

MinistryCOM
2007 Church Communications Conference

Handouts for Copyright Essentials - Part 2

CCLI and CVLI Up Close

CCLI

What You Can Do with a License:

- Print songs, hymns and lyrics in bulletins, programs, liturgies and song sheets for use in congregational singing.
- Create your own customized songbooks or hymnals for use in congregational singing.
- Create overhead transparencies, slides, or use any other format whereby songs are visually projected (such as computer graphics and projection) for use in congregational singing.
- Arrange, print and copy your own vocal or instrumental arrangements of songs for congregational use, where no published version is available.
- Record your worship services by audio or video means, provided you only record “live” music (instrumental and vocal). Accompaniment tracks cannot be reproduced. You may also charge up to \$4 each for audio tapes and CDs, and \$12 each for video tapes and DVDs. The quantity of recorded copies allowed per service cannot exceed 15 percent of the maximum number of your church size category.

What You Cannot Do: *(separate licenses must be acquired)*

- Photocopy or duplicate octavos, cantatas, musicals, handbell music, keyboard arrangements, vocal scores, orchestrations or other instrumental works.
- Translate songs from one language to another. (This can only be done with the approval of the respective copyright owner.)
- Rent, sell, lend, or distribute copies made under the Church Copyright License to individuals or groups outside the church, or to other churches. However, you may distribute tapes to shut-ins, missionaries, or others outside the church.
- Assign or transfer the Church Copyright License to any other church or group without CCLI's approval.

CVLI

What you can do:

- Pastors can use selected movies to illustrate sermon points.
- Sunday schools and Youth Groups can view the latest videos.
- Educational classes can use videos for teaching and training.
- Other ministry organizations (schools, childcare, conferences, camps) can also be licensed to include videos in their programs.

What you can't do:

This license does not cover materials that have been copied from another source or recorded from television. It also does not cover charging an admission fee for video showings or where specific titles have been advertised or publicized.

Sources: CCLI and CVLI License Manuals

Develop a Copyright Policy

(This is a sample from Southland Christian Church.)

S A M P L E

Copyright Policy

The law states that making even one copy of a copyrighted work is illegal and “anyone who violates the exclusive rights of a copyright owner is an infringer.” A copyright owner has five exclusive rights:

- To reproduce the copyrighted work in copies
- To prepare derivative works of the copyrighted work (such as arrangements of musical works, or translations of written works)
- To distribute copies of copyrighted works to the public
- To perform publicly a copyrighted work (dramatic, literary, musical, motion pictures, or other audiovisual works)
- To display publicly a copyrighted work (pictures, sculptures, or other audiovisual works)

The following are some areas in churches where infringement is possible.

Printed Material

To make a copy of any printed material (magazine articles, book, lyrics, etc.) you must have permission from the copyright holder and/or the author. Examples include making copies of articles or books for distribution to small groups, copying coloring pages from children’s workbooks, or making copies of a comic strip or picture.

Music

This is perhaps the most abused area in churches, simply because nearly all churches use copyrighted musical works and there are so many regulations.

- **Live Performances in a Worship Service**
First, any work performed live in the course of a religious service is okay and you don’t need to ask permission.
- **Live Performances Outside of a Worship Service**
These performances must be cleared through ASCAP, BMI or SESAC.
- **Recorded/Broadcast**
You need permission to record or broadcast (via radio or television) any copyrighted work (book excerpts, music, drama, etc.). Even music of a religious nature that can be performed without permission must have a license to be broadcast.
- **Arrangements**
One of the exclusive rights prohibits us from changing copyrighted work and making derivative works. This means you can’t make an “arrangement” of someone else’s musical work without permission, except as outlined by whatever license acquired.

Video (complete work)

Southland is a member of Christian Video Licensing International (CVLI), which allows us to show certain movies to large groups without asking permission from the copyright holders. The CVLI

license only covers movies from a limited number of production studios. We must seek permission from non-CVLI studios to use a video for any use other than private home viewing.

Video clips

Again, CVLI movies are okay with our license, but otherwise we must seek permission.

Audio cassettes (music or speaker)

You need permission to record, make copies or distribute copies of a speaker's message or musical work. This includes making copies and distributing practice tapes for choirs, or copying and distributing a speaker's tapes.

Software

Basically, it is illegal to copy software without permission. This includes software obtained for trial purposes, or that which is privately owned by employees.

Internet

The Internet is a distribution apparatus, and placing any copyrighted works (pictures, quotes, music lyrics, etc.) on our Website without permission is a violation of the law.

Southland's Original Works

All creative works produced for Southland by staff members or volunteers are the sole property of Southland Christian Church. This has two implications:

1. We do not seek distribution rights in our copyright licensing, therefore we do not have the right to allow another church or organization to "borrow" any work (video, music, etc.). Although we get permission and pay the necessary royalties to use copyrighted material in our ministries, those licenses and royalty payments allow Southland to use them exclusively.
2. Under the Works Made For Hire section of the United States Copyright Law, any works created by an employee within the scope of his/her employment belong to the employer. The same is true for the work of volunteers when the creative work has been commissioned by Southland.

Copyright Procedure

Given the nature of the copyright law, Southland has put in place a procedure that will minimize our legal liability by securing copyright license for use of protected works in any medium.

1. Before any copy is distributed, copyright approval must be requested from the copyright specialist two weeks in advance of the deadline date.
2. Please include in each written request the following information (where applicable): Title, Words by, Copyright Year, Publishers, Desired use, Number of copies, Requested by, Department.
3. A written and/or verbal request will be submitted to the publisher by the copyright specialist via phone, letter, or fax.
4. The copyright specialist will communicate the publisher's reply (approval or denial of permission) either verbally or in written form to the appropriate department.
5. For projects that are approved, correspondence with the publishers regarding fees and license details will be the copyright specialist's responsibility.
6. When details are finalized, the copyright specialist will generate a check request to be approved by the appropriate department heads, and ensure that payment is made with the necessary paperwork.

Here are some suggestions to ensure the success of your ministry area's copyright compliance.

Plan Ahead

Often, permission to use copyrighted works is easily acquired by sending a written request. But the process usually requires a minimum two-week turnaround time on the part of the copyright administrator/publisher.

Budget Accordingly

Worship & Programming spends thousands every year on copyright compliance, so it's a natural concern when planning. Other ministry areas won't have nearly that amount, but it helps to know the cost of common activities in your area. For example, a license to show a non-CVLI video generally costs \$100-\$200. Reprinting copies of an article can either have a flat fee, or be charged per copy.

When in doubt, ask

The copyright specialist can help you find any information you need. This person will file your permission requests, research cost information, and check on the feasibility of questionable projects.

Please educate workers in your ministry (staff and volunteers) on the copyright policies as they affect your area. They can be held liable for any copyright infringement whether they are at fault or just following orders. Similarly, Southland can be held liable for any infringement that occurs on our equipment.

Resources

Helpful Books

Getting Permission: How To License & Clear Copyrighted Materials Online & Off by Richard Stim. (available at www.amazon.com)

Solving the Puzzle of Church Copyright Compliance
by Susan Fontaine Godwin (available at www.churchca.com)

Copyright Plain & Simple by Cheryl Besenjak (available at www.amazon.com)

The Church Guide to Copyright Law - Third Edition by Richard Hammar (available at store.churchlawtodaystore.com)

Helpful Websites:

www.ccli.com

www.cvli.com

www.willowcreek.com

www.churchca.com

www.copyright.gov