

Post-It Fax NOTE	1071	Date	9-4	pages	2
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Fax #	212-650-6753		Fax #	703-548-5613	

August 30, 1996

Kay Cooper
 President-elect, CC
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Dear Kay:

I appreciate receiving your letter calling my attention to the educational multi-media fair use guidelines and requesting that NSBA endorse them. Because of the importance of this issue, we sought the advice of those who have practical knowledge of education and understand how technology is used in our elementary and secondary schools.

Based upon the comments which we received, NSBA cannot endorse the CCUMC multi-media guidelines in their current form. Here are the problems as seen by the practitioners:

- It appears that teachers cannot use a student's project except in the classroom in which it was created. In elementary and secondary schools, we use the cross-curriculum approach to education which means a teacher may want to display a project in a related class. The guidelines seem to refer to the education process in higher education where each course operates as a separate entity.
- The greatest number of comments came on the proportional limitations found in the guidelines. Students at the elementary and secondary education level do not produce commercial grade projects. Furthermore, their projects are not used in lieu of curriculum material. The proportional restrictions are not appropriate at the elementary and secondary level.

The guidelines do suggest that elementary school children may not be able to adhere to these limitations but if the project is to be retained by the student, the limitations do apply. That language gives us two problems -- (1) it is not broad enough to cover secondary schools, and (2) it suggests that if a parent kept a child's project to show family and friends, the parent would be in violation of the law.

- Teachers do not like the two year limitation on projects developed by students. Teachers would like to show students in future years what a previous class was able to accomplish. The purpose is not to substitute for the purchase of curriculum material. It is merely illustrative.
- Several commentators were concerned that teachers and administrations are responsible for the activities of students. This issue needs to be resolved in the guidelines.



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We are all impressed with the quality of the work contained in the guidelines and everyone was in agreement that the restrictions on educators were appropriate. If at all possible, I would hope that you use your good offices to see whether the guidelines could be modified to accommodate our concerns.

Sincerely,



Anne L. Bryant
Executive Director

cc: Lisa Livingston

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