Britannica® IMAGEQUEST®

How districts can avoid copyright infringement claims and what you can do

Copyright infringement is an issue that districts around the country are facing. In recent years, copyright infringement trolls have spearheaded claims against schools that use unlicensed media improperly on their websites, in marketing, and in classroom resources. The cost of such claims for some districts, schools, and public libraries can be significant.

This guide walks you through the complexity of verifying copyright terms and helps you to eliminate guesswork when selecting media.

Britannica® Digital Learning

Are the images used across your district in compliance with copyright laws?

Schools and teachers who miss these critical steps put their districts at risk for copyright infringement claims.

STEP 1 Find terms of use

STEP 2 Exercise public domain caution

STEP 3 Leverage a rights-cleared database

STEP 4 Review terms of use

STEP 5 Use proper crediting

What forms of school content may be at risk for copyright infringement?

School websites

School social media pages

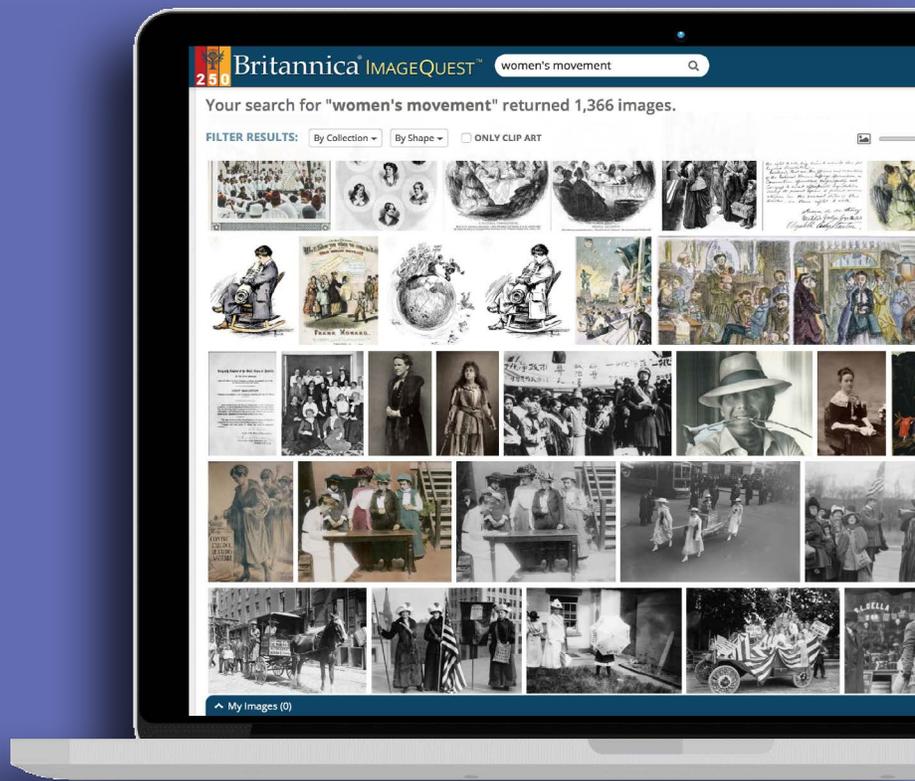**Photos from school events that include people**

Event flyers

Classroom presentations

Empower your staff with a rights-cleared image library for media makers of all ages.

Britannica ImageQuest® brings lessons, assignments, and projects to life with the best and broadest offering of curriculum-relevant imagery and digital art materials (symbols, educational illustrations, infographics, flags, and conceptual illustrations), all rights-cleared for educational, non-commercial use.

Connect with your account executive today, and see how curriculum-relevant images can transform lessons and how having access to a robust image library can provide a cost-effective solution that helps protect your district.

Deliver high-impact visual lessons with over 3 million images.

Collaborate and organize easily and effectively.

Meet many users' needs with one trusted database.

Maximize your tech investment and integrate with your existing resources.

Britannica School

schoology

Google

Clever

SAFARI MONTAGE

canvas

ClassLink

STEP 1:
Find terms of use

→ **Does each one of your staff review terms of use for every photo they use in association with work they do for your district?**

When teachers pull images from websites, the site's terms-of-use page with photo usage information must be checked 100% of the time or you may be at risk for a legal claim.

→ **How do your teachers find terms of use?**

Many websites place links to use terms at the very bottom of their home page. Some websites will have this information under "terms and conditions," "terms of use," "licensing information," "copyright," "permissions," "privacy policy," or "image licensing" or under FAQs. If you can't find what you need, try searching the name of the source + one of the above terms.

Exercise diligent caution with free stock-photo sites.

If your school allows teachers to leverage free photo sharing sites, each photo must be approached with caution. If a photo is copyrighted on the site, the photographer must be contacted to confirm that they approve of the use case, and that response should be stored with a link to the photo used, where it was used, and the photographer's approval. In addition, educators should also leverage an image search engine to ensure that the photo in use was not pirated (and infringing on someone else's copyright).

→ **Are your teachers validating terms of use when they are not 100% sure about use rights?**

If teachers are unclear as to whether they can use a photo, it's always a good idea to contact the photo source directly. Most websites have an e-mail address under "Contact Us," or some websites have a request form that you can fill out and submit.
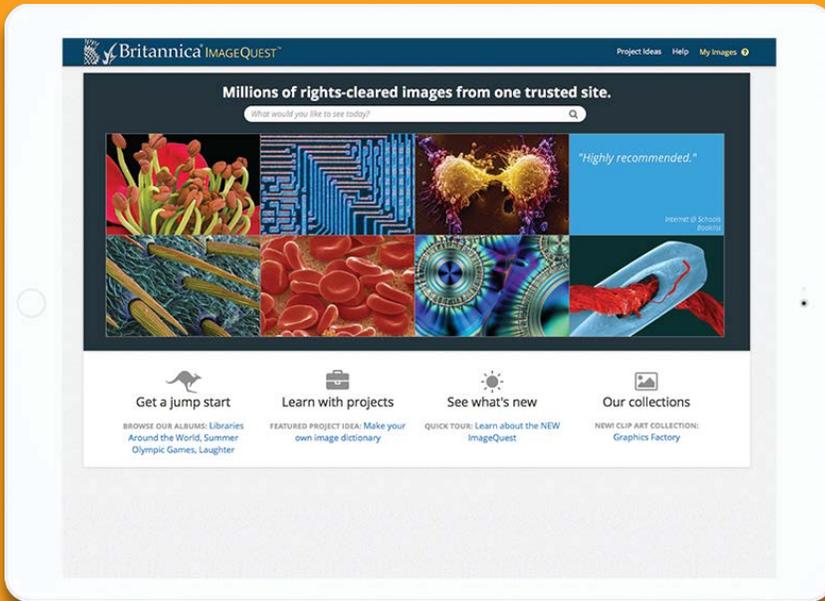
STEP 2:

Exercise public domain caution

When using public domain images, are your teachers also reviewing their text rights?

Even if the photo is out of copyright, make sure the source allows use of its copy of the file at no charge. For example, a photo agency such as Getty Images has thousands of public domain photos on its website but charges a fee to publishers to use its copy.

STEP 3:
Leverage a rights-cleared database

Using a rights-cleared database such as ImageQuest® for educational use empowers your schools with a diverse asset library for media makers of all ages. Districts around the country use ImageQuest because it helps keep them safe from copyright infringement in their school websites, newsletters, newspapers, flyers, and bulletins by serving up over 3 million rights-cleared images for non-commercial use.

Britannica ImageQuest provides a classroom-focused database of curated photos, illustrations, and clip art from over 62 leading collections, including a variety of well-known media sources, such as National Geographic, Getty Images, and the Natural History Museum, for lesson plans, classroom activities, and student projects.

To learn more about ImageQuest, visit britannicalearn.com/quest or e-mail us at contact@eb.com to connect directly with a curriculum expert who can show you how to use ImageQuest to:

- **Support student-led inquiry**
- **Fuel classroom diversity**
- **Build vocabulary and language**
- **Strengthen media-literacy skills**
- **Increase critical-thinking skills**
- **Drive student engagement with content**

Review terms of use

What's the difference between commercial and non-commercial use, and do your teachers know the difference?

An example of non-commercial use would be including a photo as part of a classroom lesson. Let's say you are trying to raise money for after-school activities, and you reproduce the photo on coffee mugs and t-shirts. It then becomes commercial use and would likely be a violation of the terms of use.

What is editorial use?

If you took a photo of some runners at a marathon in Chicago, you could use it to illustrate your article on the event for your school website. That's editorial use. What you can't do is use the photo for advertising or marketing purposes, because you would need the permission of each person in the picture. If an advertisement includes a photo of people, it means that each person in the picture signed a "model release," which grants permission to use his or her likeness in this manner.

How a photo use scenario can start out as being editorial but then ends up putting you at risk

Are you able to manage any use case for a photo once it lives within your school universe? Here are 3 examples to show how easy it is for a photo to start out being used appropriately and end up putting a school at risk:

1 A teacher finds a photo online for a classroom presentation to students. It is considered editorial use. However, the teacher shares the presentation on a website where teachers pay teachers for lesson plans. **This is commercial use, and the school is now at risk for copyright infringement.**

2 An educator finds an image to use on a free stock-image site for the school's social media page promoting a sports event. Though they had checked the terms of use on the site, they later discovered that the image was pirated and already infringing on a copyright. **They did not check with the photographer for usage rights, and so now the district is at risk for a legal claim.**

3 A parent takes a photo at a cross country event and sends the image to the team coach. The next season, the coach uses the image to create an advertisement for a local running event that some team members are participating in. Though the students who are pictured in the photo do have a media release from the school, **they did not sign a "model release," which grants permission for their likenesses to be used in this manner. The school is now at risk for a legal claim.**

STEP 5:
Use proper crediting

Is your district crediting wherever images are found?

In many cases, even if you are properly licensing a photo, you are still required to give credit to the copyright holder. Common locations for a credit are adjacent to the photo (underneath or along the side), embedded along one of the edges of the photo itself, or at the bottom of the web page.

How does the photo source wish to be credited?

You will usually find that information on the website's terms-of-use page (or where copyright information is kept), or you can do a search on the source's name and such words as "credit" or "acknowledgment."
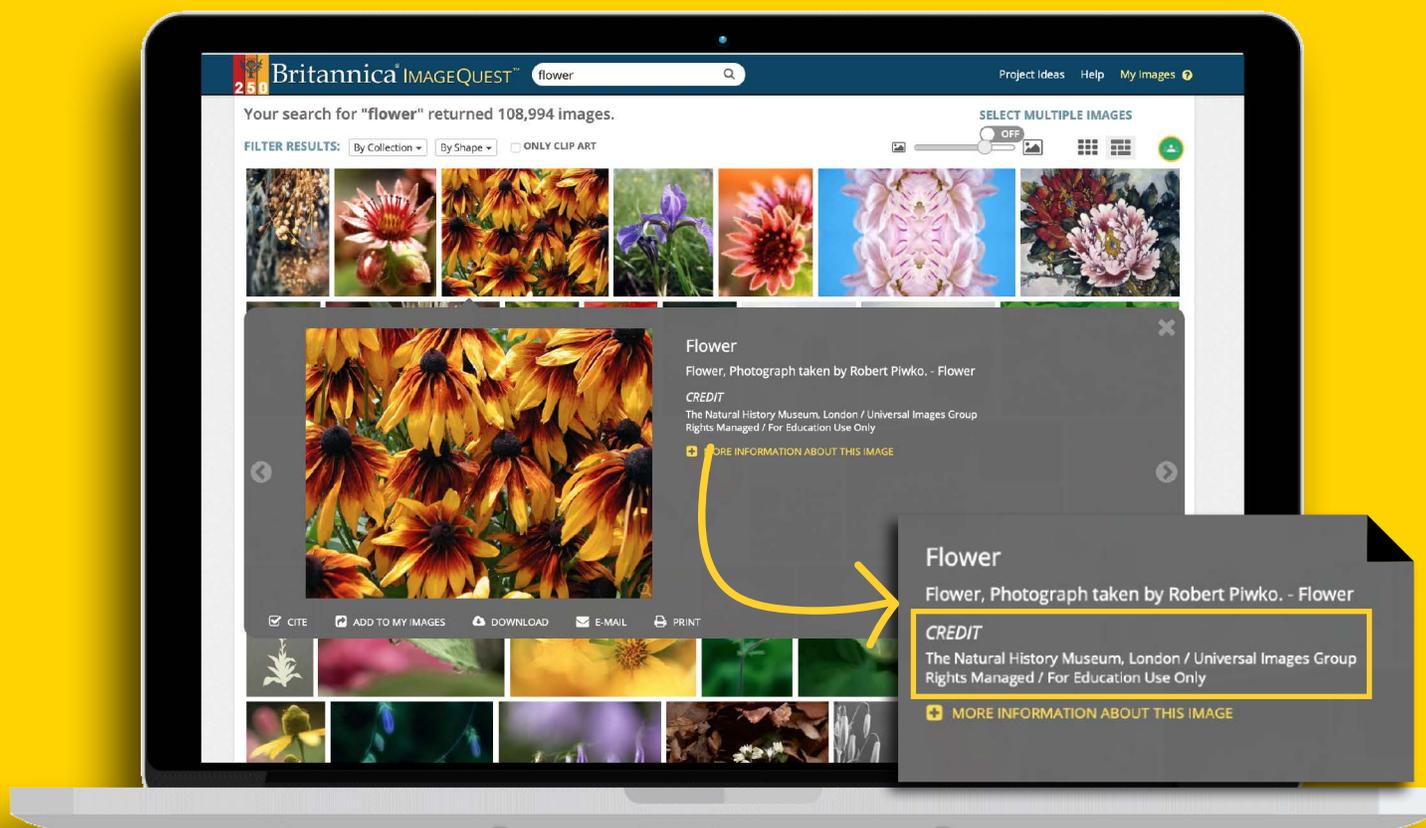
Dos and Don'ts to Remember

Do consider leveraging a safe image database for your school, such as Britannica ImageQuest®, to make it easy for your district, teachers, and students to use photos without putting your school at risk.

Do check the terms of use on the website where you found the photo.

Do check the original source of the photo that you see on Wikipedia or Wikimedia Commons, which can be found under the "Summary" section.

Do check a venue's website (for their rules on photography) if you'll be attending an event and want to publish any pictures you take.

Do contact the source for permission if their terms of use are not clear to you.

Do provide a credit with the photo.

Do keep a copy of any message that granted you permission.

Do be careful of any photos you take that include people or works created by well-known artists. Generally, editorial use is fine but not for advertising or marketing.

Don't believe anyone who says it's OK to just lift photos anywhere off the Internet.

Don't believe it's OK to use someone else's photo just because you gave them credit or linked the photo to their website.

Don't take a photo off a person's social media account unless you have read the terms of use, because the platforms have different rules about sharing and re-posting.

Don't assume that all the photos on U.S. government websites are public domain – there are always exceptions.

Don't assume that because it's a public domain picture it's OK to use. Make sure the source of the photo allows for you to use their copy of it without charge.

Does your school have access to rights-cleared media databases?

COVID-19 has caused a sudden need for school website updates and for virtual and blended learning lessons. Without a rights-cleared, multimedia database, your school or district may be at a greater risk than ever for copyright infringement lawsuits.

**Ensure your staff
and students have access to:**

- ✓ Over 7 million rights-cleared images, videos, infographics, and more!

- ✓ Easy-to-use databases, built for classroom use

- ✓ Assets to support project-based lessons, peer-to-peer collaboration and media literacy skill development

Learn more about Britannica's media solutions, Britannica ImageQuest and LumieLabs, which provide access to over 7 million, rights-cleared, media assets.

Email **contact@eb.com** today to discover solutions that protect your school and district.

Britannica ImageQuest