

Copyright laws in education



Abstract

This paper is to give information on the copyright laws, Fair Use Act and the obligation of the classroom teacher to follow copyright laws. Within the paper, you will find different copyright laws and the reflection of that case or law. Lastly, you will read how important it is for teachers to understand copyright laws and how they can affect the teacher. I hope this paper gives the information needed to give the basic of Copyright Laws and background to the development of the Copyright laws.

According to the Association of Research Libraries, the history of the Copyright law originated with the introduction of the printing press to England in the late fifteenth century (ARL 2017). Due to the rising number of printing presses, publication needed to be controlled. Across Europe, book growth exploded and there was an immediate need for protection of the rights of both the author and publisher from the earliest of literary pirates (HOC PP1). Per De Montfort University, copyright is a term used to define the legal property right subsisting in various works which result from the intellect of the creator. There were many laws created for copyright to not happen: 1787- U. S Constitution, 1790- Copyright Act, 1853- Stowe Vs. Thomas, 1891- International Copyright Treaty, 2005- Family Entertainment and Copyright Act. These were passed to ensure that no person was accused of copyright infringement.

History of Copyright Laws & Why they were passed

A few laws that I will share are: 1787, this was when the acknowledgement of copyright was placed into the United States Constitution. According to the U. S Constitution, it states that the authors and inventors would have their

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work secured for a limited time and could be renewed every fourteen years (ARL. org). In 1790, the first copyright law was passed, this secured maps, charts, and books of authors. According to the ARL, it granted American authors the right to print, reprint, or publish their work. For the next copyright law, I wanted to share Stowe vs Thomas in 1853. I love books so why not share a case that shows how copyright laws affect individuals. Harriet Beecher Stowe sued a German publisher by the name of F. W Thomas (ARL). Beecher's book, *Uncle Tom's Cabin*, was translated into German and sold in the United States without Beecher's permission. So, even though you did not take the words to make them your own, there are still consequences for the actions taken. As shown on ARL. org, copyright can happen to anyone and anywhere. With that being said, profits could not be made in European countries. Author's, publisher's and printers joined together to support international copyright (ARL, Vaidhyanathan 50-55). Now for the last one that everyone knows and see every time they watch a movie. Per ARL, the Family Entertainment and Copyright Act was enacted in April of 2005. This copyright law was created to give criminal penalties to individuals who may have recorded a movie while in the theater or those who may stream movies illegally. These laws were passed to ensure safety to not only authors, and publishers but also to ensure that individuals do not face future criminal charges.

Fair Use Act & How it applies to Teachers

What is the Fair Use Act? According to the OCPS. net, Fair Use lets copyrighted material be used under certain guidelines, without the copyright holder's permission, for purposes such as news reporting's, teaching,

research, criticism and parody. As far as teachers are concerned, though the Fair Use Act is in place, they should still consider taking the appropriate actions when using information that does not belong to them. Classroom teachers often photocopy readings and worksheets. Did you know that it could be copyright infringement if you make too many? According to Brighthub Education, if you are sued for copyright, you can use the Fair Use Act to your defense. The court would use the following factors:

- The purpose and character of the use
- The nature of the copyrighted work
- The amount and substantially of the portion used
- The effect of the use upon the potential market for or value of the copyrighted work.

Teachers Ethical Obligation to follow copyright laws

According to Auburn. edu, teachers are constantly faced with opportunities to uphold or violate copyright laws. As an educator, you are to be professional and uphold your duties as a professional educator. One of the consequences could be termination of your job if you are found guilty of copyright infringement. It is important that teachers are aware of what constitutes Fair Use and abide by the rules set forth by their school system (University, 2017). Teachers are at the center of growth of technology. Teachers are faced with so many problems related to copyright laws. (University, 2017). As per Auburn. edu, teachers must be the role model for their students and educate them on copyright laws and what they can do to avoid copyright infringement. We as future educators, are the heart and soul of children learning. We give them the skills they need to use in life and to

further their education. Throughout school, students will continue to write essays and be state tested on how they write. They want to give forth their best effort, as their teacher, you are the one who gives them this skill. Part of my personal ethics as an educator, I will strive to give my children the correct knowledge not only for everything education but copyright.

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