Student Union and Memorial College Center
Movie and Film Policy

Functional Area:  Student Affairs and Academic Affairs
Applies To:  All Armstrong faculty, staff, and students.
Policy Reference(s):

Responsible Person
The AVP for Academic Affairs and Dean of Student Life are the persons responsible for the maintenance of this policy and for responding to questions posed regarding this policy.

Purpose / Rationale
The purpose of this policy is to ensure that all Armstrong faculty, staff, and students follow all copyright laws pertaining to the showing of movies and films on campus.

Definitions

Policy
This policy is intended for organizations and departments wishing to show a movie or film on the Armstrong campus. Copyright infringement is a serious federal offense. Organizations and departments who wish to show a movie or film on the Armstrong campus without purchasing a performance license are not only violating university policy, but also federal copyright law.

A performance license is required for all public performances regardless of admission being charged. Proof of licensing must be available at the location that the movie or film is being shown for the entire duration of the film.

Fair Use Exemption
There is an educational exemption for the use of movies in certain types of teaching however, in order for a movie showing to qualify for this exemption, all of the following criteria must be met:

- A teacher or instructor must be present.
- The showing must take place in a classroom setting with only the enrolled students attending.
• The movie is used as an essential part of the core, required curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus).
• The movie used must be a legitimate copy, not taped from a legitimate copy or TV.

**Obtaining a Performance License**

SWANK Motion Pictures Incorporated and Criterion are the two major film distributors. For information on obtaining a performance license and the cost contact one of the film distributors listed below:

**SWANK Motion Pictures Incorporated**

www.swank.com 800-876-5577

**Criterion**

www.criterionpic 800-890-9494

**FAQs**

**What constitutes a public performance?**

Any exhibition of a movie outside the privacy of a home setting is considered a public performance.

**Do we need a license even if we don’t charge admission?**

Yes! A license is required for all public performances regardless of whether admission is charged.

**What if a video store or equipment provider says it is okay to exhibit rented or purchased movies?**

These stores rent and sell movies for “Home Use Only” and cannot provide legal permission for use outside the home. You can only obtain licensing directly from a licensor such a provider listed above, not from a third party.

**I own the movie. Do I still need a license to show it outside my home?**

Yes! Neither the rental, purchase or lending of a videocassette or DVD carries with it the right to exhibit movies publicly outside the home.

**I want to show an old movie. Do I still need a license?**

Yes! Copyright pertains to all movies regardless of the year it was produced.

**If I purchase a license to show a movie, can I show that movie whenever I want?**

No. Licenses are for a specific designated time frame. There are not annual licenses available to colleges and universities.

**A small group is having an informal gathering in our facility. Do we still need a license?**

Yes! A license needs to be obtained regardless of the number of people attending the screening, if the movie is being shown outside the home.

**Penalties**

Organizations and departments who fail to comply with the Student Union Movie and Film Policy and are found showing a movie or film without purchasing a performance license will be revoked of all usage for one year from the date of the violation. Organizations and departments can be prosecuted by The Motion Picture Association and it members which could include penalties of a fine and jail time.