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Confused about Copyright? Looking for Public Domain Content?

By Marilyn Arnone

The purpose of this **TIPS** column is to provide a brief introduction to three types of copyright issues and provide suggestions of where you can find some public domain sites for acquiring photos, clipart and other media for use in your S.O.S. lessons.

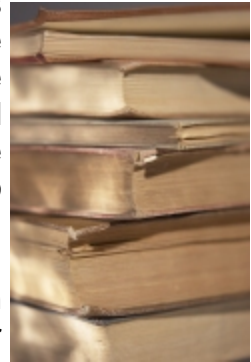
Educators have been wrestling with copyright issues for some time. In fact, in developing the [S.O.S. for Information Literacy](#) site, the project team had to face the issue with respect to how to handle all those lesson plans in the database and all the images, clipart, and materials that educators upload to the database as support materials for their lesson plans. We now do the following: Before a lesson plan is submitted, the educator must acknowledge that the work is their own and that proper references to contributors have been noted, and that all images are either owned by them (e.g., photos they took) or in the public domain. The permission agreement states that the submitter retains ownership of the lesson plan but allows other educators to use the lesson plan in accordance with fair use guidelines. We also make a brief copyright statement (located on the bottom of most pages of the site) available for visitors to the site so they are aware of the policy in terms of using the materials submitted by their colleagues. A little confused? Read on.



One of the most succinct sites for providing easy-to-understand descriptions of copyright issues was developed by Dr. Vivian Wright and colleagues at the University of Alabama's School of Education and designed specifically for educators. You will also find teaching ideas related to copyright issues you can use with both younger and older students. This resource is called simply [The Copyright Site](http://www.thecopyrightsite.org) (URL : <http://www.thecopyrightsite.org>). If you want more information including forms and the ability to search copyright records, visit the [U.S. Copyright Office](http://lcweb.loc.gov/copyright/) (URL: <http://lcweb.loc.gov/copyright/>). The AASL Web site also has a [resource guide on copyright](#). Briefly, there are several copyright issues with which educators need to be familiar: 1) public domain, 2) fair use and 3) intellectual property.

Public Domain

Anything in the public domain is free to use by anyone. Works (books, songs, materials, etc.) created prior to 1923 are in the public domain. So also are current works that individuals have basically donated to the public domain. For example, I've found numerous photo images that I can freely use on the Creative Commons site (<http://creativecommons.org/>) although the site also contains sections where images have at least some restrictions. Since lesson plans in the S.O.S. database will be shared by many, we encourage you to find images for your lesson plans that are in the public domain or that allow you to use the works for educational purposes with attribution.



Fair Use

Fair use guidelines refer to your right to use copyrighted materials within reasonable limits. As an example, "fair use" includes using copyrighted work for educational purposes such as copying a chapter from a book for the purposes of classroom discussion. You may be wondering, however, how fair use affects you when you are creating a new work such as a new lesson plan to submit to the S.O.S. database. Factors that affect fair use, in this case, include whether your new material is for commercial versus non-profit educational use. Anything submitted to the S.O.S. database is considered for non-profit educational use; this means you can incorporate images or media or portions of existing S.O.S. lesson plans in the creation of a new lesson. The caveat is that you give credit where credit is due and that you only incorporate a [small part](#) of the previous work. You can also use ideas from others' works as long as the way in which you express those ideas is your own. Ideas in and of themselves cannot be copyrighted. In fact, it is the building on, elaborating, or finding new expressions of ideas that move us forward.

Intellectual Property

Finally, there is intellectual property or property such as inventions or creative ideas that can be bought and sold much like real properties but unlike real property, are intangible. Patents, trademarks, copyrights and trade secrets represent intellectual property. Like any property, owners have rights that protect them from unlawful use of their intellectual property.

Suggested Sites for Acquiring Media

Now, for some fun. We've been looking for sites we could suggest to S.O.S. lesson plan submitters for accessing some clipart, photos, or other support media that can be used within fair use guidelines. Below are a few suggestions. **Please send us your suggestions, too.** We'd like to offer links to as many such sites

as possible from the S.O.S. site. Additionally, by creating your own media and submitting it to S.O.S. in connection with your lesson plans, we will eventually open up more opportunities for sharing materials for educational use. Make certain that if you do create materials to share that you really have the right to share them, that is, that your employer or school district allows you to share materials with other educators that you create for use in your Library Media Center or classroom.

Description	URL
U.S. Government Graphics and Photos	http://www.firstgov.gov/Topics/Graphics.shtml
Copyright-friendly photos for education	http://pics.tech4learning.com
Most of the photos in this collection are public domain	http://pdphoto.org
Most images are free for educational use; some restrictions may apply so be sure to check.	http://openphoto.net/
NASA Library of Images	http://grin.hq.nasa.gov/
More than 500 images of American Political History	http://teachpol.tcnj.edu/amer_pol_hist
Free for non-commercial use	http://www.freefoto.com
Wikipedia images section	http://en.wikipedia.org/wiki/Wikipedia:List_of_images
Clipart for Educational Use	http://www.wisegorilla.com
Open Clipart Library	http://www.openclipart.org/cgi-bin/navigate
NASA Multimedia (e.g., movie clips)	http://www.nasa.gov/multimedia
Multimedia Resources for the Classroom & Professional Development. Lots of media you can link to and use in lessons.	http://www.teachersdomain.org

Note: This column was updated/modified on April 3, 2006. Thank you to Carole Simpson for additional input.

About the Author

Dr. Marilyn Arnone is a Research Associate Professor at Syracuse University's School of Information Studies. She serves as Director of Educational Media at the Center for Digital Literacy and is the project director for the online resource *S.O.S. for Information Literacy*. Her research interests include children's curiosity and learning and she has written several books for educators as well as children.