

## **I. GENERAL**

The Wood County Board of Education will offer high quality instructional equipment and materials to supplement its curriculum, representing all levels of difficulty, with diversity of appeal and presentation of differing points of view.

This policy provides general guidelines for the appropriate selection, use and integration of supplemental instructional equipment and materials in all Wood County schools. A procedure for review of any allegedly inappropriate instructional materials is provided separately (see Policy 6144 - Challenged Materials). Objections to, or complaints regarding, use of specific materials will be made in accordance with Policy 6144. Note that parental permission is required for use of certain media in accordance with the guidelines provided in this policy.

Authority for selecting supplemental classroom instructional equipment and materials is delegated by the Board of Education to the superintendent. The superintendent, in turn, has appointed members of the teaching staff to serve on county and school level curriculum committees, along with representatives of instructional services division, to select instructional materials for use in Wood County schools.

## **II. SCHOOL LIBRARY MEDIA**

Refer to the Librarian's Handbook (a copy of which is available in each school) for information regarding the Librarian's "Bill of Rights", "philosophy" and other detail pertinent specifically to the role of the school librarian.

### **A. USE OF SUPPLEMENTARY MEDIA (VIDEOTAPES, AUDIO TAPES, CD-ROM, ETC., IN THE CLASSROOM)**

1. Classroom teachers may use videotapes and other media to support lessons designed to meet the West Virginia Instructional Goals and Objectives and Wood County IGOs, including supplementary media which accompany approved textbooks.
2. In general, copyright guidelines permit in-classroom performance of copyrighted videotapes **only when they are used for instructional purposes in a teaching situation, provided that the videotape is obtained or copied in a lawful manner.**
3. Classroom televisions may be used to watch education programming on cable, videotapes, videodisks, and important news events. All other programming is inappropriate for use during the instructional day.

B. GUIDELINES FOR SELECTING VIDEOTAPES AND OTHER MEDIA

1. Videotapes should be selected for their direct relevance to the IGOs and Wood County IGOs.
2. Selection criteria should include:
  - the specific significance of the media to the curriculum,
  - quality of the overall work and its individual parts,
  - appropriateness for the intended class audience,
  - fair and accurate representation of factual information, and
  - the reputation and significance of the writer, director and/or performers.
3. All media must be carefully previewed and evaluated by the teacher as appropriate to meet identified learning objectives prior to using it with students. Good taste and professional judgment must always be exercised when selecting media for classroom use.
4. The media must portray a fair and objective presentation of sensitive subjects at the maturity level of its viewers. The ratings adopted by the Motion Picture Association of America (MPA) are to be applied\* as a MINIMUM standard:
  - > G Family audiences
  - > PG Parental guidance
  - > PG-13 Special parental guidance required for children under 13
  - > R Children under 17 admitted only with parents
  - > NC-17 No children under 17

\*Exception – in mixed age-group classes, the youngest student’s age in the class will be the determining factor to be applied in deciding whether or not parental permission to show the video (or other media) is required.
5. **Unrated commercial videos or video recordings having an NC-17 (No children under 17 years of age) or X rating shall not be shown to any students at any school at any time.**
6. The teacher will obtain prior written permission from the students’ lawful custodian if a video will be shown where MPA ratings would not fit the age group intended as the viewing audience.
  - For example, at the high school level this applies to any R rated productions, at the middle school level to any PG-13 productions and at the elementary level to PG productions.

- R rated productions are not acceptable media for students at the Junior High, Middle or Elementary grades or High School students under age 18. Exceptions to this requirement will only be considered on a case-by-case basis, and with the permission of all participating students' custodians. Any request to consider permission for an R rated production at levels below senior high must be made in writing to the Director of (Elementary or Secondary, as appropriate). The request must provide specific detail regarding the anticipated educational value of such showing, prior to contacting any of the students' custodians for permission. No action should be taken until written authorization to proceed is obtained.
7. When requesting custodial permission, the teacher will include a brief and accurate description of the media contents and the invitation to any parent who desires so, to participate in a viewing prior to the intended classroom use.
  8. Custodial notification without verification is insufficient evidence of permission. An authorization notice must be sent and a signed authorization received for each instance of permission required. The signature of at least one of each student's legal custodians is considered authorization.
  9. Custodians may request that, in lieu of viewing the video, their child be given a meaningful, related, alternative learning activity associated with the same learning objective.
  10. All materials should be previewed prior to use as supplementary classroom material. Media such as CD-ROM, laser disc, television, audio tapes, etc., must be previewed prior to use and a determination made by the classroom instructor as to whether or not parental permission should be secured. In general, the same guidelines used by the Motion Picture Industry should be applied. If there is any question whether language, conduct or other content of the material to be used may cause concern for any student's parent, permission should be secured prior to using the supplemental material.

#### C. GENERAL COPYRIGHT GUIDANCE

1. By court decision, the school setting has been defined as a "semi-public performance". Public performance rights are reserved for the copyright owner or those given legal permission. Videos or other materials marketed for "home use" generally do not have the rights granted for public performances.
2. Non-profit, educational institutions generally may perform or display works in the course of "face to face" teaching activities, without the consent of the copyright owner only if the permissible guidelines are met.

3. Permissible activities stipulate that:
  - a. The material must be a legally obtained lawful copy.
  - b. The material must be used in the course of “face to face” teaching activities.
  - c. An instructor or pupil must execute the activity involving use of the material.
  - d. The activity must occur in a classroom or similar place devoted to instruction.
  - e. The material must be directly related to the lesson or instruction and associated activities assigned to legitimize its use.
  - f. All programming obtained from commercial sources (outside of school purchasing procedures) whether through rental, lease, purchase, donation or student loan, must be cleared for classroom use by the principal through notation on the individual teacher’s lesson plan.
  
4. Prohibited activities include but are not limited, in that:
  - a. Videos may not be used for recreation or entertainment or other than the planned instructional purposes. Videotapes and other media marked “For Home Use Only”, may be used as part of a systematic course of instruction in face-to-face teaching situations, but their use for recreation, entertainment or fundraising is specifically prohibited.
  - b. Duplicating or copying of media is prohibited in all forms (including making of archival copies or transferring from one format to another).
  - c. Using copyrighted materials in productions made by the school or students without specific written permission from the copyright owner.

#### D. REPRODUCTION OF COPYRIGHTED MATERIALS

1. Infringement on copyrighted material, whether prose, graphic images, music, audio tape, video or computer materials, is a serious offense of federal law and contrary to the ethical standards required of employees and students alike.
  
2. Violations of copyright laws can result in criminal or civil suits. It is therefore required that all reproduction of copyrighted material be done strictly in accordance with applicable law. Unless otherwise allowed as “fair use” by federal law, permission must be obtained from the copyright owner prior to reproduction of material in any form.
  
3. “Fair Use” is based upon the following:
  - a. the purpose and character of the use,
  - b. the nature of the copyrighted work,
  - c. the amount of and substantiality of the portion used, and
  - d. the affect of the use upon the potential market for, or value of, the copyrighted work.

4. Employees violating copyright law may be required to remunerate the county in the event of loss due to litigation and may be subject to discipline up to and including dismissal.
5. The administration will annually provide schools (via their school librarians) with additional guidelines for the “fair use” of copyrighted materials to meet the requirements of Section 107 of the Copyright Act of 1976, as amended and WV BOE Policy 5711.

E. AFTER SCHOOL – OUTSIDE AGENCY USE OF MEDIA AND/OR USE OF SCHOOL EQUIPMENT IN CONJUNCTION WITH USE OF MEDIA

1. Other groups using the Wood County Schools facilities and/or Wood County Schools equipment are required to adhere to the requirements of sections C and F outlined in this policy.
2. A signed statement of intent to subscribe to the tenets of this policy must be maintained on file in each school by the agencies using the particular school’s facilities or equipment.
3. Use of school owned equipment can be denied to groups found in violation of this policy.

F. INTERNET AND TELECOMMUNICATIONS NETWORK – ACCEPTABLE USE

1. Each school will develop a policy informing staff, students and parents of the ACCEPTABLE use of the Internet for instructional purposes and providing parents with notification of students’ responsibilities for acceptable use of their Internet privileges. Schools will include this policy as part of their School Technology Plan. Such policy must include, at a minimum, the provisions of WV BOE Policy 2460 – *Safety and Acceptable Use of the Internet by Students and Educators*. Specific examples of unauthorized use include, but are not limited to:
  - a. executing non-educational gaming;
  - b. creating, storing, sending or viewing pornographic materials;
  - c. downloading, uploading and/or executing viruses;
  - d. using e-mail user IDs other than one’s own ID;
  - e. misrepresenting an individual’s identity or source of communication or data;
  - f. illegally accessing or attempting to access another person’s data or personal system files;
  - g. corrupting, destroying, deleting, or manipulating system data with malicious intent;
  - h. requesting that inappropriate material be transferred;

- i. violating safety and/or security measures when using e-mail, chat rooms, and other forms of direct electronic communications;
- j. “hacking” or any other unlawful online activities;
- k. disclosing, using, or disseminating personal information regarding minors.

Sample policies will be made available from the Director of Technology upon request of the school.

2. The school’s policy will include a provision for signed parental authorization to be maintained on file for each student who uses the Internet independently. No student is permitted to use the Internet unless teacher, aide or other suitable adult supervision is provided in the same room as the Internet computer. The parental authorization remains in effect, as long as the student is enrolled at a particular school or until it is revoked by the parent.
3. Access to the Internet and WVEIS is provided to all schools and administrative locations through connection to the state telecommunications network established by the WVDE and WVNET. This access provides technical protection measures in the form of Internet content filtering to protect against visual depictions that may be considered (1) obscene, (2) child pornography, or (3) harmful to minors as well as other material deemed locally to be harmful to minors. In order to implement the intent of CIPA, COPPA, and E-rate guidelines, alternative means of connecting to the Internet from schools and administrative locations are specifically prohibited, unless such service demonstrates similar protective measures and is approved in advance by the Director of Technology. Content filtering is an additional means of providing protection, but it is not to be considered a substitute for the adult supervision required by this policy.
4. Internet access is provided to users by means of a Local Area Network (LAN), for exclusive use at the school or administrative location. Dial-up or other remote connections to district routers, servers or other equipment connected to the Internet or Wide Area Network (WAN) are prohibited unless approved by the Director of Technology. Approval will only be granted when access is deemed necessary, and when such access does not conflict with federal, state and local laws, policies, or procedures.
5. Use of the Internet and Telecommunications Network is considered a privilege and may be suspended or revoked for violation of school, county or state Acceptable Use policies. The Wood County Board of Education will take appropriate legal action in response to violations of federal, state and county telecommunications policies. Such action may include, but is not limited to, action to recover damages and referral to law enforcement agencies.

G. INTERNET – WEB PUBLISHING

1. The Wood County Board of Education recognizes the educational benefits of publishing information on the Internet by school personnel and students. The West Virginia Department of Education establishes “*Web Publishing Guidelines*” in WVDE Policy 2460, Section 3.4. Wood County Schools personnel and students shall adhere to those guidelines when publishing information on the Internet, except to the extent that the County Technology Committee and/or School Technology Committee establish procedures that are more restrictive than Policy 2460.
2. The Director of Technology shall annually provide principals with a copy of WVDE Policy 2460, *Safety and Acceptable Use of the Internet by Students and Educators*, and any procedures established by the County Technology Committee. Revisions to Policy 2460 or county procedures shall be provided upon release. The principal is responsible for distribution of Policy 2460 and county procedures to staff and students involved with web publishing.
3. School Acceptable Use Policies shall include references to WVDE Policy 2460, Wood County Schools Policy 6144.1, and any procedures adopted at the county and/or school levels.

### Sample Parent/Guardian Notification Form

Date: \_\_\_\_\_

Dear Parent/Guardian,

I am planning to show \_\_\_\_\_ to my \_\_\_\_\_ grade  
\_\_\_\_\_ class. The film/video is rated \_\_\_\_\_ by the  
Motion Picture Association.

The rating is due to these factors:

The purpose of seeing this film/video is to:

\_\_\_\_\_ The film/video will be shown in its entirety.

\_\_\_\_\_ Only the following portion will be shown: \_\_\_\_\_

If you wish to preview the film/video, you may see it at:

Teacher: \_\_\_\_\_

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Please sign below and return this form with your child on or before \_\_\_\_\_.

Title of Film/Video: \_\_\_\_\_

\_\_\_\_\_ My child has my approval to view this film/video.

\_\_\_\_\_ I do not want my child to view this film/video. Please substitute a meaningful, related activity instead.

Student's name: \_\_\_\_\_

Parent or Legal Guardian's signature: \_\_\_\_\_