

MIPA POLICY ON COPYRIGHT VIOLATIONS AND PLAGIARISM IN SCHOLASTIC MEDIA

RATIONALE FOR POLICY

Judges for state, regional and national scholastic media associations saw the problem begin with the line “photo compliments of the Internet” more than 10 years ago. Since then, access to digital information has grown enormously, and the problems it creates for scholastic media have, too. To address the legal and ethical implications head on, MIPA has adopted the following policy, which is based on statements by the Journalism Education Association and the Association for Education in Journalism and Mass Communication’s Scholastic Journalism Division.

As an organization, we want to raise awareness about the prevalence of violations in these areas. We all want to do what is right, and we need to teach our students carefully. Here are a few ideas: To avoid print copyright infringement, encourage your students to develop local angles to their stories, search governmental Web sites for material that can be used with proper crediting, or join inexpensive suppliers like MCT-Campus. To avoid broadcast copyright violations, make sure you follow appropriate licensing procedures, create original music or use royalty-free music. To avoid plagiarism, properly attribute all material and use local sources.

For more information about copyright and plagiarism, please visit the Student Press Law Center Web site at www.splc.org. There is a wealth of information available there. Please read these two sections on copyright and plagiarism carefully. Please share them with your students. The penalties for violating them are listed under each category below.

Michigan Interscholastic Press Association adopted this policy in May of 2007.

■ COPYRIGHT

Photos, art and other such visuals plus various forms of music—on the Internet and elsewhere—are copyrighted, even if they don’t include the copyright character, “©” and the owner’s name. Getting the owner’s permission to use such materials is important unless the material qualifies as Fair Use or is in the public domain. (see below).

Simply attributing work to its creator is not the same as receiving and indicating consent to publish or broadcast. Photos and art should be credited with “Photo used with permission of...” or a similar statement. Audio or visuals as part of a broadcast entered for competition should include a statement certifying it is original student work, used with written permission or is believed to fall under fair use in copyright law.

Fair Use refers to the ability to print or broadcast materials that are copyrighted based on four factors: purpose and character of use (i.e. non-commercial use like news reporting, teaching or reviewing); nature of the work (e.g. factual work is more likely to fall under fair use than creative work, and published works are more likely to be used fairly than unpublished works); how much is used (i.e. looking at both quantity and quality of what is used; NOTE: There is no law stating music of less than 30 seconds is permissible to use.); and effect of the use on commercial value of the original.*

COPYRIGHT & MIPA CONTESTS

Use of apparently copyrighted materials without permission or a fair use argument as explained on the entry (e.g. photos from CNN.com or google.com or an artist’s soundtrack) will result in disqualification of the entry from the individual category contest. For the Spartan contest, a lower rating/ranking of the overall media will result in consultation with the judge and the chair of the appropriate media. If discovery is made after the award is presented, the MIPA board will deal with each case at its next regularly scheduled board meeting.

■ PLAGIARISM

This is not a legal issue but refers to the ethical situation of passing off someone else’s work as your own. That might be as unintentional as failing to attribute a quote to its source or as deliberate as submitting to a student publication a movie review downloaded from the Web.

Because codes of ethics for professional and scholastic press associations alike emphasize the need for journalists to be fair and honest in their reporting, we have no room for any hints of plagiarism in publications.

However, student media is a learning experience. For that reason, this scholastic press association adheres to the following policy:

PLAGIARISM & MIPA CONTESTS

In individual category contest, if a judge finds evidence of plagiarism in an entry, he or she will disqualify it if the copied material is extensive or may reduce the rating/ranking with an explanation noted if the material represents such problems as failure to attribute information.

In the Spartan contest, if the staff reports plagiarism when the publication is submitted for the critique/contest and indicates how the staff handled its discovery in an educationally positive way, the judge should ignore the specific plagiarized material and rate the publication as if it did not exist. The staff should write a separate letter and label it “violation report.”

In the Spartan contest, if the staff does not find or report plagiarism but the judge finds evidence of it, the judge needs to deduct a substantial number of points and explain, with specific references, what the problem was. Judges should be clear in this description but non-offensive with comments. Generally the discovery of plagiarism is embarrassing to both staff and adviser, and it is enough to identify it. It’s not necessary to preach.**

If discovery is made after the award is presented, the MIPA board will deal with each case at its next regularly scheduled board meeting.

* From The Student Media Guide to Copyright Law, ©1998 Student Press Law Center. The SPLC Web site, <http://www.splc.org>, has a more thorough explanation.

** Adapted from Columbia Scholastic Press Association’s “Just for Judges Handbook,” 1983 and revised periodically by Edmund Sullivan, executive director.