



Orange County Public Schools

Date: December 18, 2023

To: All Principals

From:

Recipients: Assistant Principals, Media Specialists, Teachers

Subject: Videos in the Classroom

The incorporation of video is recognized as a valuable tool to enhance the learning process. It is critical that educators model the effective, ethical, and legal aspects of video use in the classroom for students. When used properly, video helps to reinforce concepts, expand learning beyond the classroom, and make lessons more relevant to students.

The decision to use video segments in the classroom is determined by its relevance to the curriculum. Video is not to be used to entertain, to provide “free days” in lieu of instruction, or as part of a reward program. It is imperative that teachers review all videos in their entirety before projecting them to the class. The content of these videos must be age-appropriate to the grade level receiving instruction.

The following chart must be used to determine if a rated video may be shown in a classroom setting. Should the video be viewable only “with permission,” it will be necessary to complete the “Permission Form to View Rated Content” available at the link below or from the school’s media specialist. The form must be sent home for parent/guardian signature prior to viewing the video. Students whose parents/guardians do not give permission must be provided an alternative assignment.

- [Permission Form to View Rated Content Form](#)

TV Rating	Movie Rating	Elementary	Middle	High
TV-G	G	Yes	Yes	Yes
TV-PG	PG	With Permission	Yes	Yes
TV-14	PG-13	No	With Permission	Yes
TV-MA	R	No		
	NC-17			
	X			

Dear Dr. Armbruster,

You inquired about the showing of movies in schools. In short, United States copyright law requires that all videos displayed outside of the home (such as in a school, library, auditorium, or classroom) must have public performance rights. Please refer staff to [Management Directive B-7 Guidelines for Use of Copyrighted Materials](#) on the intranet. Note that the showing of copyrighted movies in face-to-face classroom instruction is covered in section B on page 4.

Though there is a limited exception in the copyright law for a movie to be shown if it is part of direct classroom instruction in a face-to-face setting (such as showing Romeo and Juliet in English class as part of the curriculum), only an Annual Public Performance Site License allows K-12 schools to legally show copyrighted movies for non-teaching activities inside a school without the risk of copyright infringement. The cost of this license is based on the school's total enrollment and is valid for a full year from a date that the school chooses. SWANK Movie Licensing USA is the name of the company that many of our schools have entered into an agreement with for the showing of copyrighted movies. Also worth mentioning is that utilizing Amazon Prime, Netflix, or other similar streaming platforms, is generally reserved for personal and non-commercial use only. This means that the showing of a movie in a classroom through a personal account, though non-commercial, will not likely be considered to be personal private use and could be a direct violation of licensing terms.

Should you have any questions, please feel free to contact me. You may share this email with our schools.

Warm regards,

Amy D. Envall

General Counsel

Office of Legal Services

Orange County Public Schools

445 West Amelia Street, Orlando, Florida 32801



Orange County Public Schools Guidelines for the Use of Videos

The incorporation of video into the classroom is recognized as a valuable tool to enhance the learning process. It is critical that as educators, we model the effective, ethical, and legal aspects of video use in the classroom for our students. When used properly, video helps to reinforce concepts, expand learning beyond the classroom, and make lessons more relevant to our students. In the 21st century, video takes on a great many formats that were not available to classrooms a few years ago. There may still be some form of digital video to come that is not presently available. The following guidelines govern the use of video and video segments in the classroom.

Definition of Video

Video is defined as the projection of still or moving images to the entire class. This includes but is not limited to the following formats:

Still Images

- Images collected from the Internet
- Images displayed on a web site
- Images taken with a digital recording device
- Scanned images
- Images projected by a document camera

- Images on mobile devices

Moving Images

- VHS tapes
- DVD video
- Video Content from educational sources such as Safari Montage, NBC Learn, or Discovery Streaming
- Digital video files collected from the internet
- Content from video-streaming sites, such as:
 - Netflix
 - YouTube
 - TeacherTube

- SchoolTube
- iTunes
- Amazon.com
- Hulu
- Vimeo
- Local and National news websites
- Any other internet site that has streaming or downloadable video
- Video contained on or streamed to, a mobile device

Use of Video in the Classroom

The decision to use video segments in the classroom is determined by its relevance to the curriculum. Video is not to be used to entertain, to provide “free days” in lieu of instruction, or as part of a reward program. Aside from the instances just described, teachers should feel free to utilize digital content provided it is directly related to the curriculum.

Network or Internet Delivered Video Content

As video technologies have changed, there are an increasing number of internet sites that provide video content. Sites such as YouTube, Vimeo, and iTunes are available for teacher use in the classroom. While these sites have excellent content, they also have a quantity of videos that are inappropriate for a school setting, or have no educational value. It is imperative that teachers review all videos in their entirety before projecting them to the class. These video clips must support instruction and are not to be used for entertainment purposes. In addition, be sure that the vocabulary and content of these videos are age appropriate to the grade level receiving instruction.

Use of Commercial Movies in the Classroom

When using commercial movies in the classroom, one must be aware of both the copyright and the rating system assigned to these movies. When a particular movie supports the curricular goals its purchase should be requested through the school media specialist. Movies purchased by the school from approved vendors allow the broadcast of these movies throughout the school, eliminating copyright issues. **Teachers may not bring videos from home to play in district classrooms.**

Obtaining Parental Permission for Viewing Rated Content

The Motion Picture Association of America (MPAA) provides the following description of the film rating system:

Movie ratings provide parents with advance information about the content of films, so they can determine what movies are appropriate for their young children to see. Movie ratings do not determine whether a film is “good” or “bad.” They simply provide basic information to parents about the level of various elements in the film, such as sex, violence, and language so that parents can decide what their children can and cannot see.

In the interest of protecting our children, the following chart has been developed to determine if a rated video may be shown in a classroom setting. Should the video be viewable only “with permission,” it will be necessary to complete the “Permission Form to View Rated Content” available from your media specialist. The form must be sent home for parent signature prior to viewing the video. Students whose parents do not give permission must be provided an alternative assignment.

TV Show and Movie Content Ratings

TV Rating	Movie Rating	Elementary	Middle	High
TV-G	G	Yes	Yes	Yes
TV-PG	PG	With Permission	Yes	Yes
TV-14	PG-13	No	With Permission	Yes
TV-MA	R	No		
	NC-17			
	X			



Orange County Public Schools Instructional Technology and Library Media Permission Form to View Rated Content

The use of video is a valuable tool to enhance curriculum being taught. It serves to reinforce, clarify, and connect the curriculum in order to gain greater understanding. The purpose of this form is to seek permission for your child to view a video that has rated content. Permission is required for the use of video greater than “G” in elementary schools, and greater than “PG” in middle and high schools. Movies rated “R” (under 17 must be accompanied by an adult) are not to be shown on school grounds or during school sponsored activities.

School _____ Teacher _____

Course or Subject Area _____ Video _____

Date of Request _____ Viewing Date _____

Teacher Signature _____

Principal/ Asst. Principal Approval _____

For the purposes of instruction, the teacher plans to use : Entire video Segments from video

	TV Rating	Movie Rating	Meaning
<input type="checkbox"/>	TV-PG	PG	Some material may not be suitable for young children
<input type="checkbox"/>	TV-14	PG-13	Some material may be inappropriate for children under 13 years of age
<input type="checkbox"/>	N/A	NR	This film is not rated (film may have been produced before ratings system)

According to OCPS Management Directive B-7 Videos used in the Classroom must be used in face-to-face instruction. Below is a brief description of how this video supports the curriculum/standards.

Student Name _____

I GIVE MY PERMISSION FOR MY CHILD TO VIEW THE AFOREMENTIONED VIDEO/DVD.

I DO NOT GIVE PERMISSION FOR MY CHILD TO VIEW THE AFOREMENTIONED VIDEO/DVD.

If you do not give permission for your child to view the material, an alternative assignment will be provided.

Signature _____ Date _____

**ORANGE COUNTY PUBLIC SCHOOLS
ORLANDO, FLORIDA**

**MANAGEMENT DIRECTIVE B-7
GUIDELINES FOR USE OF COPYRIGHTED MATERIALS**

Since the school board recognizes that a school's staff needs a variety of instructional resources to accomplish the goals and objectives of curriculum and instruction adopted by the school board to meet the needs of students, the following guidelines pertaining to the use of copyrighted materials have been developed in conjunction with Policy EGAB and contains criteria for "fair use" of copyrighted works. These guidelines are based on copyright laws, legal interpretations of that law, and practitioners' experiences implementing the law.

Printed Materials and Music

- A. Instructional employees are permitted to make a single copy of the following copyrighted works for their own use in scholarly research or classroom preparation:
 - 1. A chapter from a book
 - 2. An article from a periodical or newspaper
 - 3. A short story, short essay or short poem
 - 4. A chart, graph, diagram, newspaper, article, cartoon or picture from a book, newspaper or periodical
 - 5. A short excerpt (up to 10 percent) from a performable unit of music, such as a song, movement or section for study purposes

- B. Instructional employees are permitted to make multiple copies of the following copyrighted works for use in the classroom (with the number of copies not to exceed one (1) copy per student in the class):
 - 1. A complete poem, if less than 250 words and printed on not more than two (2) pages
 - 2. An excerpt from a longer poem (not to exceed 250 words)
 - 3. A complete article, story or essay, if less than 2,500 words
 - 4. An excerpt from a prose work if less than 1,000 words or 10 percent (10%) of the work, whichever is less, but, in any event, a minimum of 500 words
 - 5. One (1) chart, diagram, drawing, cartoon, or picture per book or periodical
 - 6. Up to 10 percent (10%) of a performance unit of music for academic purposes other than performance
 - 7. "Special" works: certain works in poetry, prose or "poetic prose," which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience and fall short of 2,500 words in their entirety. Sections B (2) and (3) above notwithstanding, such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two (2) of

the published pages of such special work and containing not more than 10 percent (10%) of the words found in the text thereof, may be reproduced.

C. Instructional employees may also:

1. Make a single copy of recordings or performances by students for evaluation or rehearsal purposes that may be retained by the educational institution or individual teacher.
2. For academic purposes other than performance, make single or multiple copies of excerpts or works, provided that the excerpts or works do not comprise a part of the whole which would constitute a performance unit such as a section, movement or aria, but in no case more than 10 percent (10%) of the whole work. The number of copies shall not exceed one (1) per student in the class.
3. Edit or simplify print copies which may have been purchased, provided that the fundamental character of the work is not distorted or the lyrics, if any, are not altered or lyrics added, if none exist.
4. Make a single copy of a sound recording (such as a tape, disc, cassette or MP3 file) of copyrighted music from sound recordings owned by an educational institution or individual teacher for the purpose of constructing aural exercises or examinations; this single copy may be retained by the educational institution or instructional employee (this pertains only to the copyright of the music itself and does not apply to any copyright which may exist in the sound recording).
5. Make an emergency replacement copy to substitute for a purchased copy that is not available for an imminent musical performance, provided purchased replacement copies shall be substituted in due course.
6. Display a copy of a work on an electronic white board or other such device projector.

D. Instructional employees may not make multiple copies of:

1. Material for only one course in a school in which the copies are made.
2. More than one (1) short poem, article or essay; or two (2) excerpts from the same author; nor more than three (3) from the same collective work or periodical volume during one (1) class.
3. Material in more than nine (9) instances for one (1) course during one (1) class term (*note that the limitations in Sections C (2) and (3) above shall not apply to current new periodicals and newspapers and current news sections of other periodicals).
4. Works intended to be "consumable" during study or teaching. These include workbooks, exercises, standardized tests, test booklets and like consumable material.
5. Books, publishers' reprints or periodicals (a) as substitution for their purchase; (b) if directed by the instructional employee's supervisor; or (c) if used repeatedly by the same instructional employee from term to term.

Materials Transmitted via Broadcast Media

- A. Guidelines for video recording of broadcast programming for educational purposes (Congressional Record, October 14, 1981, pp. E4750-4752)
1. The guidelines were developed to apply only to off-air recording by nonprofit institutions.
 2. A broadcast program may be recorded off-air simultaneous to its broadcast transmission (including simultaneous cable retransmissions) and retained by a nonprofit educational institution for a period not to exceed the first 45 consecutive calendar days after the date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. "Broadcast programs" are television programs transmitted by television stations for reception by the public without charge.
 3. Off-air recordings may be used once by individual instructional employees during relevant teaching activities, and repeated only once when instructional reinforcement is necessary. The playbacks may be conducted 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 (45) calendar-day retention period
 4. Off-air recordings and playbacks may be made only at the request of individual instructional employees, 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 instructional employee, 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 instructional employees under these guidelines. Each additional copy shall be subject to all provisions governing the original recording
 6. After the first 10 (10) consecutive school days, off-air recordings may be used up to the end of the 45 (45) calendar-day retention period only for instructional employees' evaluation purposes, i.e., to determine whether to include the broadcast program in the teaching curriculum, and may not be used in the recording institution for student exhibition or any other nonevaluation purpose without authorization.
 7. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recording may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.
 8. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

9. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.
- B. In use of pre-recorded video – instructional employees may show copyrighted works in face-to-face classroom instruction, provided all the following conditions are met:

NOTE: Face-to-face classroom instruction prohibits videos being played through the school's closed circuit distribution system.

1. The video showing is part of a systematic course of instruction and not for entertainment, recreation or cultural value.
2. Attendance at the video showing is limited to the students enrolled in the course and to their instructional employee(s).
3. The video showing is given in a classroom or similar place devoted to instruction, including libraries or gymnasiums, so long as the attendance limitation (see Section B(2) above) is satisfied.
4. The video showing comes from a legitimately made copy which was not sold under any license or contract restricting or prohibiting school showing.

Examples of videos that should not be used in the classroom because they typically are designated "FOR HOME USE ONLY" are:

- a. Videos purchased or rented from video rental stores or other retail establishments
 - b. Videos checked out from the public library
 - c. Videos donated by parents or others
 - d. Video streaming
5. Volunteers who bring videos to use as a part of their presentations must adhere to the same restrictions listed above. It may be necessary to ask for proof of public performance rights.
- C. "Fair Use" Guidelines for recording Public Broadcasting Service programs seven-day school rerecording rights for PBS programs only:

Several years before the establishment of the Ten (10) Day Fair Use Guidelines, the Public Broadcasting Service, known as PBS, negotiated with the various entertainment unions and producers, the rights to offer seven (7) day School Recorded Rights for some PBS programming. Many programs and series presently distributed by PBS through its member stations (Orlando: WUCF-TV, Channel 24) include seven (7) day School Rerecorded Rights whose criteria are slightly different from those listed for Ten (10) Day Fair Use. Seven (7) day School Rerecord Rights allow the following:

1. Programs may be recorded without a prior request from an instructional employee and may be recorded and exhibited each time a program is broadcast.
2. Only a single copy of the program can be recorded by an educational institution and that copy cannot be duplicated.

3. The program can be retained for seven (7) consecutive days following its broadcast, each time it is broadcast, but must be erased at the end of the seven (7) day period.
4. Instructional employees may exhibit the program as often as needed during the seven (7) day period.
5. Programs may be transmitted on closed circuit systems, close cable systems or ITFS systems within the seven (7) day exhibition period. However, open cable origination of the program can only be initiated by the public television station

To determine if a PBS program is one of those which does provide seven (7) day School Rerecord Rights, please contact the program director, WUCF-TV Channel 24 in Orlando, telephone 407-823-0899.

Every effort should be made to secure advance written permission from the copyright owner in instances that exceed these "fair use" guidelines.

Any usage which exceeds the "fair use" guidelines, wherein permission does not exist, must involve a royalty payment to the copyright owner.

Each school board employee will be held responsible for adhering to these "fair use" guidelines and no exception can be made.

If there are questions concerning this section of this directive, please contact your supervisor.

Materials Produced in the Print Shop

- A. No copyrighted materials may be reproduced in the print shop or copy room of any Orange County Public Schools facility unless accompanied by a signed authorization from the copyright owner or statement of educational fair use signed by the appropriate manager.
- B. All requests for reproduction by a print shop of copyrighted materials shall be submitted to the print shop as follows:
 1. In the case of requests from school centers, from the principal or designee
 2. In the case of requests from other-than-school centers, from the appropriate director, area superintendent, chief, deputy superintendent or the superintendent of schools

Computer Software

- A. No copyrighted computer software shall be reproduced, adapted, or modified by an employee of Orange County Public Schools without prior written permission from the copyright owner unless:
 1. Such a copy or adaptation is essential in the utilization of the computer program in conjunction with existing hardware, and that it is used in no other manner
 2. Such copy or adaptation is for archival purposes only and provides protection while ordering a replacement for the working copy, which may be defective or destroyed. Additional replacement copies may not be generated from the archival copy. Archival

copies shall be destroyed in the event that rightful ownership of the computer programs ceases to exist.

- B. Every effort should be made at the time of purchase to obtain the necessary permission to reproduce, adapt or modify copyrighted computer software.
- C. An educational institution may not make an adaptation of a computer program to meet local needs and then make multiple copies for distribution throughout the district without written permission of the copyright owner.
- D. No computer hardware or software owned or leased by Orange County Public Schools shall be used by an employee or student of Orange County Public Schools for personal gain or profit.
- E. If there are any questions concerning the appropriate interpretation of this directive, contact your immediate supervisor for assistance.

Digital Media

- A. All users must abide by the terms of use or subscriber agreements, detailing what users may and may not do with their materials.
- B. It is important to review the requirements “for noncommercial instructional use” and when copies of downloaded material must be deleted.
- C. Usage of file sharing programs, such as YouTube, shall not be used to stream material that is otherwise copyrighted or prohibited via the Children’s Internet Protection Act.


Superintendent

July 1, 2022
Date Reviewed