is responsible for the replacement cost of a lost or damaged ILL item.

Approved by Board of Control  
December 8, 2005



## **GIFT AND DONATION POLICY**

The Instructional Media Center accepts gifts of materials with the understanding that they will be added to the collection only if appropriate and needed. If they are not needed because of duplication, condition, or dated information the media specialist will dispose of them according to the deselection policy. The same criteria of selection which are applied to purchased materials will apply to gifts. The IMC will not appraise the value of donated materials, though it can provide an acknowledgment of receipt of the items if requested by the donor.

Approved by Board of Control  
December 8, 2005

# CIRCULATION POLICY

Instructional Media Center staff is strongly committed to providing high levels of service and access for subscribing school district administrators, teachers, and employees, and CESA 10 staff. Guidelines governing the circulation process are flexible enough to accommodate special requests and firm enough to ensure access to the collection. IMC staff protects the confidentiality of circulation records and patron use of the IMC as required by relevant laws as stated in the *Confidentiality of Library Records Policy*.

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December 8, 2005

# CIRCULATION PROCEDURES

## Registration

All borrowers must be registered and be an employee of a member school district or CESA 10. IMC library registration expires after five years, at which time the patron will be asked to verify registration information for renewal.

## Loan Periods

- The loan period for e-books is two weeks, all other items circulate for three weeks.
- Interlibrary loans for CESA staff are due the date indicated by the lending library.

The media specialist may establish the loan period for special collections or materials temporarily in great demand, such as for staff projects.

## Reservations

Reserves may be placed for specific items and for appropriate time frames in person, by phone, fax, e-mail or electronically via the web catalog.

## Check Out, Reserves, and Renewals

Materials can be borrowed by school or agency staff who registered for an IMC identification number and password.

Reserves may be placed for specific items to be used for a specific time period. Reserves can be placed in person, by phone, fax, e-mail, or electronically via the web catalog. Placing reserves online requires a patron ID number and password. Patrons can check the status of their reserves by logging into their library account.

Once the reserve item is available it will be sent to the patron using the van service, unless other arrangements have been made.

IMC materials may be renewed for an additional time period if no reserves have been placed on the item. Renewals may be made in person, over the telephone, using e-mail, or online using the *Request for Renewal* electronic form found on our homepage. Overdue items may be renewed if another educator is not waiting for the item.

## Overdue or Damaged Materials

At the time materials are borrowed from the IMC, the borrower assumes the responsibility for the care and timely return of the materials. However, there are no overdue fines or damage fees charged to school district employees or CESA 10 staff for IMC materials. If an item is overdue the following action will be taken.

- An electronic overdue notice will be sent out as soon as the item is overdue.
- Overdue letters are sent to patrons once a week.
- A reminder phone call will be made to the patron if the item is 20 days overdue.

- After 40 days, the information is given to the media specialist who will contact the borrower.

If the item is not returned its status is changed to LOST.

Materials returned damaged will be replaced or withdrawn.

## **Suspension of Borrowing Privileges**

School staff borrowing privileges are granted through district subscriptions.

The use of the IMC may be denied for due cause. Such cause may be persistent failure to return IMC materials, destruction of IMC property, or any illegal, disruptive, or objectionable conduct on CESA 10 premises.

Upon consultation with the school district administrator and Special Education Director, a notification of the suspension of privileges will be sent to the borrower and school district administrator.

## CONFIDENTIALITY OF LIBRARY RECORDS POLICY

The Instructional Media Center protects the privacy of library records and the confidentiality of its users as specified in statute, Wis. Stat. s. 43.30, "records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, or to libraries..." under certain circumstances.

The Instructional Media Center strictly adheres to all sections of this Statute and supports the American Library Association's *Policy on Confidentiality of Library Records* regarding the protection of the confidentiality of its users. The Board of Control Board supports the principle of freedom of inquiry for Instructional Media Center users, and has adopted this policy to protect against the unwarranted invasion of the personal privacy of users.

Approved by Board of Control  
December 8, 2005

# **TECHNOLOGY CONCERNS FOR PUPILS WITH SPECIAL NEEDS POLICY**

The Instructional Media Center makes available assistive technology devices and resources to support students with a disability or special need. Assistive technology devices are added to the IMC collection upon the recommendation of special education staff, instructional or education technology consultants and will circulate to member districts.

An “assistive technology device” means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child a disability.

Students identified with “special needs” but not requiring a formal IEP according to law, may include but are not limited to, migrant students, homeless students, students living with poverty, and English Language Learners.

## REFERENCE SERVICE POLICY

Reference services provided by Instructional Media Center staff are designed to meet the education-related information needs of member school districts and CESA 10 employees. Services are provided to users through the use of IMC resources, through access to regional, state, national and international electronic resources or through referral to an appropriate agency. Reference requests will be responded to by providing the information or providing instruction in the use of materials and resources which meet the information need.

Reference services include, but are not limited to:

- answering substantive questions
- conducting topical research
- requesting items through interlibrary loan
- individual instruction in the selection and use of appropriate tools and techniques for finding specific information
- creation of guides in appropriate formats
- formal instruction through tours and presentations
- preparation of bibliographies
- promoting awareness of IMC programs, collections, and services
- referral to other sources that can provide the needed information

# COPYRIGHT POLICY

It is the intent of the Cooperative Educational Service Agency 10, its Board of Control and employees, to adhere to the provisions of the U.S. Copyright Law (Title 17, U.S.C., Section 101 as amended by the Technology, Education and Copyright Harmonization Act), the Digital Millennium Copyright Act and other congressional guidelines related to the duplication, retention, and use of copyrighted materials in any form.

The employees of the agency are prohibited from copying materials or using print or digital materials, audio visual, and computer software, unless the copying or using conforms to the current copyright law, license agreements, proprietor's permission, or fair use guidelines.

While the agency encourages its staff to enhance learning programs by making proper use of materials, it is the responsibility of staff to obey the requirements of the law. In no circumstances will any staff member violate or be requested by a supervisor to violate copyright requirements in order to perform their duties. Employees who willfully disregard the copyright policy are in violation and do so at their own risk and assume all liability.

Any staff member who is uncertain as to whether reproducing or using copyrighted material is permissible under the law should contact the media specialist, who will also assist staff in obtaining proper authorization to copy or use protected material if such authorization is required. Staff may also refer to Appendix B: Copyright and Fair Use Guidelines.

## Legal References

### Copyright Act of 1976

17 U.S.C. § 101 et seq.

### Digital Millennium Copyright Act (DMCA)

Pub. L. No. 105-304, 112 Stat. 2860

### Fair Use Doctrine

17 U.S.C. § 107

### Technology, Education, and Copyright Harmonization Act (TEACH)

Pub. L. No. 107-273, 116 Stat. 1910

Revised and Approved by Board of Control  
December 8, 2005



# INTERNET ACCEPTABLE USE POLICY

## **Purpose**

The Internet provides a source of information that can benefit every professional discipline represented in the agency. It is the policy of the agency that employees whose job performance can be enhanced through use of the Internet be provided access and become proficient in its capabilities. This policy document delineates acceptable use of the Internet by agency employees, volunteers, and contractors while using agency-owned or -leased equipment, facilities, Internet addresses, or domain names registered to the agency.

## **Background**

The Internet is comprised of thousands of interconnected networks which provide digital pathways to millions of information sites. Because these networks subscribe to a common set of standards and protocols, users have worldwide access to Internet hosts and their associated applications and databases. Electronic search and retrieval tools permit users to gather information and data from a multitude of sources and to communicate with other Internet users who have related interests.

Access to the Internet provides our employees with the opportunity to locate and use current and historical data from multiple sources worldwide in their decision-making processes. Employees and authorized volunteers and contractors of the agency are encouraged to develop the skills necessary to effectively utilize these tools in the performance of their jobs.

## **Scope of the Policy**

This policy applies to Internet access only. It does not cover the requirements, standards, and procedures for the development and implementation of agency information sites on the Internet.

The following agency Internet users are covered by this policy:

1. Full or part-time employees of the agency.
2. Volunteers who are authorized to use agency resources to access the Internet.
3. Agency contractors who are authorized to use CESA10-owned equipment or facilities.

This policy applies to Internet access when using CESA10 equipment and facilities, and performed using Internet Protocol addresses and domain names registered to the agency.

## **Policy**

The agency promotes Internet use that enables employees to perform agency missions and encourages its employees, volunteers, and contractor personnel to develop Internet skills and knowledge. It is expected that employees will use the Internet to improve their job knowledge; to access educational, scientific, technical, and other information on topics which have relevance to the agency; and to communicate with their peers in other state and federal agencies, academia, and industry. Users should be aware that when access is accomplished using Internet addresses and domain names registered to the agency, they may be perceived by others to represent the agency. Users are not to use the Internet for any purpose which would reflect negatively on the agency or its employees.

CESA10 computer systems are for agency use. Agency users are permitted to engage in the following activities:

1. During working hours, access job-related information, as needed, to meet the requirements of their jobs.
2. During working hours, participate in news groups, chat sessions, and E-mail discussion groups (list servers), provided these sessions have a direct relationship to the user's job with the agency. If personal opinions are expressed, a disclaimer should be included stating that this is not an official position of the agency.
3. Access to agency information technology resources carries with it the responsibility for ensuring that the use of these resources is primarily for agency purposes. In the interest of making the use of information technology resources a natural part of the day-to-day work of all employees, incidental personal use is permitted. Agency resources should not be used for participation in personal list servers or other personal activities of a recurring or resource intensive nature.
4. Employees are prohibited from initiating nonwork-related Internet sessions using agency information resources from remote locations. That is, employees shall not dial into agency resources from home or other nonagency locations for the purpose of participating in nonjob-related Internet activities. An exception is granted for limited sending and receiving of Email messages of a personal nature when included as part of a routine check for job-related messages.

Access to the Internet is provided, when needed, through the agency local area network (LAN). A supervisor may determine that remote access, through agency resources, is needed for an individual's assigned duties. When remote access is provided, it shall be for the primary purpose of agency business. However, personal use will be permitted which otherwise conforms to agency standards.

The following uses of the Internet, using agency equipment or facilities, are not allowed:

1. Access, retrieve, or print text and graphics information which exceeds the bounds of generally accepted standards of good taste and ethics.
2. Engage in any unlawful activities or any other activities which would in any way bring discredit on the agency.
3. Engage in personal non-profit or commercial activities on the Internet, including offering services or merchandise for sale or ordering services or merchandise from on-line vendors.
4. Engage in any activity which would compromise the security of any agency host computer. Host log-in passwords will not be disclosed or shared with other users.
5. Engage in any fund raising activity, participate in any lobbying activity, or engage in any active political activity.

### **Supervisory Responsibility**

Supervisors of agency employees, volunteers, and contractors will have the final authority in determining whether an employee requires Internet access to accomplish their assigned duties. Supervisors have the responsibility for:

1. Acquiring Internet access for their employees who need it to conduct the official business of the agency.
2. Advising their employees regarding the restriction against personal use of agency Internet access resources from other than agency facilities.
3. Assuming the responsibility for making the final determination as to the appropriateness of their employee's use of the Internet, when questions arise. This shall include the acceptability of Internet sites visited and the determination of personal time versus official work hours.

### **User Responsibilities**

Use of computer equipment and Internet access to accomplish job responsibilities will always have priority over personal use. In order to avoid capacity problems and to reduce the susceptibility of agency information technology resources to computer viruses, Internet users will comply with the following guidelines.

1. Personal files obtained via the Internet may not be stored on local area network (LAN) file servers.
2. Video, voice and other large (over 1 MB) files should not be downloaded from the Internet except when they will be used to serve an approved agency function.

Users are responsible for:

1. Following existing security policies and procedures in their use of Internet services and will refrain from any practices which might jeopardize the agency's computer systems and data files, including but not limited to virus attacks, when downloading files from the Internet.
2. Learning about Internet etiquette, customs, and courtesies, including those procedures and guidelines to be followed when using remote computer services and transferring files from other computers.
3. Familiarizing themselves with any special requirements for accessing, protecting, and utilizing data, including Privacy Act materials, copyrighted materials, and procurement sensitive data.
4. Conducting themselves in a way that reflects positively on the agency, since they are identified as agency employees on the Internet even though they may be using the Internet for personal reasons, as stated above.

Individuals using agency equipment to access the Internet are subject to having activities monitored by system or security personnel. Use of this system constitutes consent to security monitoring, and employees should remember that most sessions are not private.

# INTERNET SAFETY POLICY

## Introduction

It is the policy of CESA #10 to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub.L. No. 106-554 and 47 USC 254(h)].

## Definitions

Key terms are as defined in the Children's Internet Protection Act.\*

### Access to Inappropriate Material

To the extent practicable, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

### Inappropriate Network Usage

To the extent practicable, steps shall be taken to promote the safety and security of users of the CESA #10 online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

## Supervision and Monitoring

It shall be the responsibility of all members of the CESA #10 staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Agency Administrator or designated representatives.

## Adoption

This Internet Safety Policy was adopted by the Board of Control of CESA #10 at a public meeting, following normal public notice, on May 9, 2002.

**\*CIPA definitions of terms:**

**TECHNOLOGY PROTECTION MEASURE.** The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

1. **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
2. **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code;
3. or Harmful to minors.

**HARMFUL TO MINORS.** The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**SEXUAL ACT; SEXUAL CONTACT.** The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

## **EQUIPMENT AND SOFTWARE USE POLICY**

Users of Instructional Media Center equipment and software will respect and uphold copyright laws and all other applicable laws and regulations; they will not use equipment or software for illegal purposes. Tutorial manuals will be provided when available.

## **DISPLAY AND EXHIBIT POLICY**

The Instructional Media Center often highlights items of interest or information in the exhibit areas available, including the glass display case and the Conference Center. Other CESA 10 staff members are encouraged to also display materials for educational purposes.

# APPENDICES



## Appendix A: Request for Reconsideration of Instructional Materials Form

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Do you represent self?  Organization?  Organization name \_\_\_\_\_

Resource on which you are commenting:

- Book
- Video
- Software
- Kit
- Electronic resource
- Other

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

Author/Publisher or Producer/Date: \_\_\_\_\_

**The following questions are to be responded to after the questioner has read, viewed, or listened to the material in its entirety.**

1. What brought this resource to your attention?

2. To what do you object? Please be as specific as possible, citing pages, frames, etc. (use the other side or additional sheets if necessary)

3. Have you been able to discuss this work with the teacher or librarian who ordered it or used the item?

Yes  No

4. What do understand to be the general purpose for using this work?

Provide support for a unit in the curriculum?

Yes  No

Provide a learning experience for the reader?

\_\_\_\_\_ Yes \_\_\_\_\_ No

5. What do you feel the effect of the material might be?

6. For what age group would you recommend this material?

7. In its place, what material of equal or better quality would you recommend?

8. What do you want the Instructional Media Center to do with this material?

9. Additional comments:

---

Signature

*Please return this completed form to:  
Administrator, Special Education Department  
CESA 10  
725 W. Park Ave.  
Chippewa Falls, WI 54729*

## Appendix B: Copyright and Fair Use Guidelines

Copyright law grants rights to authors and creators and promotes the “progress of science and useful arts.” The copyright law also includes exemptions to copyright that limit the rights of copyright holders. One of these exemptions is the Fair Use Doctrine. Fair use encourages socially beneficial uses of copyrighted works, quoting from copyrighted work, providing multiple copies, and creating new knowledge based on previously published knowledge.

Under the fair use unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four factors must be considered:

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

A checklist developed by the Copyright Management Center will help staff determine if a whether their activities are within fair use. The chart is available online at <http://www.copyright.iupui.edu/checklist.htm> and a copy is included in this appendix.

Once you have determined that the purpose of your copying falls within fair use, abide by the guidelines developed by representatives from education, libraries, publishing, broadcasting and creators of materials. Although submitted to Congress, these guidelines have not been included in copyright statutes and are not law and should be considered the minimum standard for fair use.

## Single Copying for Teaching, Research and Class Preparation

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

- 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

## 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 for classroom use or discussion; provided that:

- the copying meets the tests of brevity and spontaneity as defined below
- the copying meets the cumulative effect test as defined below
- each copy includes a notice of copyright (e.g. Copyright 2001, Stenhouse Publishing Co.)

## Definitions

### Brevity

#### Poetry

- A complete poem if less than 250 words and if printed on not more than two pages or, from a longer poem, an excerpt of not more than 250 words.

#### Prose

- 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% of the work, whichever is less, but in any event a minimum of 500 words.

*Each of the numerical limits stated above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.*

### Illustration

- One chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

### “Special” works

- Certain works in poetry, prose or in “poetic prose” which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety 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% of the words found in the text thereof, may be reproduced.

### Spontaneity

- The copying is at the instance and inspiration of the individual teacher.
- 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**

- The copying of the material is for only one course in the school in which the copies are made.
- No more than one short poem, article, story, essay 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.
- There shall not be more than nine instances of such multiple copying for one course during one class term.

*The limitations stated above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.*

## **Prohibitions as to Above**

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

- Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works.
- 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.

Copying shall not:

- substitute for the purchase of books, publishers’ reprints or periodicals
- be directed by higher authority
- be repeated with respect to the same item by the same teacher from term to term
- no charge shall be made to the student beyond the actual cost of the photocopying

*Adapted from Copyright Office Circular 21: Reproduction of Copyrighted Words by Educators and Librarians.*

## Limits for Multimedia Projects

In creating a multimedia project the following guidelines are suggested as long as the derivative work properly cites the copied material.

- **Motion media.** A single copy of up to three minutes or 10% of the whole, whichever is less.
- **Prose.** Up to 10% or 1000 words, whichever is less.
- **Poetry.** Up to 10% or 1000 words, whichever is less, of a long poem and only three excerpts from one poet or five works by different poets in an anthology are permitted.
  - Short poems of less than 250 words may be used in their entirety and only three poems per poet or five poems from one anthology may be copied.
- **Music.** Up to 10% of a single musical composition in sound or multimedia form, but not more than 30 seconds.
- **Illustrations.** No more than five images from a single artist or photographer. If images are taken from a single work, not more than 10% or 15 images may be use.
- **Database information.** Up to 10% or 2500 fields or cell entries, whichever is less

*Adapted from Copyright for Schools, 3<sup>rd</sup> ed.*

## **Guidelines with Respect to Copyrighted Music Material**

The purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under section 107 of the 1976 Copyright Act. There may be instances in which copying that does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.

### 1. Permissible uses:

1. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.

2. For academic purposes other than performance, multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per pupil.

3. Printed copies which have been purchased may be edited OR simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.

4. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.

5. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyrights of the music itself and not to any copyright that may exist in the sound recording.)

### 2. Prohibitions:

1. Copying to create or replace or substitute for anthologies, compilations or collective works.

2. Copying of or from works intended to be “consumable” in the course of study or teaching such as workbooks, exercises, standard tests and answer sheets and like material.

3. Copying for the purpose of performance except as in A-1 on previous page.

4. Copying for the purpose of substituting for the purchase of music except as in A-1 and 2 above.

5. Copying without inclusion of the copyright notice which appears on the printed copy.

*Adapted from The United States Copyright Law: A Guide for Music Educators*

## **Off-Air Recording of Copyrighted Programs**

Television programs transmitted by television stations for reception by the general public without charge (hereinafter referred to as "broadcast programs") may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by they agency for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recordings may be used once by individuals in the course of relevant instructional activities, and repeated once only when instructional reinforcement is necessary in classrooms and similar places devoted to instruction, during the first ten (10) consecutive school days in the forty-five (45) calendar day retention period. "School days" are school session days - not counting weekends, holidays, vacations, examination periods or other scheduled interruptions.

Off-air recordings may be made only at the request of and used by individual staff, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for teacher evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum.

Permission must be secured from the publisher before the recording can be used for instructional purposes or any other non-evaluation purpose after the ten (10) day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Rights to Educational Communication Board broadcasts are listed in their program schedule.

*Adapted from Bellingham (WA) Public Schools*



## **Reproduction and Use of Computer Software and CD-ROM Products**

Educational institutions have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the agency shall comply with the copyright laws and any usage agreements that are applicable to the acquisition of software programs.

To this end, the following guidelines shall be in effect:

- All copyright laws and license agreements between the vendor and the district shall be observed
- Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on agency equipment, to avoid the installation of privately purchased software on agency equipment and to avoid the use of single copy software or CD-ROM products across a network with multiple users unless such use is permitted by the applicable license agreement
- If the vendor does not supply a backup copy, the agency shall make a back-up program in accordance with the terms of the applicable license agreement or 17 U.S.C. and 117 and attest that the program will be used for replacement purposes only
- A copy of software license agreements shall be retained by the business office

*Adapted from Bellingham (WA) Public Schools*

## How to Request Permission to Use Copyrighted Works

Copyright owners have the exclusive right to reproduce, distribute, create derivative work based on the original, perform, and display their works. Obtaining permission to use a copyrighted work is necessary if you determine that the work you have selected to use is protected by copyright, and your use is not a fair use. To request permission:

- identify the copyright owner(s)
- contact the copyright owner, preferably by e-mail, letter (see sample permission letter) with complete information on how you plan on using the copyright work. To assist the copyright owner, include a second copy of your request for the owner's records. Also, enclose a stamped self-addressed envelope for the owner's convenience. Some copyright holders provide their own permission form.
- secure permission and keep written copies of correspondence

*Adapted from Copyright for Schools, 3<sup>rd</sup> ed.*

## Sample permission letter

Date

Your letterhead or return address

Copyright holder's name and address

Dear – :

This letter is a request for permission to (*i.e. duplicate / use / include...*) for the following (*time frame*):

Citation information (*i.e. title / author(s) / copyright date*)

Materials to be duplicated / used / included (*i.e. specific pages / photographs, etc.*)

Number of copies (*i.e. how many copies / how many students*)

Manner of distribution (*i.e. free handouts during presentation / mounted on website*)

Type of reproduction (*i.e. photocopy / scan*)

Purpose of use (*i.e. describe how materials will be used and describe users*)

If you do not control the copyright on all of the above mentioned material, I would appreciate any contact information you can give me regarding the proper rights holder(s), including current address(es). Otherwise, your permission confirms that you hold the right to grant the permission requested here.

A self addressed, stamped envelope is enclosed for your convenience. Please respond and notify me of any fees, if any, for this permission.

Sincerely,  
(*your contact information*)

*Permission granted for the use of the material as described above:*

Agreed to by: \_\_\_\_\_ Name & Title: \_\_\_\_\_

Company/Affiliation: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions, if any: \_\_\_\_\_

\_\_\_\_\_

## **Record keeping**

Each department will establish a central place to file various records pertaining to copyright law compliance:

- permission to duplicate print materials
- logs of off-air videotaping, including indications of erasure dates
- any other permission in whatever form, including letters, notes from phone calls, electronic attachments, etc.

Business department staff will retain site licenses, network licenses, and permission to copy microcomputer software correspondence.

## **Signs, Warnings, and Notices**

A sign with the following warning will be prominently displayed near all photocopy machines:  
"The Copyright Law of the United States (Title 17 U.S. Code) governs the making of copies of copyrighted materials. The person using this equipment is liable for any infringement."

## **Public Performance and Fair Use**

Under educational exemptions copyrighted work may be performed or displayed in schools. The four requirements are:

- the performance must be presented by instructors or pupils.
- the performance must occur during the course of face-to-face instruction and directly related to the curriculum.
- the performance must take place in a classroom or similar place of instruction in a nonprofit educational institution.
- the performance must be a legally acquired work

*Adapted from Copyright for Schools, 3rd ed.*

## Checklist for Fair Use

Please complete and retain a copy of this form in connection with each possible "fair use" of a copyrighted work for your project

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Project: \_\_\_\_\_ Institution: \_\_\_\_\_

### PURPOSE

#### Favoring Fair Use

- Teaching (including multiple copies for classroom use)
- Research
- Scholarship
- Nonprofit Educational Institution
- Criticism
- Comment
- News reporting
- Transformative or Productive use (changes the work for new utility)
- Restricted access (to students or other appropriate group)
- Parody

#### Opposing Fair Use

- Commercial activity
- Profiting from the use
- Entertainment
- Bad-faith behavior
- Denying credit to original author

### NATURE

#### Favoring Fair Use

- Published work
- Factual or nonfiction based
- Important to favored educational objectives

#### Opposing Fair Use

- Unpublished work
- Highly creative work (art, music, novels, films, plays)
- Fiction

### AMOUNT

#### Favoring Fair Use

- Small quantity
- Portion used is not central or significant to entire work
- Amount is appropriate for favored educational purpose

#### Opposing Fair Use

- Large portion or whole work used
- Portion used is central to work or or "heart of the work"

### EFFECT

#### Favoring Fair Use

- User owns lawfully acquired or purchased copy of original work
- One or few copies made
- No significant effect on the market or potential market copyrighted work
- No similar product marketed by the copyright holder
- Lack of licensing mechanism

#### Opposing Fair Use

- Could replace sale of copyrighted work
- Significantly impairs market or potential market for copyrighted work or derivative
- Reasonably available licensing for mechanism for use of the copyrighted work
- Affordable permission available for using work
- Numerous copies made
- You made it accessible on Web or in other public forum
- Repeated or long-term use

Used with the permission, courtesy of the Copyright Management Center, IUPUI, 530 W. New York St., Indianapolis, IN 46202. For further information and updates please visit <http://www.copyright.iupui.edu>

## Appendix C: CESA 10 Philosophy and Role

It is the belief of the Board of Control that the primary purpose of CESA 10 is to provide direct and indirect instructional, instructionally-related, and management and administrative services to local school districts to support and assist those districts in providing quality educational opportunities on an equitable basis for all students with the greatest possible degree of educational effectiveness and economic efficiency.

The following principles serve as the operational guidelines through which CESA 10 strives to fulfill its purpose.

- Programs offered are based upon documented local school district service needs.
- Local district personnel are major participants in identifying local service needs and in defining and developing services to address those needs.
- Those services which can best be provided exclusively by the local district, for the local district, should be retained at the local level.
- Those services which can best be provided from the CESA level, based upon criteria of effectiveness and efficiency, should be provided on multi-district basis, subject to the voluntary participation of each district.
- Services initiated by CESA which, through the passage of time and the changing of conditions, can best be assumed by local districts should be reallocated to the local level.
- A changing mixture of services and participating districts is accepted as a characteristic of CESA operation and as a positive indicator of a viable service agency role.
- A core of CESA services, consistent with the principles cited above, should be developed to provide reasonable consistency of structure and function for CESA over a period of time.
- Innovative, developmental and exemplary services should be a continuing priority of CESA, consistent with the principles cited above.
- New CESA services should be initiated based upon persuasive evidence of need and desirability and upon reasonable commitments of support, cooperation and participation by local school districts.
- Periodic review and evaluation of existing CESA services should occur to assure that new service needs and demands are met and obsolete, ineffective, inefficient, or inappropriate services are not unduly perpetuated.

*Source: CESA 10 Annual Report, 2001-2002*



## Appendix D: 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 abridgment 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.*

## Appendix E: 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.

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.*

## Appendix F: Freedom to View Statement

The FREEDOM TO VIEW, along with the freedom to speak, to hear, and to read, is protected by the First Amendment to the Constitution of the United States. In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

*This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.  
Endorsed January 10, 1990, by the ALA Council*

## Appendix G: The Students' Right to Read

The current edition of *The Students' Right to Read* is an adaptation and updating of the original Council statement, including "Citizen's Request for Reconsideration of a Work," prepared by the Committee on the Right to Read of the National Council of Teachers of English and revised by Ken Donelson.

### The Right to Read and the Teacher of English

For many years, American schools have been pressured to restrict or deny students access to books or periodicals deemed objectionable by some individual or group on moral, political, religious, ethnic, racial, or philosophical grounds. These pressures have mounted in recent years, and English teachers have no reason to believe they will diminish. The fight against censorship is a continuing series of skirmishes, not a pitched battle leading to a final victory over censorship.

We can safely make two statements about censorship: first, any work is potentially open to attack by someone, somewhere, sometime, for some reason; second, censorship is often arbitrary and irrational. For example, classics traditionally used in English classrooms have been accused of containing obscene, heretical, or subversive elements. What English teacher could anticipate judgments such as the following--judgments characteristic of those made by many would-be censors:

- Plato's *Republic*: "This book is un-Christian."
- George Eliot's *Silas Marner*; "You can't prove what that dirty old man is doing with that child between chapters."
- Jules Verne's *Around the World in Eighty Days*: "Very unfavorable to Mormons."
- Nathaniel Hawthorne's *The Scarlet Letter*: "A filthy book."
- Shakespeare's *Macbeth*: "Too violent for children today."
- Fyodor Dostoevsky's *Crime and Punishment*: "Serves as a poor model for young people."
- Herman Melville's *Moby Dick*: "Contains homosexuality."

Modern works, even more than the classics, are criticized as "filthy," "un-American," "overly realistic," and "anti-war." Some books have been attacked merely for being "controversial," suggesting that for some people the purpose of education is not the investigation of ideas but rather the indoctrination of certain set beliefs and standards. The following statements represent complaints typical of those made against modern works of literature:

- J. D. Salinger's *The Catcher in the Rye*: "A dreadful, dreary recital of sickness, sordidness, and sadism." (Without much question, Salinger's book has been for some time the most widely censored book in the United States.)
- Kurt Vonnegut's *Slaughterhouse-Five*: "Its repetitious obscenity and immorality merely degrade and defile, teaching nothing."

- Harper Lee's *To Kill a Mockingbird*: "The word rape is used several times. Children should not see this in any literature book."

Some groups and individuals have also raised objections to literature written specifically for young people. As long as novels intended for young people stayed at the intellectual and emotional level of *A Date for Marcy* or *A Touchdown for Thunderbird High*, censors could forego criticism. But many contemporary novels for adolescents focus on the real world of young people--drugs, premarital sex, alcoholism, divorce, high school gangs, school dropouts, racism, violence, and sensuality. English teachers willing to defend the classics and modern literature must be prepared to give equally spirited defense to serious and worthwhile adolescent novels.

Literature about ethnic or racial minorities remains "controversial" or "objectionable" to many adults. As long as groups such as Blacks, Indians, Orientals, Chicanos, and Puerto Ricans "kept their proper place"--awarded them by an Anglo society--censors rarely raised their voices. But attacks have increased in frequency as minority groups have refused to observe their assigned "place." Though nominally, the criticisms of racial or ethnic literature have usually been directed at "bad language," "suggestive situations," "questionable literary merit," or "ungrammatical English" (usually oblique complaints about the different dialect or culture of a group), the underlying motive for some attacks has unquestionably been racial. Typical of censors' criticisms of ethnic works are the following comments:

- Ralph Ellison's *Invisible Man*: "The book is biased on the black question."
- Anne Frank's *Diary of a Young Girl*: "Obscene and blasphemous."
- Eldridge Cleaver's *Soul on Ice*: "Totally objectionable and without any literary value."

Books are not alone in being subject to censorship. Magazines or newspapers used, recommended, or referred to in English classes have increasingly drawn the censor's fire. Few libraries would regard their periodical collection as worthwhile or representative without some or all of the following publications, but all of them have been the target of censors on occasion:

- *National Geographic*: "Nudity and sensationalism, especially in stories on barbaric foreign people."
- *Scholastic Magazine*: "Doctrines opposing the beliefs of the majority, socialistic programs; promotes racial unrest and contains very detailed geography of foreign countries, especially those inhabited by dark people."
- *National Observer*: "Right-wing trash with badly reported news."
- *New York Times*: "That thing should be outlawed after printing the Pentagon papers and helping our country's enemies."

The immediate results of demands to censor books or periodicals vary. At times, school boards and administrators have supported and defended their teachers, their use of materials under fire, and the student's right of access to the materials. At other times, however, special committees have been formed to cull out "objectionable works" or "modern trash" or "controversial



literature." Some teachers have been summarily reprimanded for assigning certain works, even to mature students. Others have been able to retain their positions only after initiating court action.

Not as sensational, but perhaps more important, are the long range results. Schools have removed from libraries and classrooms and English teachers have avoided using or recommending works which might make members of the community angry. Many students are consequently "educated" in a school atmosphere hostile to free inquiry. And many teachers learn to emphasize their own safety rather than their students' needs.

The problem of censorship does not derive solely from the small anti-intellectual, ultra-moral, or ultra-patriotic groups which will always function in a society that guarantees freedom of speech and freedom of the press. The present concern is rather with the frequency and force of attacks by others, often people of good will and the best intentions, some from within the teaching profession. The National Council of Teachers of English, the National Education Association, the American Federation of Teachers, and the American Library Association, as well as the publishing industry and writers themselves agree: pressures for censorship are great throughout our society.

The material that follows is divided into two sections. The first on "The Right to Read" is addressed to parents and the community at large. The other section, "A Program of Action," lists Council recommendations for establishing professional committees in every school to set up procedures for book selection, to work for community support, and to review complaints against any book or periodical.

### **The Right to Read**

An open letter to the citizens of our country from the National Council of Teachers of English

*Where suspicion fills the air and holds scholars in line for fear of their jobs, there can be no exercise of the free intellect. . . . A problem can no longer be pursued with impunity to its edges. Fear stalks the classroom. The teacher is no longer a stimulant to adventurous thinking; she becomes instead a pipe line for safe and sound information. A deadening dogma takes the place of free inquiry. Instruction tends to become sterile; pursuit of knowledge is discouraged; discussion often leaves off where it should begin.*

Justice William O. Douglas,  
United States Supreme Court:  
Adler v. Board of Education, 1951.

The right to read, like all rights guaranteed or implied within our constitutional tradition, can be used wisely or foolishly. In many ways, education is an effort to improve the quality of choices open to all students. But to deny the freedom of choice in fear that it may be unwisely used is to destroy the freedom itself. For this reason, we respect the right of individuals to be selective in their own reading. But for the same reason, we oppose efforts of individuals or groups to limit the freedom of choice of others or to impose their own standards or tastes upon the community at large.

The right of any individual not just to read but to read whatever he or she wants to read is basic to a democratic society. This right is based on an assumption that the educated possess judgment and understanding and can be trusted with the determination of their own actions. In effect, the

reader is freed from the bonds of chance. The reader is not limited by birth, geographic location, or time, since reading allows meeting people, debating philosophies, and experiencing events far beyond the narrow confines of an individual's own existence.

In selecting books for reading by young people, English teachers consider the contribution which each work may make to the education of the reader, its aesthetic value, its honesty, its readability for a particular group of students, and its appeal to adolescents. English teachers, however, may use different works for different purposes. The criteria for choosing a work to be read by an entire class are somewhat different from the criteria for choosing works to be read by small groups.

For example, a teacher might select John Knowles' *A Separate Peace* for reading by an entire class, partly because the book has received wide critical recognition, partly because it is relatively short and will keep the attention of many slow readers, and partly because it has proved popular with many students of widely differing abilities. The same teacher, faced with the responsibility of choosing or recommending books for several small groups of students, might select or recommend books as different as Nathaniel Hawthorne's *The Scarlet Letter*, Jack Schaefer's *Shane*, Alexander Solzhenitsyn's *One Day in the Life of Ivan Denisovitch*, Pierre Boulle's *The Bridge over the River Kwai*, Charles Dickens' *Great Expectations*, or Paul Zindel's *The Pigman*, depending upon the abilities and interests of the students in each group.

And the criteria for suggesting books to individuals or for recommending something worth reading for a student who casually stops by after class are different from selecting material for a class or group. But the teacher selects, not censors, books. Selection implies that a teacher is free to choose this or that work, depending upon the purpose to be achieved and the student or class in question, but a book selected this year may be ignored next year, and the reverse. Censorship implies that certain works are not open to selection, this year or any year.

Wallace Stevens once wrote, "Literature is the better part of life. To this it seems inevitably necessary to add, provided life is the better part of literature." Students and parents have the right to demand that education today keep students in touch with the reality of the world outside the classroom. Much of classic literature asks questions as valid and significant today as when the literature first appeared, questions like "What is the nature of humanity?" "Why do people praise individuality and practice conformity?" "What do people need for a good life?" and "What is the nature of the good person?" But youth is the age of revolt. To pretend otherwise is to ignore a reality made clear to young people and adults alike on television and radio, in newspapers and magazines. English teachers must be free to employ books, classic or contemporary, which do not lie to the young about the perilous but wondrous times we live in, books which talk of the fears, hopes, joys, and frustrations people experience, books about people not only as they are but as they can be. English teachers forced through the pressures of censorship to use only safe or antiseptic works are placed in the morally and intellectually untenable position of lying to their students about the nature and condition of mankind.

The teacher must exercise care to select or recommend works for class reading and group discussion. One of the most important responsibilities of the English teacher is developing rapport and respect among students. Respect for the uniqueness and potential of the individual, an important facet of the study of literature, should be emphasized in the English class. Literature classes should reflect the cultural contributions of many minority groups in the United States,

just as they should acquaint students with contributions from the peoples of Asia, Africa, and Latin America.

### **The Threat to Education**

Censorship leaves students with an inadequate and distorted picture of the ideals, values, and problems of their culture. Writers may often represent their culture, or they may stand to the side and describe and evaluate that culture. Yet partly because of censorship or the fear of censorship, many writers are ignored or inadequately represented in the public schools, and many are represented in anthologies not by their best work but by their "safest" or "least offensive" work.

The censorship pressures receiving the greatest publicity are those of small groups who protest the use of a limited number of books with some "objectionable" realistic elements, such as *Brave New World*, *Lord of the Flies*, *Catcher in the Rye*, *Johnny Got His Gun*, *Catch-22*, *Soul on Ice*, or *A Day No Pigs Would Die*. The most obvious and immediate victims are often found among our best and most creative English teachers, those who have ventured outside the narrow boundaries of conventional texts. Ultimately, however, the real victims are the students, denied the freedom to explore ideas and pursue truth wherever and however they wish.

Great damage may be done by book committees appointed by national or local organizations to pore over anthologies, texts, library books, and paperbacks to find passages which advocate, or seem to advocate, causes or concepts or practices these organizations condemn. As a result, some publishers, sensitive to possible objections, carefully exclude sentences or selections that might conceivably offend some group, somehow, sometime, somewhere.

### **The Community's Responsibility**

American citizens who care about the improvement of education are urged to join students, teachers, librarians, administrators, boards of education, and professional and scholarly organizations in support of the students' right to read. Only widespread and informed support in every community can assure that

- enough citizens are interested in the development and maintenance of a superior school system to guarantee its achievement;
- malicious gossip, ignorant rumors, and deceptive letters to the editor will not be circulated without challenge and correction;
- newspapers will be convinced that the public sincerely desires objective school news reporting, free from slanting or editorial comment which destroys confidence in and support for schools;
- the community will not permit its resources and energies to be dissipated in conflicts created by special interest groups striving to advance their ideologies or biases; and
- faith in democratic traditions and processes will be maintained.

### **A Program of Action**

Censorship in schools is a widespread problem. Teachers of English, librarians, and school administrators can best serve students, literature, and the profession today if they prepare now to face pressures sensibly, demonstrating on the one hand a willingness to consider the merits of

any complaint and on the other the courage to defend their literature program with intelligence and vigor. The Council therefore recommends that every school undertake the following two-step program to protect the students' right to read:

- the establishment of a representative committee to consider book selection procedures and to screen complaints; and
- a vigorous campaign to establish a community atmosphere in which local citizens may be enlisted to support the freedom to read.

*Reprinted in part courtesy of the National Council of Teachers of English.  
The Committee on the Right to Read of the National Council of Teachers of English, 2004.*

## Appendix H: ALA Policy on Confidentiality

The Council of the American Library Association strongly recommends that the responsible officers of each library, cooperative system, and consortium in the United States:

1. Formally adopt a policy that specifically recognizes its circulation records and other records identifying the names of library users to be confidential.
2. Advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.
3. Resist the issuance of enforcement of any such process, order, or subpoena until such time as a proper showing of good cause has been made in a court of competent jurisdiction.<sup>1</sup>

*1 Note: Point 3, above, means that upon receipt of such process, order, or subpoena, the library's officers will consult with their legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance; if the process, order, or subpoena is not in proper form or if good cause has not been shown, they will insist that such defects be cured.*

*Adopted January 20, 1971, by the ALA Council; amended July 4, 1975; July 2, 1986.*

## Appendix I: Resources

*American Association of School Librarians Position Statements*. Chicago, IL: American Library Association. Available at <http://www.ala.org/aasl/positions/index.html>

*Copyright Policy and Compliance*. Bellingham, WA: Bellingham School District. Available at <http://www.bham.wednet.edu/technology/copyrightpolicy.htm>

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*Copyright Management Center*. Indianapolis, IN: Indiana University - Purdue University Indianapolis. Available at <http://www.copyright.iupui.edu/index.htm>

*Copyright Resources for Schools and Libraries*. Madison, WI: Wisconsin Department of Public Instruction. Available at <http://www.dpi.state.wi.us/dpi/dltcl/lbstat/copyres.html>

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Simpson, Carol. *Copyright for schools: A Practical Guide*. 3<sup>rd</sup> ed. Worthington, OH: Linworth Publishing, 2001.

*The Students' Right to Read*. The Committee on the Right to Read of the National Council of Teachers of English. Available at <http://www.ncte.org/about/over/positions/category/cens/107616.htm>

*Circular 21: Reproduction of Copyrighted Works by Educators and Librarians*. Washington, DC: United States Copyright Office. Available at <http://www.copyright.gov/>

*The United States Copyright Law: A Guide for Music Educators*. Reston, VA: The National Association for Music Education. Available at: <http://www.menc.org/information/copyright/copyr.html#appendixb>