

FCS Video Guidelines

While it is acknowledged that video can be a powerful medium for conveying information and communicating to students, we ask that teachers adhere to the best practices regarding video/film usage and the legal policies that surround the Fair Use of Copyrighted Materials for educational purposes.

- All videos should be shown in the context of a greater lesson, such as introducing or expanding upon an element of the curriculum, encouraging class discussion, etc. Showing a video simply to show a video is not allowed. Lesson plans should support valid instructional standards.
- While clips from films that are accompanied by standards based instruction are encouraged in order to protect instructional time and to meet with Fair Use Guidelines for the use of copyrighted materials, teachers or other staff members wanting to show an entire movie to their class should NOT do so without prior approval from administration. Please use a [Video Approval Form](#).
- Online streaming services such as Netflix, Amazon Prime, or other for-profit streaming services are NOT to be used for the viewing of videos at school. The terms of service for these services explicitly denies usage in any sort of public performance (including educational environments). Unless the Terms of Service (“TOS”) of a particular service state permission for educators to use in the classroom, videos delivered through such services should not be used in the classroom.
- Please see the following movie rating guidelines:

| RATING | HIGH | MIDDLE | ELEMENTARY |
|---------------|--|--|---|
| NC-17 | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT |
| R | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT |
| PG-13 | MAY BE USED WITH BLANKET OR SPECIFIC PARENTAL PERMISSION WITH PRINCIPAL APPROVAL | MUST HAVE SPECIFIC PARENTAL PERMISSION AND PRINCIPAL APPROVAL | NEVER ALLOWED; NEVER SUGGESTED AS OUTSIDE PROJECT |
| PG | MAY BE USED WITH PRINCIPAL APPROVAL | MAY BE USED WITH BLANKET OR SPECIFIC PARENTAL PERMISSION WITH PRINCIPAL APPROVAL | MAY BE USED WITH SPECIFIC PARENTAL PERMISSION AND PRINCIPAL APPROVAL |
| G | MAY BE USED | MAY BE USED | MAY BE USED |

- Please use a copy of this [PG Movie Parent Permission Form](#).

- **Additional Procedures for Use of Non-Rated Videos/DVDs**

- ❖ Non-rated videos/DVDs obtained from a district provided source may be used without parental notification or permission unless there is doubt about the age appropriateness of the content. A teacher who proposes to use a video/DVD for an audience other than the age group recommended should consult the principal. Non-rated videos/DVDs obtained from sources outside the district may be used without parental notification or permission if descriptive information from recognized sources indicates that the content and intended audience are appropriate. The school media specialist can be a source for finding such reviews or a committee can be convened according to the guidelines listed above.
 - ❖ Videos/DVDs of student performances may be shown if they meet the instructional criteria listed in "Guidelines" above. Copyright laws must still be followed if the student performance is of a copyrighted work that is protected.
- If it is established that a student or parent/guardian objects as a matter of principle to the viewing of a particular video/DVD, a meaningful alternative, related activity will be assigned without penalty or embarrassment to the student. *Alternative assignments must consist of useful work related to valid instructional goals. They may not be punitive in nature.
 - Any videos/ or movies shown under any of the following circumstances will require the school to have a public performance license.
 - ❖ The movie/video is NOT being used as an essential part of the curriculum.
 - ❖ The movie/video is being shown to more than one class of students at the same time.
 - ❖ The movie/video is being shown outside the classroom setting.
 - ❖ The movie/video is being shown outside of school hours.
 - ❖ Admission is being charged to view the movie.

Copyright Compliance and Public Performances Q&A

Q: What exactly is a public performance?

A: A public performance is an exhibition of a movie that is shown outside of someone's home.

Q: Why should I obey copyright law?

A: Violating copyright law through unauthorized use of a movie:

- Prevents those who worked hard on a film from receiving their just compensation.
- Essentially steals motivation to create from authors, computer programmers, playwrights, musicians, inventors, movie producers and more.

A public performance license ensures money will be paid to the entire cast and crew who worked on a film from start to finish. If these men and women do not receive this hard-earned revenue through sources like licensing fees, they may no longer invest their time, research and development costs to create new movies.

Q: Who does copyright law apply to?

A. This law applies to all U.S. schools, regardless of:

- Whether admission is charged.
- Whether the institution is commercial or nonprofit.
- Whether a federal, state or local agency is involved.
- What year the movie was produced.

This means public schools, colleges, universities, public libraries, day care facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses and more all must properly license movies to show them publicly.

Q: Do I need a license to show a movie for educational purposes? This activity is covered under the “Face-to-Face Teaching Exemption,” right?

A: It depends. Under the "Face-to-Face Teaching Exemption," copyrighted movies may be shown in a K-12 school setting without copyright permission only if all criteria are met:

- A teacher or instructor is present, engaged in face-to-face teaching activities.
- The institution must be an accredited, nonprofit educational institution.
- The showing takes place in a classroom setting with only enrolled students in attendance.
- The movie is used as an essential part of the core, required curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus.)
- The movie being used is a legitimate copy, not recorded from a legitimate copy or recorded from TV.

This means the "Face-to-Face Teaching Exemption" does not apply outside the nonprofit, in-person, classroom teaching environment. It doesn't apply to movies shown online – even if they're part of course-related activities and websites. It also doesn't apply to interactions that are not in-person - even simultaneous distance learning interactions.

Q: Do we need a license even if we don't charge admission?

A. A license is required for all public performances regardless of whether admission is charged.

Q: What if someone owns the movie?

A. The rental, purchase, lending or download of a movie does not provide the right to exhibit it publicly outside the home unless the screening is properly licensed.

Q: If I borrow movies from a public library can I use them legally for entertainment in a school?

A. The school itself must be licensed to legally show these movies. A public library cannot pass on copyright compliance to anyone, and only SWANK/Movie Licensing USA or the studio that produced the movie can grant copyright compliance.

Q: Who's responsible if a film is shown without a license?

A. The administration of the school where the movie is shown bears the ultimate responsibility and consequences of copyright infringement.

Q: If I purchased a Single Event Public Performance License to show a movie, can I show that movie whenever I want?

A. Unfortunately, no. These licenses cover showing a specific title during a designated time frame.

Q: A small group is having an informal gathering in our facility. Do we still need a license?

A: A license needs to be obtained regardless of the number of people attending the screening if the movie is being shown outside the home.

-Copyright information from <https://www.swank.com/k-12-schools/copyright/>

Please check with your school media specialist to see if your school has a public performance license or if you have any other questions about showing videos/movies at school.