

Guidelines for Off-Air Taping for Educational Purposes (Kastenmeier Guidelines)

1. The Guidelines were developed to apply only to off-air recording by non-profit educational institutions.
2. A broadcast program (including simultaneous cable retransmission) may be recorded off-air and retained by a non-profit educational institution **for a period not to exceed the first forty-five (45) consecutive calendar days after the date of recording**. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. "Broadcast programs" are television programs transmitted by television stations for reception by the general public without charge.
3. Off-air recording may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary in classrooms and similar places devoted to instruction within a single building, cluster, or campus, as well as in the homes of students receiving formalized home instruction, **during the first ten (10) consecutive school days in the forty-five (45) day calendar day retention period**. "School days" are school session days--not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions--within the forty-five (45) calendar day retention period.
4. **Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests**. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
5. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each additional copy shall be subject to all provisions governing the original recording.
6. After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for teacher evaluation purposes. i.e., to determine whether or not to include the broadcast program in the teaching curriculum, and may not be used in the recording institution for student exhibition or any other non-evaluation purpose without authorization.
7. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.
8. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.
9. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.

Congressional Record, October 14, 1984

I have read the above Kastenmeier Guidelines regarding off-air taping. I agree to comply with the Kastenmeier Guidelines, and hold the Center for Teaching & Learning harmless of any violations that may result by my non-compliance with the Kastenmeier Guidelines. I also understand that it is my responsibility to see that the tape(s) are erased/destroyed at the end of the 45-day retention period, *or* secure any and all required written authorizations that are needed if I plan to use the recording beyond the 45-day retention period mentioned in the Kastenmeier Guidelines.

Signature

Date