



ADMINISTRATIVE REGULATION AND PROCEDURE

Title: CLASSROOM INSTRUCTIONAL USE OF PBS TELEVISION PROGRAMS PRESENTED ON WMVS/WMVT	Code: II0210
Policy Reference: N/A	

Under the standard rights provisions defined by PBS and the "Fair Use" guidelines established by Congress, programs or portions of programs broadcast on WMVS/WMVT may be recorded and played back for instructional research purposes or classroom presentation for a period of ten days following the original broadcast. Special Extended Educational Rights have been negotiated for several ongoing PBS series and specials that permit use for up to one year. For educational uses beyond the negotiated period, permission must be sought from the individual program's producer.

A copy of the PBS prepared "Guidelines for Taping Programs" is attached for your information.

Due to the volume of program material presented each day, it is impossible for WMVS/WMVT to provide VHS recording or duplicating services of PBS programming. WMVS/WMVT staffs a viewer services desk (297-7520) that will assist educators with information about current PBS programming, provide negotiated educational rights information, and supply program producer information about past PBS offerings.

10-DAY FAIR-USE GUIDELINES

The guidelines for videotaping broadcast programming are contained in the "Guidelines for Off-the-Air Recording of Broadcast Programming for Educational Purposes," ratified in 1981 by the House Subcommittee on the Courts, Civil Liberties, and the Administration of Justice. Although they do not have the force of law, they can be expected to serve as primary criteria when courts access fair use in any future cases involving off-air videotaping for educational purposes.

Although there are a number of restrictions placed on the use of videotaped television programs, the two most critical limitations are:

1. Videotaped recordings may be kept for not more than 45 calendar days after the recording date, at which time the tapes must be erased.
2. Videotaped recordings may be shown to students only within the first 10 school days of the 45-day retention period.

Additional restrictions that must be followed include:

3. Off-air recordings must be made only at the request of an individual teacher for instructional purposes, not by school staff in anticipation of later requests by teachers.



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4. The recordings are to be shown to students no more than two times during the 10-day period, and the second time only for necessary instructional reinforcement.
5. The taped recordings may be viewed after the 10-day period only by teachers for evaluation purposes, that is, to determine whether to include the broadcast program in the curriculum in the future.
6. If several teachers request videotaping of the same program, duplicate copies are permitted to supply their request; all copies are subject to the same restrictions as the original recording.
7. The off-air recordings may not physically or electronically be altered or combined with others to form anthologies, but they need not necessarily be used or shown in their entirety.
8. All copies off-air recordings must include the copyright notice on the broadcast program as recorded.
9. These guidelines apply only to nonprofit educational instructions which are further "expected to establish appropriate control procedures to maintain the integrity of these guidelines."

NOTE: The 10-Day Fair Use Guidelines apply to all commercial television broadcasts and to some public television broadcasts. Educators should also remember that these guidelines are operative only in the absence of other negotiated rights (see 7-Day School Rerecord Rights, for example) or licensing agreements which themselves may be either more or less restrictive than these guidelines.

The PBS [Copyright Compendium](#) provides a comprehensive overview of copyright guidelines. To obtain this publication, send a \$7.50 [check or money order](#) to PBS, Elementary/ Secondary Service, 1320 Braddock Place, Alexandria, Virginia 22314.

Office of Responsibility: WMVS/WMVT-TV Station Management