



# Web Publishing & Collaboration Guide

FOR LEARN NC PARTNERS



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LEARN NC collaborates with educators and other individuals from a variety of backgrounds to develop web-based resources for teachers and students. This manual guides educators through the process of developing content for publication on the web, including writing, design, technical guidelines, and copyright.



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The original web-based version, with enhanced functionality and related resources, can be found at <http://www.learnnc.org/lp/editions/lnc-collab-manual>.

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# Web Publishing & Collaboration Guide



# Introduction

In a decade of service LEARN NC has published many different kinds of content for teachers, students, and administrators, including lesson plans, best practices articles, multimedia, and works that approach book length. Many of our longer publications integrate classroom content with instructional plans and resources for teacher professional development.

Whatever form our web content takes, a lesson we learned a long time ago still applies: Teachers know teaching, and they shouldn't have to know web publishing. A good educator may have wonderful ideas and strategies to share, but is unlikely to be a professional writer, editor, photographer, multimedia developer, *and* web designer — all jobs required to build a usable, accessible, attractive website!

This manual is designed to help educators working with LEARN NC.

1. **Submitting lesson plans.** Writing a lesson plan for another teacher to implement is not like writing one for yourself; writing successfully requires addressing many assumptions you may not realize you had and presenting associated materials in a clear, usable manner. And while publishing materials to the web opens new possibilities, it also creates new opportunities for confusion. The first section covers what you need to know about writing and submitting lesson plans for publication.
2. **Submitting other content.** LEARN NC welcomes submissions of best practice articles, photographs, and audio and video recordings. Our guidelines for creating and submitting this content includes information that can somewhat technical, but following them ensures that we will have all the raw materials we need to make your content as usable as possible on the web.
3. **Copyright** is a complicated issue, and few educators fully understand it, because within the confines of the classroom it is rarely an issue. Section three addresses what educators need to know within their classrooms and what they need to consider when they develop content for the web.

This manual is lengthy, but we hope it isn't overwhelming. If you're considering developing content for LEARN NC, treat it as a menu of possibilities rather than as a list of restrictions. If you have questions, please don't hesitate to contact LEARN NC's editorial staff.



# 1

## Submitting lesson plans



Getting organized is half the battle! This section offers guidelines on writing and submitting lesson plans for publication on LEARN NC.



# Lesson plans collection policy

LEARN NC's lesson plan collection includes thousands of excellent peer-reviewed instructional plans, all linked to and from the North Carolina Standard Course of Study. Teachers face a constant need to educate students more effectively, especially with the added pressure of high-stakes testing. As a result, they need quality resources to help them teach the Standard Course of Study, but they have less time than ever to find and create them. For these reasons, the lesson plan collection is one of the most popular areas of the LEARN NC website.

## **PURPOSE OF THE LESSON PLAN COLLECTION**

The purpose of the LEARN NC lesson plan collection is to provide North Carolina teachers with excellent, innovative strategies for teaching and assessing key goals and objectives of the North Carolina Standard Course of Study in ways that address the needs of various types of learners.

## **AREAS OF FOCUS**

We are happy to review lesson plans for all grade levels and curriculum areas. However, in order to make the best use of our resources while remaining responsive to the needs and goals of North Carolina's teachers, we now prioritize the publication of lesson plans.

Each spring, LEARN NC determines areas of focus for the following academic year based on the following:

- ongoing teacher feedback
- weblogs of frequently used website resources
- distribution of resources in required courses
- disaggregated end-of-course/end-of-grade test data
- new graduation requirements
- new revisions of the North Carolina Standard Course of Study
- other statewide educational needs

## **SOURCES OF LESSON PLANS**

Our lesson plans come from North Carolina teachers, other educational partners, and the World Wide Web.

### **North Carolina teachers**

The bulk of LEARN NC's lesson plans come from North Carolina teachers. Some of these plans are submitted by individual teachers, while others are developed in workshops. All are reviewed and approved by expert teachers.

### **Educational partners**

Educational partners such as Thinkfinity (previously MarcoPolo) contract with us to catalog their resources, align them to the North Carolina Standard Course of Study, and make them available through our website. Other partners submit lesson plans directly to our website.

### **The World Wide Web**

In an effort to maintain balance and focus in the database, our reviewers also search the World Wide Web for excellent instructional plans targeting specific, important objectives. They then catalog these plans and align them to the Standard Course of Study.

## **REVIEW AND PUBLICATION**

Lesson plans are reviewed for publication based on standards (page 7) for content, developmental appropriateness, implementation, and formatting, and against current focus areas and the needs of the existing collection. Plans selected for publication will be edited and formatted for ease of reading on the Web.

### **Standards for reviewer selection**

Our reviewers:

1. Have three or more years of classroom teaching experience.
2. Have demonstrated their success as an educator through awards, recognition, test results, etc.
3. Have regular, year-round access to the Internet either at home or at work.
4. Have documented their conscientiousness and the thoroughness of their work through professional references.

## **MAINTENANCE POLICY**

Each lesson plan in our database is re-reviewed and re-aligned to the current Standard Course of Study at least once every five years. While this may result in good resources being removed from the database, it allows us to guarantee that all resources in the collection are of excellent quality, up to date, and relevant to the most recent version of the curriculum. In addition, we will ensure on a monthly basis that links to external resources and all links within plans are active.

# Lesson plan publication standards

## Content standards

Content standards ensure that the plan is educationally sound, meets an established need, and can reasonably be implemented by North Carolina teachers.

1. **Consistency.** Activities and assessments are consistent with the learning outcomes, and a means of assessment is provided for all stated learning outcomes.
2. **Curriculum alignment.** The learning outcomes are consistent with goals of the North Carolina Standard Course of Study.
3. **Instructional approaches.** The instructional approaches prescribed in the lesson plan are consistent with those recommended by the North Carolina Department of Public Instruction, with LEARN NC policy, or with current education research.
4. **Uniqueness.** The lesson plan makes a unique contribution to the collection.
5. **Timeliness.** The instructional value of the lesson plan extends beyond the duration of a specific event.
6. **Web links.** Websites referenced from the plan are valid, credible, and provided by a reliable source. The author has provided titles and explained their use in the lesson. If intended for use by students, websites are developmentally appropriate. The lesson plan does not rely on external content for which a substitute cannot easily be found.

## Developmental standards

Developmental standards ensure that the plan is appropriate for the intended audience.

7. **Developmental appropriateness.** The instruction does not place demands on learners inappropriate to their age, grade level, and/or developmental level.
8. **High standards for student achievement.** The activities and assessment challenge learners beyond their current abilities and understanding.
9. **Safety.** The lesson does not pose a physical danger to the teacher or students.
10. **Sensitivity.** The lesson is not insensitive to differences in culture, race, or gender.

## Implementation standards

Implementation standards ensure that the plan can be successfully replicated as written.

11. **Clarity and detail.** The lesson plan provides sufficiently clear and detailed instructions that a typical teacher can implement it without significant additional research or planning.
12. **Time.** The lesson can be completed in the time indicated. Preparation and classroom time required is consistent with the demands of the curriculum and is justified by the learning outcomes.
13. **Copyright.** If copyrighted material is included in the lesson plan or associated materials to be published, permission for use is documented.
14. **Associated materials.** Materials meet all other relevant standards for lesson plans, including clarity, spelling and grammar, developmental appropriateness, and sensitivity.

# Submitting a lesson plan: Frequently asked questions

## **How do I submit a lesson plan?**

You can email your lesson plan to our editorial staff<sup>f</sup> in a Microsoft Word or RTF file.

## **What do I need to include with my lesson plan?**

Most of our lesson plans follow a standard template. See “The parts of a lesson plan (page 13)” for more information.

## **How much detail do I need to provide in my instructions to the teacher?**

Don’t ask another teacher to spend as much time preparing to teach the lesson as you did developing it. If you’re developing your lesson plan as part of a workshop or course in a particular content area, keep in mind that other teachers may not be as excited about the topic as you are. Give them what they’ll need to implement it. For example:

- Don’t ask a teacher to excerpt a long document for students or to select photographs from a collection. Provide a suitable excerpt or selection in case the teacher doesn’t have time to do this extra work.
- Before you ask the teacher to explain a concept to students, ask yourself whether it is a concept that an average teacher is prepared to explain. If you have any doubts, provide an explanation to the teacher or link to resources on the web.
- If a handout is needed, create one and submit it with your lesson plan. Even if you want teachers to be able to customize it, give them something to adapt (in a Word document, for example).

## **How can I make sure my instructions are clear to another teacher?**

See our guide to instructional writing (page 21).

## **Can I include images and other media with my lesson plan?**

Yes, by all means. Please see our media submission guidelines (page 27).

## **Can I include samples of student work?**

If you include samples of students’ work in your publication, U.S. law requires that you obtain parental permission. We ask also that you obtain parental permission if you

use photographs of your students or of any child under 18 years of age. Please contact us<sup>2</sup> about procedures for obtaining permissions.

In addition, please do not use students' names in your lesson plan. If you wish to refer to a specific student, please use a fictitious name, and include a note to the editor that you have changed the names of students.

### **Can I submit a Powerpoint presentation with my lesson plan?**

Yes, but we frequently are unable to publish Powerpoints, for the following reasons:

- *Copyright.* Text and images (including clip art) in Powerpoint presentations must be created by the author of the lesson plan, be free of copyright or licensed for public use, or be accompanied by appropriate permissions. If you wrote the text and took the photographs yourself, we can consider it for publication; if you found the material on the web, we probably can't. See the section on copyright and permissions<sup>3</sup> for more information.
- *Expectations of the teacher.* Powerpoint files are not actually presentations, but a presenter's slides and notes — they're designed to *accompany* a presentation. Unless the slides are very clearly and thoroughly explained, another teacher will likely not be able to make full use if them.
- *Usability.* Materials we receive in Powerpoint files often do not meet our standards for design and usability.

Instead of submitting a Powerpoint, consider the following alternatives:

- Include background information for the teacher in the body of the lesson plan. (Example: Spanish and Hispanic English in North Carolina (see <http://www.learnnc.org/lp/pages/4831>))
- Submit original or publicly licensed photographs as high-resolution JPEGs. See our media submission guidelines (page 27) and our guide to finding free and publicly licensed resources (page 55).

### **Can I link to resources on the web?**

Yes, but we generally avoid lesson plans that cannot be taught without content from an external website. Websites change frequently, and we have had to remove a number of good lesson plans from our collection because they relied on content that was no longer available.

Content without which a lesson plan cannot be taught might include:

- background reading for teachers on topics or concepts unfamiliar to most K–12 educators (see above<sup>4</sup>)
- material students must read
- websites students must use to complete the activities in the lesson
- content to be used for a teacher presentation

However, we encourage authors to include links to *supplemental* information on the web. Supplemental websites might provide:

- background reading for the teacher on topics or concepts familiar to most educators
- further reading for interested students
- examples of products similar to those the students are asked to create
- guides to related strategies and techniques for instruction, assessment, and classroom management

If your lesson plan includes required materials for teachers and students, try the following:

1. Provide original materials.
2. Identify materials already available on LEARN NC.
3. Find materials on the web free of copyright or publicly licensed (see our guide to copyright (see <http://www.learnnc.org/lp/pages/4454>)).
4. Use materials on websites that are stable and reliable.
5. Use print materials available in most school libraries.
6. Provide alternatives in case preferred resources become unavailable. This is especially important when the resources are highly specific and alternatives will be difficult to find.

Finally, whenever you link to other websites,

- Provide not only the URL (web address) but the title of the page or website and a sentence or two explaining its relevance to the lesson plan.
- Don't give instructions for navigating websites — provide direct links to desired resources. When websites are reorganized, URLs will often be forwarded automatically, but paths and navigation will change.

### **What if I want to include material in my lesson plan that has been published elsewhere?**

If you own the copyright to those materials — that is, if you created them and they are original to you — then you may include them in your lesson plan. If they were created by someone else, you must have the copyright owner's permission to republish them. Please read our copyright primer (available at <http://www.learnnc.org/lp/multimedia/7029>) for more information, and contact us<sup>5</sup> before developing a lesson plan around republished materials.

### **What do I need to know about using primary sources in my lesson plan?**

Building a lesson around primary sources is a great way to engage students and encourage higher-order thinking. But such lessons require significant preparation and planning, and teachers unfamiliar with the sources or collection you're using will need extra guidance.

- Provide questions to guide student reading or discussion. Ideally, these questions should guide students from basic knowledge to higher-order thinking (analysis and evaluation). Also provide guidance for the teacher about the kinds of answers towards which students should be working. A good example of a reading guide to a specific primary source is Reading Amadas and Barlowe (see <http://www.learnnc.org/lp/pages/1983>). For a more general model of inquiry into

primary sources, see “Reading Primary Sources: An Introduction for Students (see <http://www.learnnc.org/lp/pages/745>).”

- Make sure your lesson plan really addresses the curriculum. It’s easy to get excited about a great primary source and want to find a way to make use of it in the classroom. While you may be able to incorporate it successfully into the curriculum, though, another teacher may not see the connection. Make sure the connection to required content or skills is clear.

### **Can I refer to specific technology or applications in my lesson plan?**

Yes, but remember that not everyone will have access to the same hardware and software you do. Technologies also tend to become obsolete quickly, and instructions for one version of an application may be irrelevant in only a year or two. If your lesson plan uses specific technology, try the following:

- Write generic instructions. If, for example, your lesson plan uses a graphic calculator, write your instructions to refer to any graphic calculator rather than a specific model.
- Use free, open-source, or commonly available applications. If the application is available online, provide a link to download it.
- Provide alternatives for teachers unable to use a specific application.

### **If LEARN NC publishes my lesson plan, who owns the copyright to the plan?**

Assuming that all of the materials you submit as part of your lesson plan are original and created by you, you retain the copyright to your lesson plan after its publication on LEARN NC. However, as part of the author agreement, you must grant LEARN NC certain rights to edit, publish, and republish your lesson plan.

### **Can I republish my lesson plan elsewhere?**

You are free to publish your lesson plan elsewhere so long as its republication does not conflict with the rights granted to LEARN NC.

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## Notes

1. See [http://www.learnnc.org/contact?name=Emily Jack](http://www.learnnc.org/contact?name=Emily+Jack).
2. See [http://www.learnnc.org/contact?name=Emily Jack](http://www.learnnc.org/contact?name=Emily+Jack).
3. See <http://www.learnnc.org/lp/editions/lnc-collab-manual/3.o>.
4. See #detail.
5. See <http://www.learnnc.org/contact?name=Emily+Jack>.

# The parts of a lesson plan

Not every lesson plan looks alike, but all lesson plans share certain basic parts. This guide to LEARN NC's lesson plan template explains what we are looking for in a lesson plan and how you can make your lesson plan as usable as possible to other teachers on the web.

## Title

The title of your lesson plan should be concise, clear, and descriptive. It should invite teachers to take a closer look at the plan. Remember that teachers may see only the title and a short abstract of your plan in a page of search results, so they need to know what to expect if they click on it!

*This field is required.*

## Introduction

Use the introduction to tell us a little about your lesson plan. Briefly describe the instructional techniques, what students are to learn, and any activities or assessments that you think are particularly noteworthy.

*This field is recommended.*

## Learning outcomes

Learning outcomes are what students are expected to learn after completing the lesson plan.

- Learning outcomes should be closely related to the curriculum alignment but should not simply repeat goals and objectives of the Standard Course of Study. Learning outcomes may be broader, address particular aspects of curriculum objectives, or teach the curriculum in a special context.
- Each learning outcome should be clearly reflected in the activities and assessed at the conclusion of the lesson.

*This field is required.*

## Curriculum alignment

Curriculum alignment is the relationship of the lesson plan to the North Carolina Standard Course of Study. List specific goals and objectives that this plan addresses, such as “Grade 3 Social Studies, Goal 1, Objective 2” or “High School Biology, Goal 3, Objective 4.”

- Your lesson plan must address at least one objective of a current curriculum, and it is a rare plan that addresses more than three objectives at once.
- If the plan is appropriate to multiple grade levels or courses, list goals and objectives for each grade level or course.
- Remember that all objectives you list here must be addressed in the learning outcomes, activities, and assessment!

*This field is required.*

## Classroom time required

Classroom time required is, obviously, the amount of time a teacher will need to schedule for this lesson plan. You might specify minutes, hours, class periods, or even weeks.

- Consider different scheduling constraints. If you’ve designed your lesson for a block schedule, mention that (“one block period”). You might also offer a suggestion in the activities or supplemental information for breaking the plan into two traditional periods.
- If the plan is intended to last for several days, explain the time requirements as specifically as possible (for example, “two hours over a week” or “three consecutive class periods”).

*This field is required.*

## Materials needed

Materials needed include resources used by both teacher and student, including books, handouts, paper and pencils, art supplies, and so on.

- If a specific book is needed or recommended, provide a full citation (author, title, publisher) so that teachers can easily locate it.
- If you use handouts or specific materials for presentation, please make them available as separate files.
- If the lesson plan requires that the classroom be arranged in a particular way, mention that here.

*This field is recommended.*

## Technology resources

The technology needed section includes technology resources used by both teacher and students, including computers and related resources (internet connections, printers, and specific software such as a word processing application or PowerPoint), scanners and digital cameras, projectors, VCR or DVD player, and so on.

- Be as specific as possible when listing software and hardware requirements.
- Specify how many of each resource is needed (one computer per student? per group of students?).
- Provide alternatives if possible. For example, if you teach this plan with one computer per student, try to offer a way to teach the plan with students in groups (in activities or supplemental information) and note here that the plan can be so adapted.

*This field is recommended.*

## Pre-activities

The pre-activities are what teachers and students need to do before beginning the lesson. They may be as simple as prerequisites — concepts or topics that should already have been covered. They may include activities that will help stimulate students' background knowledge of the topic, refresh their memory of previous lessons related to this one, or teach critical vocabulary. Or, they may list things the teacher needs to do to prepare to teach this lesson.

*This field is recommended.*

## Activities

Activities explain step by step what the teacher and students will do during the lesson. They should be as specific as possible. Consider the following:

- If the teacher is to explain something, note key points she/he should cover.
- Similarly, if there is to be a discussion, note the goals for the discussion — what conclusions might or should students reach?
- If a teacher doesn't have certain materials or is pressed for time, are there steps that can be left out?
- Remember that many teachers who use this plan will not share your background or experience. Are there instructional techniques you use with which your readers might not be familiar? If there are additional resources or background information you think would benefit beginning teachers, include them in the Supplemental Resources field.

*This field is required.*

## Assessment

The assessment explains how the teacher will determine whether or to what extent students met the learning outcomes listed at the beginning of the lesson plan. It should explain the means of assessment as well as the standards by which students are to be assessed.

- If you use a specific test or quiz, please attach it as a separate file.
- If assessment is oral, explain what words, ideas, or cues the teacher can use to evaluate student understanding.

*This field is required.*

## Modifications

Modifications are ways a teacher could adapt this plan to teach special audiences, such as students with learning disabilities, gifted and talented children, or English language learners. It is not necessary to suggest modifications to your plan, but it is helpful to teachers with diverse classrooms.

If you provide modifications:

- Explain what audience the modifications are intended for.
- List specific activities for this audience, and provide or link to any special resources needed.
- If possible or necessary, explain how the teacher can adapt classroom management strategies to use this plan with multiple audiences at the same time.
- Provide alternative assessments in the field below.

*This field is optional.*

## Alternative assessments

Alternative assessments are means of assessment for special audiences, such as students with learning disabilities or English language learners.

- If you provided modifications above, provide an alternative assessment for each modification or special audience.
- If you did not provide modifications above, explain what audience this alternative assessment is intended for.

*This field is optional.*

## Supplemental information

Supplemental information is anything that teachers should or might consider when teaching this lesson. If there are resources that may be used but that are not required for the lesson, note those as well.

Supplemental information and resources might include:

- additional resources or websites that could be used for in-class presentations or student research if time permits
- ideas for extensions or extra credit
- background reading for teachers on the content of the lesson
- further discussion of instructional strategies or classroom management issues related to this lesson (or links to that information on the web)

Be as generous as you can! Remember that beginning teachers will not have your experience or knowledge of available resources and will benefit from any additional help you provide.

*This field is optional.*

## Critical vocabulary

Critical vocabulary includes words and terms that students need to know in order to meet the learning outcomes for this lesson plan. If modifications are provided for particular audiences (such as English language learners), a special vocabulary list may be provided here.

For each term, please provide a definition or the URL of a website where teachers can obtain definitions.

*This field is recommended.*

## Websites

Related websites are websites to be used by the teacher or students in the course of this lesson plan. They may be required or optional. Related websites may provide:

- background information for the teacher about the content of the lesson
- reading material for students
- resources the teacher can use with students in the classroom, such as images or multimedia
- reference material for the teacher about instructional strategies or classroom management issues referred to in the plan
- resources for students to use independently

For each website, please provide a title, URL, and brief explanation of how it relates to this lesson plan.

**Important!** An external website should not be *required* for a teacher to use your plan unless it is a highly stable, institutionally maintained resource.

*This field is optional.*

## Comments

Comments may include anything you think teachers should know or consider that doesn't fit into the other parts of the lesson plan. They may include:

- an explanation of how you developed the plan, or why you wrote it in a particular way
- possible extensions or ways to shorten the plan
- reflections on the experience of teaching this lesson
- students' comments or reactions

*This field is optional.*

## Author Info

Under author info, tell us about yourself! Include the following:

- where you teach (school, system, city)
- what you teach (grade levels/subjects)
- how long you have been teaching
- special certifications, degrees, experience, or other qualifications that lend credibility to your lesson plan

*This field is required.*

## A note on attachments

You may have supplemental materials that you want to include with your lesson plan such as worksheets, tests, handouts, spreadsheets, even images. Don't hesitate to submit these with your lesson plan. Just be sure to send them in formats that can be easily opened and don't require any unusual software.

If possible, we will reformat all lesson plan content for display on the web, and make it available for separate download only if absolutely necessary.

## Model lesson plans

Want to see it all in action? Take a look at some of our model lesson plans!

Mountain dialect: Reading between the spoken lines (see <http://www.learnnc.org/lessons/kathywalbert42120056e02>)

This lesson plan uses Chapter 13 of *Our Southern Highlanders* (available online) as a jumping-off point to help students achieve social studies and English language arts objectives while developing an appreciation of the uniqueness of regional speech patterns, the complexities of ethnographic encounter, and the need to interrogate primary sources carefully to identify potential biases and misinformation in them. Historical content includes American slavery, the turn-of-the-century, and the Great Depression.

Overhand throwing (see <http://www.learnnc.org/lessons/mielczak12132005>)

After this lesson, the students should be able to perform and identify critical components of overhand throwing: pulling arm back while rotating an upper body, leaning L, step with the opposite foot, throwing (de-rotating and releasing a ball), and following through.

The migration of the monarch butterfly (see <http://www.learnnc.org/lessons/mhdobson12212004355>)

The students will listen to and discuss books about butterflies and the migration of monarch butterflies to Mexico in order to integrate science, social studies, and language arts.



# Instructional writing

A lesson plan is a lesson plan, right? Not always. Writing a lesson plan for other teachers to use isn't like writing one for yourself. The form, the style, and the level of detail will all be different.

When you write a lesson plan for your own classroom, you're primarily reminding yourself of things you've already done or figured out. It can be simply a set of notes, an outline of the lesson, without much explanation.

But what's clear to you may not be clear to someone else. When you write a lesson plan for publication, you're not just documenting what you do; you're teaching someone else to do it. That requires a kind of writing different from what you may be used to: instructional writing.

## INSTRUCTIONAL WRITING

Instructional writing is just like teaching, but in a vacuum. When you teach, your students are right in front of you. You can tell by their facial expressions and body language whether they're engaged with what you're saying; they can ask questions; you can give them feedback; and you can assess their understanding of the material.

With instructional writing, you lose the interactive component of teaching. You still have students — your readers; in the case of lesson plans, other teachers — but you'll likely never meet them. They may not read all of what you've written; they may or may not understand it; and if they do understand it, their understanding may be very different from what you intended. Most frustrating of all, *you'll never know* whether they understood it or not.

This means that you have to anticipate your readers' needs — the questions they would ask, the assumptions they'll make (or not make), the things they won't immediately understand and will have to go over twice. Then you have to tailor your writing to meet those needs.

## YOUR READER'S PERSPECTIVE

In short, when you write a lesson plan for publication, you have to write from your reader's perspective, not your own.

Consider manuals for software and home appliances. When was the last time you read a software manual that was really clear and helpful? Some are, but most aren't, because their authors are writing from their perspective rather than yours. The writers assume too much knowledge on your part.

Suppose you bought a new piece of software you had never used before, and the first chapter of the manual, “Installation,” said the following:

Install the software.

...and nothing else. How helpful would that be?

Not very helpful at all, obviously. Maybe the technical writer responsible for the manual figured that, heck — anybody can install software, right? Wrong! People who don’t work with computers for a living need a little more help than that. If they didn’t, they wouldn’t need a manual in the first place. The writer was writing from his own perspective as a technical professional, rather than that of the end user who has far less experience.

Most teachers writing lesson plans for publication make the same mistake: they write from their own perspective rather than that of their readers — or they assume that their readers have the same knowledge and experience they do. In many cases that assumption is valid; experienced teachers do come to LEARN NC to get new ideas, and professional educators can be expected to share a certain basic vocabulary.

But what about teachers fresh out of college — or lateral entry teachers? Beginning teachers are the people most in need of your lesson plans, and they don’t share your knowledge and experience. And even many experienced teachers won’t share the same experiences you’ve had; their perspectives will be different.

Like software manuals, many lesson plans contain abbreviated instructions such as “group the students” or “have the students write a persuasive paragraph” — but don’t give strategies for grouping or how to present or assess a persuasive paragraph. Without an explanation, though, less experienced teachers won’t be able to implement your instructions.

Think of it this way: if your reader already knows what you’re talking about, he or she doesn’t have all that much need of your lesson plan in the first place. So you’ll be more helpful to more people if you explain yourself carefully and thoroughly, clarify your assumptions, and refer to explanatory material. A teacher who doesn’t need the extra help is, after all, free to ignore it.

This may seem like a lot of work. But there’s a benefit for you as well: remember that the best way to make sure you really understand something is to explain it to someone else! In clarifying your assumptions about the way you teach, you may find that you understand better what you do, why you do it, and how to do it better.

## QUESTIONS BEFORE WRITING

Ask yourself:

- What did I think about the first time I taught this lesson that I don’t have to think about now?
- What content do I refer to that another teacher might be unfamiliar with?
- What terms, instructional strategies, etc. do I refer to that a beginning teacher or lateral-entry teacher might not be familiar with? Am I using jargon that is unnecessary or unclear?

- Are there materials and resources that you use, either on the Web or in print, that another teacher might not have access to? The more specialized or obscure your resources, the more difficult it will be for another teacher to use your plan.
- Could this lesson raise issues with classroom management for a less experienced teacher?
- How do I evaluate students' learning? What clues am I looking for to see that they "get it"?
- What do I do if students *don't* get it? What is my backup plan (or plans) if the lesson doesn't work the first time?



## 2 Submitting other content



Before you send us your article or media submission, make sure you have everything you need. Here's how to make sure we can publish what you send us.



# Media submission guidelines

LEARN NC welcomes submissions of images, audio, and video of educational value for our Multimedia Library, and we encourage authors of lesson plans, best practices, and learning materials to include media where appropriate.

## Photographs

We welcome submissions of photographs individually or in short series on the following topics:

- North Carolina flora, fauna, and landmarks

We also invite authors of articles, lesson plans, and other content to include photographs with their submissions.

When submitting individual images, please include the information requested below, and make sure that your photographs meet the specified technical requirements.

We may also accept larger collections of images on other topics, such as photographs taken on travels abroad. Please contact us with a few samples if you wish to submit a full collection of photographs.

To submit one or more photographs, email us at [media@learnnc.org](mailto:media@learnnc.org).

## TECHNICAL REQUIREMENTS

### Size

1024×768 pixels minimum (large enough to display on a screen to a roomful of students)

### Format

JPEG or TIFF. *Do not* reduce the quality of your photographs to save file size! Send JPEG images in maximum resolution.

### Quality

Photographs should be taken with a good-quality digital camera. (Do not send scans or prints.) They should be artfully composed and aesthetically interesting.

## ACCOMPANYING INFORMATION

Please include the following information about each photograph submitted:

### Title

A short title so that we can reference the photograph in communication with you.

### Description

Each photograph should be accompanied by a short description of its content. This should be literal (a description of what the photograph actually shows) but may also include contextual or background information about the places or things shown. If the photograph features plants or animals, they should be identified.

### Location

If in North Carolina, provide city and county; if elsewhere, provide city, state or province, and country. If the photograph was not taken in a city, provide other information about the location, e.g. Mount Mitchell, Eno River, Fort Bragg, or Gorges State Park.

### Date and time

The date and, if possible, the time the photograph was taken.

## CREDIT AND LICENSING

### Submissions of individual photographs

We accept submissions only of original photographs — that is, you must have taken the photographs yourself! You will be credited as requested in your user profile. All photographs will be licensed under a Creative Commons Attribution/Non-Commercial/Share-Alike license, version 2.5<sup>1</sup>.

### With text content

Images submitted with lesson plans, best practices, and learning materials may be from copyright-free or publicly licensed sources. In such a case, please provide the URL of a web page providing creator and copyright information about the image. *Do not* simply send the file or the URL of the image file on the web.

## STUDENT PRIVACY

If you are including student work or a photograph that shows anyone under the age of 18, you must obtain permission from the parents of each child involved. LEARN NC can provide a form for this purpose.

# Audio

We may be interested in audio recordings of educational value, particularly of oral histories and music, but potentially on other topics as well. Please contact us with questions or suggestions.

For questions regarding submissions, email us at [media@learnnc.org](mailto:media@learnnc.org).

## TECHNICAL REQUIREMENTS

### Format

MP3 (preferred) or AIFF. MP3s should be saved at highest quality.

### Quality

Original recordings should be made with good equipment and should be clear and free of excessive background noise. (Historical recordings may, of course, not meet these standards, but are still welcome.)

## ACCOMPANYING INFORMATION

Please include the following information about each recording submitted:

### Title

A short title so that we can reference the recording in communication with you.

### “Cast”

To the extent possible, provide the names of the speakers, singers, musicians, etc. audible in the recording.

### Description

Each recording should be accompanied by a short description of its content. This should be literal (a description of what the audio contains) but may also include contextual or background information.

### Index

If the recording is longer than a single song (about 3 minutes), provide a timeline of the recording, listing topics or content and the times they occur in the recording.

### Location

If in North Carolina, provide city and county; if elsewhere, provide city, state or province, and country. If the recording was not made in a city, provide other information about the location, e.g. Mount Mitchell, Eno River, Fort Bragg, or Gorges State Park.

### Date and time

The date and, if possible, the time the recording was made.

## **CREDIT AND LICENSING**

Audio submitted must consist of original recordings and may not include copyrighted material.

We ask that contributors license audio recordings under a Creative Commons Attribution/Non-Commercial/Share-Alike license, version 2.5<sup>2</sup>.

## **Video**

We may be interested in video recordings of educational value, as well as of animations for classroom use. Please contact us with questions or suggestions.

For questions regarding submissions, email us at [media@learnnc.org](mailto:media@learnnc.org).

## **TECHNICAL REQUIREMENTS**

### **Format**

MPEG or Flash video (.flv) preferred for video; Flash files (.swf) may also be submitted.

### **Quality**

Original recordings should be made with good equipment and should be clear and free of excessive background noise.

## **ACCOMPANYING INFORMATION**

Please include the following information about each recording submitted:

### **Title**

A short title so that we can reference the recording in communication with you.

### **“Cast”**

To the extent possible and/or appropriate, provide the names of the individuals visible or audible in the recording.

### **Description**

Each recording should be accompanied by a short description of its content. This should be literal (a description of what the audio contains) but may also include contextual or background information.

### **Index**

If the recording is longer than about 5 minutes, provide a timeline of the recording, listing topics or content and the times they occur in the recording.

**Location**

If in North Carolina, provide city and county; if elsewhere, provide city, state or province, and country. If the recording was not made in a city, provide other information about the location, e.g. Mount Mitchell, Eno River, Fort Bragg, or Gorges State Park.

**Date and time**

The date and, if possible, the time the recording was made.

**CREDIT AND LICENSING**

Video submitted must consist of original recordings and may not include copyrighted material.

We ask that contributors license audio recordings under a Creative Commons Attribution/Non-Commercial/Share-Alike license, version 2.5<sup>3</sup>.

**STUDENT PRIVACY**

If you are including student work or a video that shows anyone under the age of 18, you must obtain permission from the parents of each child involved. LEARN NC can provide a form for this purpose.

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**Notes**

1. See <http://creativecommons.org/licenses/by-nc-sa/2.5/>.
2. See <http://creativecommons.org/licenses/by-nc-sa/2.5/>.
3. See <http://creativecommons.org/licenses/by-nc-sa/2.5/>.



# Guidelines for writing best practice articles

Not every good teaching idea can be written as a lesson plan or buried within one. Some ideas are more general and apply throughout a curriculum area or even across curricula. If you find yourself explaining concepts, strategies, or practices, consider writing them as one or more separate articles.

## Content

We publish primarily articles that provide clear, innovative, and successful instructional strategies and educational practices. What do we mean by this?

### **INSTRUCTIONAL STRATEGIES AND EDUCATIONAL PRACTICES**

- **Instructional strategies** are specific things you do in your classroom to facilitate student learning — for example, ways to help students develop reading comprehension skills or how to structure a kindergarten curriculum around nature study. Instructional strategies usually apply to specific grade levels and curriculum areas.
- **Educational practices** are broader in scope and more integral to the way a teacher teaches. Articles about educational practices are of potential value to all teachers, regardless of grade level or curriculum area. Examples include how to organize your classroom to support your instructional goals or how to make a personal connection with at-risk students.
- Of course, there may be some overlap! Articles about instructional strategies may include ideas that teachers could apply more broadly, and your perspective on educational practice will be determined by the grade level or subject area you teach.

### **INNOVATIVE AND SUCCESSFUL**

- By **innovative** we mean simply that the strategy or practice is not in common use. In the case of an instructional strategy, you should either have developed this way of teaching on your own or with colleagues or have made important modifications to it, and you should be able to explain it in a unique and personal way. For educational practices, the standard is a bit lower: even if half the teachers in North Carolina teach a

certain way, the other half can still benefit from reading about it, and even the most experienced veterans may benefit from reading your personal perspective on it.

- By **successful** we mean that you can provide some kind of evidence that your strategy or practice does what it is intended to do. We don't expect data with mathematical analysis (although that would be fine, of course!) — anecdotes and summaries of your experience are fine. But you should be able to answer the question, "How do you know this works?"

## Some things to avoid

### EDITORIALIZING

We all have causes we believe in and feel strongly about — if we didn't, we wouldn't be good teachers. But this isn't the place for a sermon. Don't preach about the importance of reaching all of your students — show your readers how to do it. If you believe that teachers should do more to integrate technology, give them examples of specific tools to enrich instruction and teach them how to use them. If you do that job well, your readers won't need the editorial.

### OVERLY PERSONAL ACCOUNTS

Your article certainly should reflect your personal experience in the classroom, but be brief about your feelings. We know you love teaching and "touching the future"! So do your readers, and true enough, sometimes they need the pep talk. But you can serve them better here by explaining your ideas and helping them to teach more effectively.

## Style

Articles should be written in a clear, informal style — not academic, but not chatty, either. If you are writing about a teaching strategy you have personally developed or implemented or about a personal experience, you should write your article in the first person. In general we do not use footnotes or endnotes, but if you have used sources for research that require citation, provide the author, full title, publisher and year of publication (or URL and date accessed for Web references), and page number if applicable.

Other types of articles may be written in a style appropriate to them. Summaries of research may be written in a more formal, academic style, but should in all cases be written with an audience of practicing K–12 teachers in mind.

### INSTRUCTIONAL WRITING

Remember that you are teaching through your article, not just sharing experiences. Your goal is to help other teachers do what you do. Explain both what you do and why you do it in as much detail as you can. Don't worry about saying too much — we can always edit it down later.

Treat your readers as professionals and colleagues, but don't assume that they know everything you know — if they did, they wouldn't need your article! Imagine a beginning teacher, perhaps even a lateral-entry teacher who has never taught before. What would that person need to know about what you do in order to try it herself or himself? At the same time, remember that experienced teachers will be reading your article as well, and will be able to learn from you — your experience will be different from theirs.

### **LENGTH**

Articles should be between 1500 and 2500 words. Be concise, but take the time you need to cover your topic. If people are interested in the topic, they'll keep reading. If you can't cover your topic in less than 2000 words, consider breaking it up into multiple articles. (LEARN NC's editorial staff can help you decide whether and how to do this.)

### **EDITING**

We understand that teachers are not professional writers. You may feel that your writing skills are inadequate to the task. In nearly every case, though, we can work with you to bring your ideas to the Web, in your voice. We are happy to edit as much or as little as needed, and edits are subject to the author's approval prior to publication. We can also work with you to develop your ideas and help you find the right tone in your writing.



# Packaging resources

LEARN NC is especially interested in publishing “packages” of resources that integrate instructional plans, best practices, and/or materials for student learning, including primary sources and multimedia. Teachers will be more likely to use and adapt upon a resource if they have everything they need, and by packaging resources instead of relying on external content, we can ensure that the value of a lesson plan or other resource won’t diminish if a link breaks or another website is no longer maintained.

“Packages” don’t have to be elaborate. Here are several ways you might design packages of materials for teachers.

## Minilessons with primary sources

The simplest way to package resources is simply to offer an instructional plan that integrates a piece of learning content. “Learning content” may be a primary source document, an essay or informational article, an image, an audio or video clip, or any combination of those types of content.

You could write a full lesson plan around a piece of learning content, but you might also simply write some basic suggestions for classroom use. Any plan you write should have a clearly stated learning objective and ordered activities; an assessment is optional.

The sounds of prayer in Southeast Asia (see <http://www.learnnc.org/lp/pages/1306>)

Uses three audio clips and a map to spark a student discussion.

Using the George Wallace interview (see <http://www.learnnc.org/lp/pages/1322>)

Teacher’s guide to using an excerpt of an oral history interview.

Mountain dialect spoken here (see <http://www.learnnc.org/lessons/kathywalbert42120056e02>)

A full lesson plan using an excerpt from a 19th-century book as a jumping-off point to help students achieve social studies and English language arts objectives.

## Slideshows

A slideshow can be more than just a series of photographs with a script. It can, in fact, be something approaching a multimedia textbook, with detailed text and additional resources for student exploration.

Jocassee Gorges: Temperate rain forests of the Blue Ridge (see [http://www.learnnc.org/lp/editions/cede\\_jocassee/](http://www.learnnc.org/lp/editions/cede_jocassee/))

One of a series of Carolina Environmental Diversity Explorations, “virtual field trips” to areas of ecological and geological interest in North Carolina. Developed by a UNC Marine Sciences professor and his graduate students.

Contemporary life in Vietnam (see <http://www.learnnc.org/lp/editions/vietnam-reform/>)

A slideshow of photographs showing changes since the country’s reforms began in the 1990s. A photographer and an anthropologist contributed separately to this project.

Tobacco bag stringing: Life and labor in the Depression (see <http://www.learnnc.org/lp/editions/ncc-tbs/>)

Photographs with government and corporate records tell the story of workers facing hardship and poverty. (Accompanying lesson plans are in development.) Developed by UNC Libraries.

## Lesson plans with resources for students

Many of our lesson plans include handouts of some kind, but we especially want to publish lesson plans that include the material students are to learn or learn from. These materials can be integrated in various ways.

Brown versus Board of Education: Rhetoric and realities (see <http://www.learnnc.org/lp/editions/brownvboard-docsouth/>)

A lesson plan that uses oral history interviews to study the Civil Rights Movement.

Drawing a sea turtle (see <http://www.learnnc.org/lp/editions/drawturtle/>)

Step by step instructions with illustrations explain how to draw a sea turtle and to use art to explore anatomy.

## Best practices with sample lesson plans

Best practices — explained through text and even multimedia — are easiest to understand and implement when accompanied by specific instructional strategies that demonstrate them.

Designing your gym class (see <http://www.learnnc.org/lp/pages/807>)

An article on classroom management with accompanying lesson plans.

Problem Centered Math (see <http://www.learnnc.org/lp/editions/pcmath/>)

Best practices articles, demonstration videos, problem sets, and lesson plans explain why student-centered mathematics instruction benefits students and how teachers can employ it successfully.



# 3

## Copyright and permissions



Publishing on the web is publishing, and you can't use what isn't yours. Here's how to avoid a tug of war over copyright and find materials you can use.



# Copyright guidelines for publishing

When you publish a work on the web, one of the following three cases must apply:

1. You must have created the work;
2. You must have permission from the creator or copyright holder; or
3. The work must be free of copyright.

(By “publish” we are assuming publishing a full work, which would not fall under the fair use (page 49) exception to copyright. Brief quotations are permissible.)

**Republishing any other work on a personal or public website is a violation of United States copyright law.** LEARN NC will not under any circumstances accept material for publication that does not meet one of the above three standards.

Meeting the first standard is easy in principle — just make it yourself! But it isn’t always practical, or necessary. The following pages provide guidelines for determining where copyright applies and for finding and obtaining permission for materials you can republish as part of your article, lesson plan, or other published work.



# Copyright for educators

This article explains copyright and U.S. copyright law primarily with respect to education. For a full discussion of copyright law and its implications, consult the U.S. Copyright Office<sup>1</sup>.

## Rights reserved to authors

Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- To reproduce the work in copies or phonorecords;
- To prepare derivative works based upon the work;
- To distribute copies or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- To perform the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works;
- To display the copyrighted work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and
- In the case of sound recordings, to perform the work publicly by means of a digital audio transmission.

It is illegal for anyone to violate any of the rights provided by the copyright law to the owner of copyright. (However, these rights are not unlimited in scope; see Limitations on Copyright, below.)

## Who can claim copyright

Copyright protection begins *automatically* as soon as a work is created in fixed form. Registration with the U.S. Copyright Office is not required. This means that any written document, drawing, or photograph, whether published or not, may be eligible for copyright. Only the author or creator of the work (or those deriving their rights through the author or creator) can claim copyright.

## **COPYRIGHT REGISTRATION**

Registration with the U.S. Copyright Office is not required for an author to claim copyright. However, registration makes it easier to sue for monetary damages when copyright is infringed.

## **COPYRIGHT NOTICE**

Prior to 1989, notice was required for a work to be protected by copyright. This is no longer the case, but the rule may still apply to works created before 1989. Additionally, a copyright notice serves as fair warning of the work's status. If someone infringes on a copyright (by reprinting the work, for example), he or she may plead innocent infringement if no copyright notice was given. If copyright notice was given, the infringer cannot plead ignorance.

A typical copyright notice contains the symbol ©, the year of first publication, and the name of the copyright holder, for example © 2005 John C. Doe. The use of the copyright notice does not require permission from the U.S. Copyright Office.

# Limitations on copyright

Copyright protection is not unlimited. Terms of copyright are limited, and individuals retain certain "fair use" rights to copyrighted work.

## **EXPIRATION OF COPYRIGHT**

Under current U.S. copyright law, most works are automatically protected from the moment of their creation and is ordinarily given a term enduring for the author's life plus an additional 70 years after the author's death. Consult the U.S. Copyright Office<sup>2</sup> for details.

## **FAIR USE**

*Fair use* is any copying of copyrighted material done for a limited and "transformative" purpose such as commentary, criticism, or parody. "Fair" uses do not require permission from the copyright owner. For a full explanation of fair use, see our article on fair use (page 49).

## **OTHER EDUCATIONAL USE**

Section 110(1) of the Copyright Act<sup>3</sup> explicitly permits teachers and students in a nonprofit educational institution to perform or display any copyrighted work in the course of face-to-face teaching activities. In face-to-face instruction, such teachers and students may act out a play, read aloud a poem, display a cartoon or a slide, or play a videotape so long as the copy of the videotape was lawfully obtained. In essence, Section 110(1) permits performance and display of any kind of copyrighted work, and even a complete work, as a part of face-to-face instruction.

**Distance learning.** The 2002 TEACH Act extended this permission to certain distance learning environments, but with additional restrictions to ensure that the work is used only in an instructional context and that (in the case of performances of audiovisual works) the work cannot be illegally downloaded by students or further distributed. The TEACH Toolkit<sup>4</sup> from North Carolina State University provides detailed information and guidelines on the use of copyrighted works in distance learning environments.

**Warning!** This provision does not permit teachers to make and distribute copies of works. It extends only to performances and displays of single copies of a work. Also be certain that your display or performance of the work is exclusively instructional; the showing of a film on the last day of school for entertainment purposes may not fall under this provision and is not covered by fair use.

A chart<sup>5</sup> of copyright and fair use guidelines for classrooms is available from the California Student Media and Multimedia Festival.

## Works not eligible for copyright

Several categories of material are generally not eligible for federal copyright protection. These include:

- Works that have not been fixed in a tangible form of expression (for example, choreographic works that have not been notated or recorded, or improvisational speeches or performances that have not been written or recorded)
- Titles, names, short phrases, and slogans; familiar symbols or designs; mere variations of typographic ornamentation, lettering, or coloring; mere listings of ingredients or contents
- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, as distinguished from a description, explanation, or illustration
- Works consisting entirely of information that is common property and containing no original authorship (for example: standard calendars, height and weight charts, tape measures and rulers, and lists or tables taken from public documents or other common sources)

With regard to education, a *lesson plan* that is written down and published is eligible for copyright protection *in its written form*, but the ideas and/or teaching strategies described by the written plan are generally not eligible for copyright and hence can be borrowed or used by another teacher in his/her teaching.

## Common copyright violations

The internet and related technologies have not changed the principles behind copyright law, but they have made it easier to unknowingly violate the law. Additionally, although fair use<sup>6</sup> allows for personal and educational use, it is easy for teachers and students to overstep the provisions of fair use.

- Posting something to the public web is legally considered to be publication. If you post copyrighted material, such as an image, to a website where anyone can view it, without specific permission, you are infringing upon copyright. This includes material already published on the web! You may, however, provide a link to the copyrighted material if it is available on the web.
- If students use copyrighted material such as images in reports or in-class multimedia presentations, the teacher may not publish those reports or multimedia presentations to a school website.
- Distributing a copyrighted resource via email, especially over a listserv or discussion list, may be a violation of copyright.
- Photocopying an article or other resource for personal use generally falls under fair use, as does asking students to make copies; but making multiple copies and distributing them, even in a classroom setting may not fall under fair use.

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## On the Web

### Bound By Law

<http://www.law.duke.edu/cspd/comics/>

A comic book-style presentation that explores “the impacts of intellectual property on creativity — specifically, documentary film.” Follow the heroine as she “navigates the twists and turns of intellectual property. From the Center for the Study of the Public Domain, Duke University Law School.

### Notes

1. See <http://www.copyright.gov>.
2. See <http://www.copyright.gov>.
3. See <http://www.copyright.gov/title17/92chap1.html#110>.
4. See <http://www.lib.ncsu.edu/scc/legislative/teachkit/>.
5. See <http://www.mediafestival.org/copyrightchart.html>.
6. See <http://www.learnnc.org/glossary/fair+use>.

# Fair use

*Fair use* is any copying of copyrighted material done for a limited and "transformative" purpose such as commentary, criticism, or parody. "Fair" uses do not require permission from the copyright owner.

## Determining fair use

There is, unfortunately, no simple definition of "fair use." It is a right set forth in the U.S. Copyright Act<sup>1</sup>, but how and when it may be applied is left to the discretion of judges and juries. Be aware that no guidelines provided in this article are guaranteed to be accepted by all courts!

### **FOUR FACTORS DETERMINING FAIR USE**

Judges typically consider four factors in determining whether a given use of copyrighted material is fair use.

#### **What is the character of the use?**

Educational, non-profit, and personal use is likely to be considered fair use; commercial use is not.

- *Personal use* includes uses such as making copies for one's own files or using the copyrighted material in a paper written for a class (but not otherwise shared). For example, to use a copyrighted image in a research paper or multimedia project created for a class is personal use, but if the paper or project is posted on the web, it is legally published, and this use no longer falls under fair use.
- *Educational use* includes use by a teacher or student in a class or distance learning environment.

Uses that are "transformative" are most likely to be protected — that is, uses that do not merely reproduce the original work but transform it into something new or of new utility. Examples of transformative uses are quotation, criticism, commentary, and parody.

#### **What is the nature of the work to be used?**

If the material used is factual in nature, use of the work is more likely to be considered fair use. Additionally, if the work has been published, use of it is more likely to be considered

fair use. Unpublished material (such as historical correspondence) is less likely to fall under fair use guidelines. Material that is made available to the public on the web is legally considered to be published.

### **How much of the work will you use?**

You typically may reproduce only a small piece of a work — a common guideline is 10 percent. Another common guideline is that you may not reproduce a "substantial amount" of the work. This is less precise, but a "substantial amount" may be less than 10 percent in some cases. For example, a short clip of a scene from a movie may be far less than 10 percent of the movie, but still represent a substantial amount of the creative content of the movie.

How much of a work you may reproduce depends on the media in which the work was published (text, image, video, etc.). This article<sup>2</sup> on LEARN NC provides guidelines for how much of a work may be republished for educational use (such as a student multimedia project); however, be warned that these limits may not apply to other kinds of use.

### **What effect would this use have on the market for the original or for permissions if the use were widespread?**

The primary purpose of copyright law is to promote intellectual activity by ensuring that creators of works can profit from their sale. Ask yourself: *is my use of this material preventing the ability of its creator to make money from its sale?* If yes, your use of the material is likely not fair use. Hence you could play a piece of recorded music in your classroom but not distribute the music in an MP3 file to your students; the latter use interferes with the ability of the copyright holder to make money from the sale of the music, while the former does not.

This is often the most important of the four factors to consider, but remember that it is not the only factor — a creator retains rights to a work even if he or she does not intend to profit from it!

## **FAIR USE IN EDUCATION**

Educational use and personal use (see #1 under Four Factors, above) cover most classroom uses of copyrighted work. However, the web and the desire to share or publish students' work make it easy for teachers and students to cross the line from fair use into copyright violation. As a guideline, consider educational use to cover *only what happens within the confines of your classroom* (or distance learning environment).

**What is not educational use.** To republish or publicly perform a work does not fall under fair use. For example, a student may use a copyrighted image in a multimedia presentation to the class, but may not post that presentation to the web where anyone could see it. An English class may act out parts of a play as they study it, but may not give a public performance.

A chart<sup>3</sup> of copyright and fair use guidelines for classrooms is available from the California Student Media and Multimedia Festival.

### Fair use in distance learning

For the most part, fair use guidelines in distance learning environments are identical to those in face-to-face classrooms. Special rights granted to educators beyond fair use (see copyright<sup>4</sup>) are subject to special restrictions in distance learning environments. The term "distance learning environment" also assumes a special restricted-access area for instructor and students, *not* a publicly available space on the web.

## Fair use on the web

The web makes it very easy to share information with students, parents, and colleagues — and very easy to violate copyright law! For legal purposes, *publishing something to the web is exactly like publishing it to print*. Fair use guidelines are identical whether you are using a work on the web, in print, or in face-to-face public performance. If you would not distribute 8x10 glossy prints of a photograph, for example, don't post a digital copy of the photo on your public classroom website!

### LINKING

A simple text link from one web page to another typically does not violate copyright law, because it provides only a direction on how to find the copyrighted work; it does not reproduce it in any way. A text hyperlink may be thought of as similar to a card in a library card catalog, which merely tells you where to find a book on the shelf but does not reproduce the text of the book.

There are, however, exceptions. The key to avoiding copyright violation is not to link to content in a way that implies ownership of that content.

**Deep linking.** In some cases, website owners may object to *deep linking* — the practice of linking to a page within a website that is not the site's home page. They may object because deep linking bypasses advertising or identifying material that appears only on their home page. However, objections are rare. A good practice when deep linking is to state the name of the website to which you are linking, if practical with a link to the website's home page. (For example, the Stanford Copyright and Fair Use Center<sup>5</sup> provides this explanation<sup>6</sup> of linking and fair use.) This makes the ownership of the linked material clear.

**Framing.** Displaying another website inside a frame, for example with your own banner over top, may be a violation of copyright because it can cause confusion as to who owns the content displayed in the frame. If you use frames for your website, link to all outside websites in the top frame or in a new window.

**Inlining content.** *Inlining content* is displaying content, such as an image, directly from one website onto another. If you display an image on your website by pulling the file directly from another website's server, you are *inlining* the image. Technically, you are not reproducing the image (because the file still resides on its owner's server), but you are implying ownership by displaying it within the context of your own website. Additionally, inlining images draws on the resources of the originating website's server, which may cost the owner money. Never, ever do this! If you want to display an image from someone else's website on your own, ask permission, then copy the image file to your own web space.

**Netiquette.** In the mid-1990s, it was considered good "netiquette" (i.e. "net etiquette") to ask permission before creating a hyperlink to someone else's web page. Most legal documents providing advice on linking still claim this. But the practice of asking permission has been uncommon for several years, even for deep linking. Bloggers, for example, link to one another continually; the "blogosphere" would shut down if everyone stopped to ask permission. However, it is good practice to list the source of a deep link (see deep linking, above).

## References

Fair use checklist (see <http://www.copyright.iupui.edu/checklist.htm>)

From Indiana University's Copyright Management Center.

Saying "yes" instead of "no" (see <http://www.learnnc.org/articles/fugem1>)

Fair Use Guidelines make room for students and teachers to use copyrighted material in multimedia presentations. By Connie Bakker.

Fair Use Guidelines for Educational Multimedia (see <http://www.utsystem.edu/ogc/intellectualproperty/ccmcguid.htm>)

Provided by the University of Texas.

United States Copyright Office (see <http://www.copyright.gov/>)

Provides laws and guidelines for all aspects of copyright.

Stanford Copyright and Fair Use Center (see <http://fairuse.stanford.edu/>)

Overview of copyright and fair use (see [http://fairuse.stanford.edu/Copyright\\_and\\_Fair\\_Use\\_Overview/index.html](http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/index.html))

A thorough overview of the subject.

Fair use guidelines (see <http://www.utsystem.edu/ogc/intellectualproperty/copypol2.htm>)

Includes an explanation of the "Four Factor Fair Use Test."

Examples of cases from higher education (see <http://www.cetus.org/fair5.html>)

Examples of uses that were considered fair use, or not. From the University of California system.

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## Notes

1. See <http://www.copyright.gov/title17/92chap1.html>.
2. See <http://www.learnnc.org/articles/fugem1>.
3. See <http://www.mediafestival.org/copyrightchart.html>.

4. See <http://www.learnnc.org/glossary/copyright>.
5. See <http://fairuse.stanford.edu/>.
6. See [http://fairuse.stanford.edu/Copyright\\_and\\_Fair\\_Use\\_Overview/chapter6/6-c.html](http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter6/6-c.html).



# Works available for use

Many works, copyrighted or not, are available to the public for various kinds of use, including republication and distribution.

## The public domain

The *public domain*<sup>1</sup> comprises works "owned by the people" and not covered by copyright. Works may enter the public domain in various ways:

- Material eligible for copyright (page 45) is in the public domain by default.
- When the copyright on a work expires, it enters the *public domain*<sup>2</sup>. It is then "owned by the people" and may be used by anyone for any purpose.
- Works created by the United States government or by its employees as directed work are exempted by U.S. Copyright Law and are thus in the public domain.
- Occasionally, a work's creator may freely release it to the public domain. However, this is rare. *The lack of a copyright notice does **not** mean that a work is in the public domain!*

Once a work is in the public domain, it is in the public domain forever (there have been exceptions, but they are rare). If material in the public domain is incorporated into a new work, only the parts of the new work that are original are eligible for copyright. To take a fairly trivial example, the creator of a photographic calendar owns rights only to the original part of the calendar — the photographs — and not to the names of days or months!

## Public licenses

Any copyright holder may license a work to individuals or the public for various uses. A license permits the licensee to exercise some or all of the author's exclusive rights in the work in a limited fashion defined by the terms of the license. Most licenses require payment and are granted to individuals for specific purposes. For example, when you buy a DVD, you are granted a license to view the film at home, but you are not permitted to show the work publicly or to make copies; these rights are retained by the copyright holder. A theater company may purchase a license to perform a play but that license may not grant the right to videotape the performance.

A *public license*, by contrast, is typically granted free of charge to anyone who wishes to obtain it, and grants broad rights to use and/or distribution. Public licenses are a boon to educators, because they permit broad use of a work without reliance on fair use<sup>3</sup>.

## OPEN SOURCE SOFTWARE

*Open source*<sup>4</sup> refers to software applications that may be freely run, distributed, and modified. Most open source software is licensed under the GNU General Public License<sup>5</sup> (GPL), which grants recipients the following rights, or "freedoms":

- the freedom to run the program, for any purpose.
- the freedom to study how the program works, and modify it (if the source code is made available).
- the freedom to redistribute copies.
- the freedom to improve the program, and release the improvements to the public (if the source code is made available).

Additionally, the GPL requires that copies and derivative works of software licensed under the GPL be itself licensed under the GPL. This legal mechanism, sometimes called "copyleft," ensures that open source software will remain open source.

Other open source software, such as the Firefox web browser, is licensed under various other public licenses. Some software is made available under several different public licenses. Additionally, some software, such as Adobe Acrobat Reader, is made available under a more restrictive public license that does not permit modification.

**Open source vs. shareware.** Open source software is not the same as *shareware*, which is software made available by its creators for public use with the expectation that those who find it useful will make a (usually small) one-time payment. Shareware is distributed on the honor system, but continuing to use shareware after a stated trial period may be a violation of copyright.

## CREATIVE COMMONS

Creative Commons<sup>6</sup> is a nonprofit organization that offers a flexible licensing system for creative work. Its licenses are designed for authors and artists who do not intend to profit from their work and wish it to be widely used and shared. Creative Commons licenses use the slogan "Some Rights Reserved" to distinguish them from the typical copyright notice "All Rights Reserved."

Creative Commons licenses<sup>7</sup> are public licenses available free of charge to anyone. They allow anyone to use, republish, or distribute a work in any medium. Creators may place any or all of the following restrictions on the use of their work:

- **Attribution.** The creator permits others to copy, distribute, display, and perform the copyrighted work — and derivative works based upon it — but only if they give credit in the manner requested.
- **Noncommercial.** The creator permits others to copy, distribute, display, and perform the work — and derivative works based upon it — but for noncommercial purposes only.
- **No Derivative Works.** The creator permits others to copy, distribute, display, and perform only verbatim copies of the work, not derivative works based upon it.
- **Share Alike.** The creator permits others to distribute derivative works only under a license identical to the license that governs the original work.

# Finding resources you can use

Just because it's on the internet doesn't mean you can use it! But there are several places on the web where you can find images and other content you and your students can freely use in your classroom and on class projects — even projects you want to publish to a website or otherwise distribute — without having to worry about fair use.

## MATERIALS AVAILABLE UNDER CREATIVE COMMONS LICENSE

If you or your students want to find resources such as photographs to use in classroom projects that may be published to the web or otherwise distributed, try looking for resources licensed under Creative Commons. Many excellent photographers and artists make their work available under Creative Commons licenses.

**Be sure that the work is offered under the specific license you need!** If you want to edit an image, for example, you'll need an image licensed without the “no derivatives” permission. And be sure to respect the terms of the license, by crediting the creator if required.

- Creative Commons provides a searchable directory<sup>8</sup> of authors and artists who have registered their work with the organization.
- The photo sharing website Flickr<sup>9</sup> provides searchable access to images<sup>10</sup> licensed under Creative Commons.
- Common Content<sup>11</sup> provides access to material licensed under Creative Commons, including large collections of images.

## MATERIALS IN THE PUBLIC DOMAIN

You cannot assume that because an image or other resource is made available on the website of a U.S. government agency (such as the Library of Congress), it was necessarily created by the federal government and is therefore in the public domain. However, government websites provide a good place to start looking for materials in the public domain.

- All images created by NASA are in the public domain and may be freely used. Try the Image of the Day Gallery<sup>12</sup> as a place to start.
- Many, but not all, of the images available through American Memory<sup>13</sup> were created by the U.S. government and are in the public domain. Look for works created by various federal agencies and projects such as the Federal Writers Project, the Historic American Buildings Survey/Historic American Engineering Record, and the Office of War Information. Be sure to read the copyright notices carefully (look for the link to “Rights and Reproductions.”)

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## Notes

1. See [http://en.wikipedia.org/wiki/Public\\_domain](http://en.wikipedia.org/wiki/Public_domain).
2. See [http://en.wikipedia.org/wiki/Public\\_domain](http://en.wikipedia.org/wiki/Public_domain).

3. See <http://www.learnnc.org/glossary/fair+use>.
4. See <http://www.opensource.org/>.
5. See <http://www.gnu.org/copyleft/gpl.html>.
6. See <http://www.creativecommons.org>.
7. See <http://creativecommons.org/about/licenses/>.
8. See <http://creativecommons.org/find/>.
9. See <http://www.flickr.com/>.
10. See <http://www.flickr.com/creativecommons/>.
11. See <http://commoncontent.org/>.
12. See <http://www.nasa.gov/multimedia/imagegallery/index.html>.
13. See <http://memory.loc.gov/ammem/>.

# Obtaining permission for copyrighted materials

If your desired use of a copyrighted work does not fall under fair use (page 49) and the work is not licensed for public use (page 55), you must ask permission before using it. Be sure to think through carefully what you will want or need to do with the material and to request all the permissions you will need! If the owner of copyrighted material grants you specific permissions, that does not constitute a blanket grant to do what you like with the material. For example, if you obtain permission to include a photograph in a printed class anthology, you may not additionally post the anthology on your school's website unless you obtain separate permission for web use! Most copyright holders are willing to help teachers and students, however, so long as the request is reasonable.

## Permission request letters

A permission request should include the following:

- Any information needed to identify the original work, such as author and/or editor, title, edition, copyright date, volume and issue number, etc. If the work is available on the web, provide the URL.
- The exact material to be used, including page numbers, chapter, etc. If possible, include a photocopy of the material you wish to use.
- How you will distribute the copies — on the web, in a newsletter, in a printed anthology of student work, etc.
- The number of copies to be made, if applicable.
- Whether or not you intend to sell the material.

Be sure to address your letter to the proper person — make sure that the person giving you permission is in fact the copyright owner!

A sample permission request letter<sup>1</sup> is available from the Consortium for Educational Technology in University Systems<sup>2</sup> (CETUS).

If the material you wish to use is on the web, an email request for permission is appropriate.

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## Notes

1. See <http://www.cetus.org/fair7.html>.
2. See <http://www.cetus.org>.

# Contributors

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# Image credits

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## Figure 1 (page 3)

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## Figure 2 (page 25)

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## Figure 3 (page 41)

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#### **ABOUT LEARN NC**

LEARN NC is a K–12 outreach program of the University of North Carolina School of Education. Through our website we serve more than 25,000 teachers and students each day with lesson plans, best practices, online courses, classroom content, and multimedia learning experiences, all tied to state and national standards. Visit us today at [www.learnnc.org](http://www.learnnc.org).