Public Performance Licensing

School Districts are required to pay a Public Performance Licensing Fee to show movies. Contact the Purchasing Department for assistance on how to obtain a Public Performance License.

The Law

The Federal Copyright Act (Title 17 of the U.S. Code) governs how copyrighted materials, such as movies, may be used. Neither the rental nor the purchase of a movie carries with it the right to show the movie publicly outside the home, unless the site where the movie is used is properly licensed for public exhibition.

Ownership of the movie and the right to use it publicly are two separate issues. The copyright holder retains exclusive public performance rights.

This legal copyright compliance requirement applies to schools, public libraries, daycare facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses, etc.

This legal requirement applies:
- Regardless of how the movies are obtained
- Even when the facility / organization is non-profit
- Whether or not an admission fee is charged

Educational Exemption

The Educational Exemption, also called the Face-to-Face Teaching Exemption, is a precise activity which allows the legal use of movies in certain types of teaching. Under the Face-to-Face Teaching Exemption, copyrighted movies may be shown in a K-12 school setting without copyright permission only if all criteria are met:

- A teacher or instructor is present, engaged in face-to-face teaching activities
- The institution must be an accredited, nonprofit educational institution
- The showing takes place in a classroom setting with only enrolled students in attendance
- 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 being used is a legitimate copy, not recorded from a legitimate copy or recorded from TV

This means the Face-to-Face Teaching Exemption does not apply outside the nonprofit, in-person, classroom teaching environment. It doesn't apply to movies shown online – even if they’re part of course-related activities and websites. It doesn't apply at for-profit educational institutions.