

Explanatory Leaflet

Schools Licences

Effective from 1 April 2009

A CLA Licence has been granted which permits photocopying and scanning by your school, within clearly-defined limits, from books, journals and magazines. This Licence forms part of a set of CLA Schools Licences covering State and Independent schools in all regions of the UK.

What the CLA Schools Licences cover

Paper Copies (including onto acetate)

School staff can make or authorise the making of Paper Copies for distribution to pupils, parents, teachers, other staff and governors from most books, journals and magazines published in the UK, USA and many other countries.

As at 1 April 2009, countries outside the UK and USA that are covered are listed below. However, this list is subject to additions, so please refer to our website for an up-to-date list.

Argentina, Australia, Austria, Barbados, Belgium, Canada (including Quebec), Denmark, Finland, France, Germany, Greece, Hong Kong, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Singapore, South Africa, Spain, Sweden, Switzerland, Taiwan, Trinidad and Tobago

Digital Copies

School staff can make or authorise the making of Digital Copies for distribution to those pupils, parents, teachers, other staff and governors who are permitted to have access to your school's Secure Network, by scanning or retyping from many books, journals and magazines published in the UK, USA and certain other countries. Please refer to our website for an up-to-date list of these countries.

Digital Copies may be used with Digital Whiteboards, VLEs and presentation software (eg PowerPoint™). They may not be manipulated or modified in any way except for changes necessary to enable users with a disability (such as visual impairment) to access a work. Staff are, however, allowed to mark copies (eg by highlighting or underlining) to add emphasis. Retyped extracts must be reproduced verbatim, including all punctuation. The use of optical character recognition (OCR) software is not permitted. Digital Copies may be faxed or e-mailed.

A Secure Network, for the purposes of the CLA Schools Licences, is a digital network that is accessible only via secure, password-protected access by pupils, parents, teachers, other staff and governors of your school only. Schools in Scotland using the Glow network are reminded that this facility is covered until 31 March 2010 by the separate CLA Glow Pilot Licence.

Ownership of the original publication

All copies must be from published originals. They may be taken either from the original published paper edition owned by your school, or from copyright fee-paid copies supplied by licensed document supply organisations such as the British Library as well as copies supplied by CLA-licensed press cuttings services. Further copies may then be made from these copies.

Copies must not substitute for the purchase of a publication or for the commissioning of an artistic work. For example, if you are producing a learning resource, you should not use a scanned photograph if you would otherwise have commissioned a photographer to take a new one.

Copyright in a published work

Books, journals and magazines are likely to be protected by more than one copyright. An author's, artist's or photographer's copyright lasts for 70 years from the end of the year of their death. The publisher's copyright in the typographical arrangement lasts for 25 years from the end of the year in which the edition was first published.

All copyrights must always be considered. If the publisher's typographic copyright has expired (ie the edition is over 25 years old) the author's, artist's or photographer's copyright may still be in effect. Similarly, a new edition (employing new typographical arrangement) of a literary work where the author's copyright has expired will still be protected by the 25-year publisher's copyright. Therefore, if a work is 'out of print' it does not necessarily follow that it is 'out of copyright'.

How much can I copy?

As many copies as are required can be made for each particular purpose *but* no more than the number needed to ensure that each member of the class, plus the teacher, has access to a copy, and subject to the following extent limits:

- **one complete chapter** from a book
- **one article** from a journal or magazine
- **one short story or poem not exceeding 10 pages in length** from an anthology
- **in the case of a published report of judicial proceedings, the entire report of a single case**
- **or 5% of the publication, if greater than the above**

No systematic or repeated copying of the same material which would breach the above limitations is permitted during any one course of study/module, ie progressively copying more than the above limitations for the same class of pupils.

If you wish to copy quantities in excess of the above, permission must be sought from the rightsholder (publisher, author or artist) on each occasion.

Storage of copies

Paper Copies made in each Licence Year (1 April – 31 March) may be stored and used throughout the same Licence Year and the remainder of the Academic Year following 31 March, but must then be destroyed.

Digital Copies may be stored on a server and/or systematically indexed solely for the purposes of, and for the duration of, the class, lesson or course of study for which they were made, but in any event must be deleted at the end of the Academic Year in which they were made. They may not be stored on a server, or systematically indexed, with the intention of creating an electronic library or similar educational information resource of extracts of Licensed Material. *It is important that schools do not use the CLA Schools Licences to directly compete with primary sales of digital publications.*

Can copies be made outside the school premises?

Yes. Copies for your school's educational and internal purposes are covered wherever they are made. With scanning, for example, staff working at home may scan an article and then email this scanned copy to colleagues or pupils provided this is done via a Secure Network. However, remember that copies may only be made from published material (or copyright fee-paid copies of published material) owned by your school.

Can copies be distributed outside the school premises?

Yes, but to pupils, parents, teachers, other staff and governors *of your school only*, and provided, in the case of Digital Copies, that they are distributed via a Secure Network. This means that pupils (and staff) using distributed, distance, electronic and blended learning modes of study and delivery are able to access copyright material scanned by your school and stored on a Secure Network. Remember that the CLA Schools Licences do not permit the sharing of copies outside your school. However, if you are a Scottish state school whose council has signed an agreement with CLA regarding the Glow network, sharing copies outside your school is permitted subject to the terms and conditions of the CLA/Glow Pilot Licence until 31 March 2010; please refer to CLA's specific support material in this case.

Course packs

Copies for inclusion into course/study/learner support packs can be made under the CLA Schools Licences provided the extent limitations outlined above are not exceeded and this does not substitute for the purchase of a course textbook.

Visually-impaired or otherwise disabled pupils and staff

If a pupil, teacher or other person authorised by a CLA Schools Licence to make and/or receive copies is visually impaired or otherwise disabled and is unable to read or access copies made under the Licence you may make and supply a copy of part or the whole of any work covered by the Licence in any alternative format. Examples of alternative formats would include digital or audio, large or small print. To do this, your school must have lawful possession of a copy of the respective work, which should not already be commercially available in an alternative, accessible format.

Artistic works

Photographs, illustrations, diagrams etc in published editions are covered by the CLA Schools Licences. However, stills, advertisements, logos and trademarks are not. Furthermore, the Licences do not permit the production of slides. A licence that permits this is available from the Design and Artists Copyright Society (DACS – see www.dacs.co.uk).

What the CLA Schools Licences do not cover

The Licences do not cover any of the items included on the *List of Excluded Categories and Works*, which should be displayed beside all fixed-location photocopying and/or scanning machines. This list is available on the CLA website and is updated periodically. However, for ease of reference, exclusions of particular relevance to schools are listed below.

Types of publication

- **Printed music (including the words)**
Please consult the Music Publishers' Association's *Code of Fair Practice*.
- **Hymns**
Christian Copyright Licensing International licenses the reproduction of hymns where the lyrics are still in copyright.
- **Newspapers**
The Newspaper Licensing Agency licenses copying from many UK newspapers. Otherwise newspapers should be contacted for permission.
- **Maps, charts, or books of tables**
Most major map publishing companies, including the Ordnance Survey, have their own licensing schemes.
- **Workbooks, workcards or assignment sheets**
Defined as publications intended for the pupil to write on and for once-only use.
- **Privately-prepared teaching material**
- **Some correspondence courses**
Generally, these are not published works and are therefore outside the scope of the CLA Schools Licences. However, courses published by the Open University and National Extension School may be copied under the Licences.
- **Industrial house journals**
Includes in-house company newsletters, etc.
- **Publications bearing a specific notice that they are not to be copied under a CLA licence**
eg JIIG-CAL Computer Careers booklets, *Which?* books.
- **Published examination papers and published tests**
Examination boards and test paper publishers should be approached for permission before copying.

Specific works

- **BBC software documentation, teacher's notes, pupil pamphlets etc** (NB BBC magazines and periodicals are not excluded)
- **Encyclopaedia Britannica** – all publications
- **Berlitz** – all publications
- **All works published by certain US publishers**
- **Dylan Thomas** – all works
- **J. D. Salinger** – all works

If you wish to copy from any excluded item (that is not covered under licence from another organisation) you must contact the rightsholder (publisher, author or artist) for prior permission on each occasion.

Do the CLA Schools Licences cover e-learning resources?

No. Anything originating in a digital format, eg CD-ROM or DVD packages (including those accompanying textbooks), e-books, online journals and other digital learning resources is not covered by the CLA Schools Licences and will usually be available on its own licensing terms and conditions. This exclusion also applies to works published on CD-ROM or on the Internet.

However, copies supplied digitally by an intermediary who has supplied that copy to the school under a CLA licence (eg a press cuttings agency or the British Library) may be printed out onto paper.

Recording what is being copied

It is a requirement of the CLA Schools Licences that schools comply with the CLA Guides to data reporting and survey methodology, which detail the requirements of recording copies made and reporting copies used under the Licences.

All Digital Copies must be identified with the bibliographic details of the source such as author/artist, title, publisher and ISBN/ISSN. Where possible, it is good practice to do the same for Paper Copies. This ensures that all copies are easily reportable to CLA, for survey purposes and in order to distribute fees to those authors, artists and publishers whose works have been copied.

Where a scanned or retyped copy does not already include source details, a cover sheet or page giving these details should be added.

Staff producing resources using 'cut and paste' of more than one extract should identify the source of each extract in the above manner at the foot of each page.

Schools may be selected from time to time for a CLA Survey, so it is recommended that systematic records are kept of items scanned.

This leaflet is intended as a guide to the most common questions regarding the CLA Schools Licences. If you are in any doubt as to what may or may not be copied under the Licences you should contact CLA's Customer Services Department (tel: 020 7400 3124; e-mail: education.customers@cla.co.uk) for guidance or visit our website. You may photocopy this leaflet free of charge without seeking permission from CLA. Additional copies of this and all Schools Support Documents are available on the CLA website.

The Copyright Licensing Agency Ltd

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