What you need to know about Copyrights in Federal Government Language Teaching
What is copyright?

Copyright protects authors, artists, photographers, musicians, or anyone who creates by giving them exclusive rights to publish their works. Those rights include allowing others to copy, distribute, create adaptations, and perform or display their work.
Fair Use?

17 U.S. Code § 107 - Limitations on exclusive rights: Fair use

“...the fair use of a copyrighted work, including such use by reproduction in copies or [...] by any other means [...] for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright.”
Is it fair use?

Yes

Is it fair use?

No

Are you using only a portion of the material? (less than 10%) Yes

It’s fair use

No

Has the material changed in any way? Yes

It’s fair use

No

Are you using only a portion of the material? (less than 10%) Yes

It’s fair use

No

Is the material for limited or spontaneous use? Yes

It’s fair use

No

Is the material for limited or spontaneous use? Yes

It’s fair use

No

Is the material a part of established course curriculum? Yes

It’s not fair use, you need permission

No
When it comes to considering copyrights, you first have to decide how you are going to use the materials.
Use of materials

In education, fair use allows teachers to reproduce small portions of materials for spontaneous, very limited classroom use — without obtaining permission.
Use of materials

When material is used on a continuous basis permission must be requested.
What materials are copyrighted?

Newspaper and magazine articles, books, web content, radio and television reports, poems, most song lyrics, and most all authentic texts.

Photographs, artwork, sculptures, advertisements

Music, audio, video and works in digital form.
What materials are copyrighted?

Both foreign and domestic works are copyrighted. Even if the material does not have a copyright symbol or designation, it is still fully protected under copyright law.
What materials are not copyrighted?

Works in the "public domain" are not copyrighted and are free to use without requesting permission.

When you look for materials (pictures, texts, audio or video recordings) to use, first try to find works in the public domain that you don’t need permission to use. Be careful! Just because a piece of work is placed on the Internet it does not mean it is in the public domain.
What works are public domain?

Works donated to the public domain, such as:

- Wikipedia, Wikimedia commons
- Google Advanced Image Search
- Flickr/Creative Commons
- Public Domain Pictures

For image searches try using “free to use” websites first, and remember to attribute the source.
What works are public domain?

Works published before 1923 are free to use (but not newer translations, productions or derivatives such as films or plays.)
What works are public domain?

U.S. Government-sponsored or financed materials are public domain. This includes works produced by government employees in the course of their jobs.
What works are public domain?

Works that originate from foreign government websites may be used without permission.
Special cases

Material generated in Afghanistan, Ethiopia, Iran and Iraq can be used without asking for copyright permission. The United States does not have copyright relationships with these countries.
Attribution

Credit the source(s) of the content used. This includes PowerPoints, links to videos and more.

Keep a listing of resources used for text, images, audio, and video. This will be helpful for future reference.
Attribution

SLS Attribution Template

Any content used in program material must be attributed.

Image/Video Attribution: For attributions for images use the acronym L Intel which stands for Location (in your material), Title, Author, Source, and License.

L Location in these materials. Page number, then location on page
  ex. 5.22 (Upper Right)
  ex. 3.11 (Lower Left)
  ex. 12 (Lower Right)

T Title - What is the name of the material?
If a title was provided for the material, include it. If no title listed, don’t include.

A Author - Who owns the material?
Name the author or authors of the material.

S Source - Where can I find it?
The name of the main website where the material resides.
ex. Flickr.com
ex. Wikipedia.com
ex. YouTube.com

L License - How can I use it?
This applies to content from Creative Commons. Click on the words (CC license) to find out which type of license the material falls under or look at the CC icon beside the source.

Copyright Information

This document is a work of the United States government and is in the public domain (see 17 U.S.C. #105). Subject to the stipulation below, it may be distributed and copied with acknowledgment to the Foreign Service Institute, U.S. Department of State. Copyrights to graphics or texts included in the document are reserved by the original copyright holders or their assignees and are used here under the government’s license and by permission. Specific Creative Commons licenses are listed for each item. Requests to use any texts or images must be made to the provider identified in the image credits or text citations or to the Foreign Service Institute if no provider is identified.
Permission Request

Needed when material will be used continuously and for language material produced by FSI

Language material produced by FSI should consist of any of the following:

- Original work created by instructors
- Public domain content
- Material used with permission
- Licensed Content
- Free License material (Creative Commons)
Permission Request

Request Letter Sent to Copyright Holders

United States Department of State
Foreign Service Institute
George P. Shultz National Foreign Affairs Training Center
Washington, D.C. 20520-4551

September 14, 2015
To: Visan
visan@impressa.net
RE: Copyright Permission

We are writing to you from the Foreign Service Institute (FSI), the federal government’s primary training institution for officers and support personnel of the U.S. foreign affairs community. FSI proposes American diplomats and other foreign affairs professionals to work overseas.

Our Foreign Language Instruction, in the School of Language Studies, are currently developing curriculum for students in our language program. We would like to use articles from your online publication in language material for our students.

Please note that your work would be used to address the unique needs of U.S. government employees at FSI and would not be used for commercial distribution. Our work will be used for non-commercial and educational purposes.

We will greatly appreciate the use of your work.
We will, of course, acknowledge and give full copyright credit to you.

Please let us know at your earliest convenience if you will grant us copyright permission. Thanking you in advance for the diligence with which you treat our request, please accept the assurance of our highest consideration.

Thank you for your consideration. We look forward to hearing from you.

Sincerely,
School of Language Studies
Foreign Service Institute
United States Department of State
Tel: 703-305-6845
Fax: 703-302-6718
EducationalMaterials@state.gov

Signature                                      Date
Links Work

Linking to text material is a way to use the material spontaneously, often, or continuously in language material for students.

Text may not be copied from an article and placed on a website or in an email. Nor may text be copied from an article to create a new hyperlink to the text material.
Stock Photos

The School of Language Studies has an annual subscription to Shutterstock Photos. This allows instructors to have a wide range of quality images for material use.
Stock Photos
The School of Language Studies
Shutterstock Request Calendar

Directions
1. Create Shutterstock "Browse Free Account".
2. Browse Shutterstock images.
3. Save your selected images to a Lightbox(es).
4. Share lightbox(es) you would like downloaded with slsphotos. See screenshot of how to share lightbox here. Select Share from top right corner options and Enter SLSPHOTOS
5. Look at the calendar below to view available dates. On each day, SLS can download up to 25 images.
6. Click here to submit a request for SLS to download your selected images on a specific date.

September, 2015

Sunday Monday Tuesday Wednesday Thursday Friday Saturday
30 12:00 am 15 12:00 am - 12:00 am 12:00 am 12:00 am 12:00 am 12:00 am 12:00 am 12:00 am
31 12:00 am 4 12:00 am 10
1 12:00 am 12 12:00 am 25
2 12:00 am 10
3 12:00 am 6
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25 13:00 am 10
26 13:00 am 6
27 13:00 am 10
28 13:00 am 6
29 13:00 am 10
30 1 2 3
Stock Photos: SLS Image Library
SLS Copyright Site
SLS Webpage
Know Your Rights

➢ Be Creative

➢ Add Variety

➢ Have Fun
If the works you would like to use are not in the public domain and the use does not qualify as fair use, you must request permission to use it. SLS/TCT can help. Please contact Britney Jones in TCT who will be able to assist you with your copyright permission request, resources and answer questions regarding copyright.

Britney Jones
Ed Tech Specialist
Room F-4217
Would you like to know more?

Please visit the [SLS copyright site](https://www.sls.org/copyright) for more detailed guidance, more resources for materials, and information on how to request copyright clearance.

If you’d like to know even more, take a look at the [FSI Copyright Reference Guide](https://www.fsi.org/copyright) online.
Sources

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