

OFF-AIR VIDEOTAPING

1. The guidelines were developed to apply only to off-air recording by non-profit educational institutions.
2. A broadcast program may be recorded off-air simultaneously with broadcast transmission and retained by a non-profit educational institution for a period not to exceed the first 45 consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately.
3. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 calendar day retention period. "School days" are school session days – not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions- within the 45 calendar day retention period.
4. Off-air recordings may be made only at the request of and used by individual teachers, 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.
5. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.
6. After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for teacher evaluation purposes, e.g. to determine whether or not to include the broadcast program in the teaching curriculum and may not be used in the recording institution for student exhibition or any other non-evaluation purpose without authorization.

Prohibitions:

1. School personnel may not reproduce currently available copyrighted AV materials to avoid purchasing them.
2. School personnel may not use copyrighted commercial recordings as backgrounds for faculty and/or student produced sound/slide, filmstrip, film or videotape presentations without permission from the copyright holders unless the presentation is produced strictly as a classroom assignment and will be dismantled as soon as graded.
3. Staff may not use copyrighted photographs or illustrations from books in faculty and/or student produced sound/slide, filmstrip, film or videotape presentations without permission from the copyright holders unless the presentation is produced strictly as a classroom assignment and will be dismantled as soon as graded.
4. No teacher or media specialist may change the format of copyrighted audiovisual materials owned by a school or district without permission of the copyright holder.
5. No teacher may make a dramatization of a copyrighted story arrangement of copyrighted music, etc. without the permission of the copyright holder.