

Procedure for the Legal and Appropriate Use of Motion Pictures (Videos) Rated G, PG, PG-13 and Non-Rated

**Based on
Federal Copyright Law
and
District Policy**

**The School District of Osceola County, Florida
Office of the Superintendent
And
Office of Media and Instructional Technology
Revised July 2005**

OVERVIEW **for** **Use of ALL Materials with Students**

ALL instructional materials (library books, motion pictures/videos, audios, transparencies, magazines, textbooks, kits, laser discs, computer software, etc.)

- **in library media centers**
- **in classrooms**
- **in schools**

are governed by:

- copyright as in School Board Policy 3.5.2, and the document “Copyright & You”
- use of videos and films in School Board Policy 4.1 (XIV) 4.2 (E)
- selection criteria in School Board Policy 4.22, “Educational Media Materials Selection”
- mandates in Florida Statutes 230.22 (2), 230.23 (7)(d), 233.165, 847.012
- federal Copyright Law PL 94-553

Motion pictures/videos **rated by the Motion Picture Association of America**
may be used in schools in Osceola County only as indicated below:

NC-17, R or X Videos may **NOT** be used under any circumstances.

PG/PG-13 Videos **MAY** be used provided the following steps are followed to determine *legality* based on Florida Statutes, *value for instructional use*, *content appropriateness for intended students*, and *parental permission* granted in writing:

- Step 1a: Preview of video in entirety by teacher desiring to use video;
- Step 1b: Completion by same teacher of the form, Teacher Evaluation and Request to use Video (Video Rated PG, or PG-13) FC-820-1636.
- Step 2: Approval in writing on designated form by School Video Screening Committee;
- Step 3: Parental permission form on file in school. (An alternate, related assignment must be provided to students without permission forms.)
 - Parent permission is not required for high school students. (Revised 9/15/03)

ALL PG/PG-13 Videos screened and **approved by the school video Screening Committee must be labeled** as follows to alert all potential teacher users of the rating:

ALERT-- Apply two labels: larger “Alert—PG/PG-13” affixed to outside case of video; smaller “Alert—Preview” label affixed to top of actual video. (LABELS ARE SUPPLIED TO MEDIA SPECIALISTS BY IMC).

G Videos **MAY** be used if content complies with Copyright Law—for instructional use only.

NON RATED VIDEOS

Rating level to be determined by School Video Screening Committee.

If categorized as NC-17, R, or X, video MAY NOT be used.

If categorized as G, PG, or PG-13, must follow all applicable procedures.

INSTRUCTIONAL MEDIA CENTER RESOURCES

All films and videos owned by the District Instructional Media Center have been selected to match the curriculum of Osceola District Schools; and the guidelines of State Statutes and School Board Policy have been strictly adhered to.

Should a film or video come from the IMC with an alert label, all applicable procedures for using it should be followed:

- Step 1a: Preview of video entirety by teacher desiring to use video;
- Step 1b: Completion by same teacher of the form, Teacher Evaluation and Request to use Video (Video Rated PG, or PG-13) FC-820-1636.
- Step 2: Approval in writing on designated form by School Video Screening Committee (FC-820-1635).
- Step 3: Parental permission form on file in school (FC-820-1637E/S). (An alternate, related assignment must be provided to students without permission forms.)
 - Parent permission is not required for high school students. (Revised 9/15/03)

SCHOOL "VIDEO" SCREENING COMMITTEE

Each school is expected to establish a VIDEO SCREENING COMMITTEE composed of:

- **administrator**
- **media specialist**
- **teachers representing most subject areas/grades**
- **and parent (s)**

PURPOSE: To maintain the integrity of instructional materials used in the school by applying Federal Copyright Law, State Mandates, and local school district policy/guidelines for evaluation of materials.

I. FOR ALL VIDEOS

The School Video Screening Committee will establish school procedures for requiring and maintaining the **forms** for:

("OFF-AIR" Videotaping from Commercial Television Networks: Teacher Statement)
(For Home Use Only Videos: Teacher Statement)
(Teacher Evaluation and Request to Use Video) (Video Rated PG, PG-13,) FC-820-1636.
(Video Screening Committee Response) (Video Rated PG, PG-13,) FC-820-1635.
(Parent/Guardian Permission for Student to View PG or PG-13 Video) FC-820-1637E/S.

II. FOR PG AND PG-13 VIDEOS:

The School Video Screening Committee will:

- a. preview the video and meet to review forms submitted by teachers; Teacher Evaluation and Request to use Video (Video Rated PG, or PG-13) FC-820-1636
- b. consider materials selection criteria in The School Board of Osceola County's School Board Policy 4.22
- c. consider Florida Statute mandates for criteria and content of materials prohibited for use with students; (F.S. 233.165, F.S. 847.012)
- d. DENY or APPROVE use of videos using designated response form; Video Screening Committee Response FC-820-1635

**In
The School District of Osceola County, Florida,**

PG and PG-13 rated videos

**are evaluated using Florida Statute mandates
and
additional district guidelines/criteria.**

Florida Statutes charge the school board with the responsibility for assuring that all materials used for educational purposes shall be appropriate.

The following statutes apply:

F.S. 233.165 Standards for selection

(COURSES OF STUDY AND INSTRUCTIONAL AIDS)

This statute states, “No books or other materials containing hard-core pornography or otherwise prohibited by s.847.012 shall be used in the public school system of this state.”

F.S. 847.012 Prohibition of sale or distribution of harmful materials to persons under 18 years of age; penalty

(OBSCENE LITERATURE; PROFANITY)

This statute includes, “Any picture, photograph, drawing, sculpture, motion picture film, video cassette, or similar visual representation or **image** of a person or portion of the human body which depicts **nudity** or **sexual** conduct, sexual excitement, sexual battery, bestiality, or sadomasochistic abuse which is harmful to minors,

Or

Any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter defined in s.847.001, **explicit and detailed verbal descriptions** or narrative accounts **of sexual excitement, or sexual conduct** and which is harmful to minors.”

(See these statutes printed in full on following pages.)

The 2001 Florida Statutes

Title XVI – Education

Chapter 233 – Courses Of Study And Instructional Aids

233.165 Standards for selection.--

(1) In the selection of instructional materials, library books, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

- (a) The age of the children who normally could be expected to have access to the material.
 - (b) The educational purpose to be served by the material. In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the state and district performance standards provided for in ss. 229.565 and 232.2454 and which include the instructional objectives contained within the curriculum frameworks approved by the State Board of Education, to the extent that appropriate curriculum frameworks have been approved by the board.
 - (c) The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.
 - (d) The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the children of this state.
- (2) No books or other material containing hard-core pornography or otherwise prohibited by s. 847.012 shall be used in the public school system of this state.

History.--s. 7, ch. 75-284; s. 69, ch. 84-336; s. 7, ch. 92-100; s. 39, ch. 99-398.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes. Copyright © 2000-2001 State of Florida.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0233/SEC165.HTM&Title=->2001->Ch0233->Section%20165#0233.165

The 2001 Florida Statutes

Title XLVI – Crimes

Chapter 847 - Obscenity

847.012 Prohibition of sale or other distribution of harmful materials to persons under 18 years of age; penalty.-

(1) As used in the section, “knowingly” means having the general knowledge of, reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both:

(a) The character and content of any material described herein which is reasonably susceptible of examination by the defendant, and

(b) The age of the minor; however, an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

(2) It is unlawful for any person knowingly to sell, rent, or loan for monetary consideration to at minor:

(a) Any picture, photograph, drawing, sculpture, motion picture film, videocassette, or similar visual representation or image of a person or portion of the human body which depicts nudity or sexual conduct, sexual excitement, sexual battery, bestiality, or sadomasochistic abuse and which is harmful to minors, or

(b) Any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter defined in s. 847.001, explicit and detailed verbal descriptions or narrative accounts of sexual excitement, or sexual conduct and which is harmful to minors.

(3) Any person violating any provision of this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) Every act, thing, or transaction forbidden by this section constitutes a separate offense and is punishable as such.

History.---ss. 1,2,3,4,5,6,7, ch. 67-153; ss. 1,2, ch. 69-41; s. 1054, ch. 71-136; s. 171, ch. 71-355; s. 34, ch. 73-334; s. 1, ch. 83-77; s.2, ch. 86-38; s. 3, ch. 86-238; s. 5, ch. 88-283; s. 1349, ch. 97-102.

Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes. Copyright @2000-2001 State of Florida.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0233/SEC165.HTM&Title=->2001->Ch0233->Section%20165#0233.165

**In
The School District of Osceola County, Florida**

PG and PG-13 rated videos

**can be used with students
ONLY AFTER
the following *procedure* is implemented:**

PROCEDURE:

- Step 1a. Preview of video in entirety by the teacher requesting to use video;
- Step 1b. Completion by same teacher of form, Teacher Evaluation and Request to use Video (Video rated PG, or PG-13) FC-820-1636.
- Step 2 Approval on designated response form by School Video Screening Committee;
- Step 3 Parent permission forms on file in school;
(An alternate, related assignment must be provided for students without permission forms.)
 - Parent permission is not required for high school students. (revised 9/15/03)

If the video is approved for a specific course/class, the following steps must be added:

- Step 4 Application of large label “Alert PG or PG-13” to outside video case
- Step 5 Application of small label “Alert-Preview” to top of the actual video

ALERT – PG or PG-13 RATED

Required prior to use:

- 1a. Preview of video in entirety by teacher desiring to use video:
- 1b. Completion by same teacher of the form, Teacher Evaluation and Request to use Video (Video rated PG, or PG-13) FC-820-1636.
- 2. Approval in writing on designated form by School Video Screening Committee (FC-820-1635).
- 3. Parental permission form on file in school (FC-820-1637).
(An alternate, related assignment must be provided to students without permission forms.)

“ALERT PREVIEW”

NOTE: This procedure is required for all PG and PG-13 rated videos. This means that it applies to videos purchased for the school media center, purchased by a department and not processed for check out through the media center, IN A TEACHER’S PERSONAL COLLECTION, received as gifts, etc.

WHAT EVERYONE SHOULD KNOW ABOUT THE MOVIE RATING SYSTEM

<p>GENERAL AUDIENCES</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">G</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center;">G General Audiences</td> </tr> <tr> <td style="text-align: center;">Suitable For All Ages</td> </tr> </table>	G General Audiences	Suitable For All Ages	<p>Nothing that would offend parents for viewing by children.</p>	<p>Can use only as instructional</p>		
G General Audiences						
Suitable For All Ages						
<p>PARENTAL GUIDANCE SUGGESTED</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">PG</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center;">PG Parents Guidance Suggested</td> </tr> <tr> <td style="text-align: center;">Some Material May Not Be Suitable For Children</td> </tr> </table>	PG Parents Guidance Suggested	Some Material May Not Be Suitable For Children	<p>Parents urged to give “parental guidance.” May contain some material parents might not like for their young children.</p>	<p>Approval required by School Screening Committee and Parent Permission Form.</p>		
PG Parents Guidance Suggested						
Some Material May Not Be Suitable For Children						
<p>PARENTS STRONGLY CAUTIONED</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">PG-13</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center;">PG-13 Parents Strongly Cautioned</td> </tr> <tr> <td style="text-align: center;">Some Material May Be Inappropriate for Children Under 13</td> </tr> </table>	PG-13 Parents Strongly Cautioned	Some Material May Be Inappropriate for Children Under 13	<p>Parents are urged to be cautious. Some material may be inappropriate for pre-teenagers.</p>			
PG-13 Parents Strongly Cautioned						
Some Material May Be Inappropriate for Children Under 13						
<p>THIS VIDEO IS UNRATED</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">UNRATED</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center;">UNRATED</td> </tr> <tr> <td style="text-align: center;">This Video Has Not Yet Been Rated</td> </tr> </table>	UNRATED	This Video Has Not Yet Been Rated				
UNRATED						
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<p>RESTRICTED</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">R</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center; width: 30%; font-size: 2em; font-weight: bold;">R</td> <td style="text-align: center;">RESTRICTED</td> </tr> <tr> <td colspan="2" style="text-align: center;">Under 17 Requires Accompanying Parent or Adult Guardian</td> </tr> </table>	R	RESTRICTED	Under 17 Requires Accompanying Parent or Adult Guardian		<p>Contains some adult materials. Parents are urged to learn more about the film before taking their young children with them.</p>	<p>Say NO to these in The School District of Osceola Co.</p>
R	RESTRICTED					
Under 17 Requires Accompanying Parent or Adult Guardian						
<p>NO CHILDREN UNDER 17 ADMITTED</p> <p style="font-size: 2em; font-weight: bold; margin: 0;">NC-17</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td style="text-align: center; width: 30%; font-size: 2em; font-weight: bold;">NC-17</td> <td style="text-align: center;">No Children Under 17 Admitted</td> </tr> </table>	NC-17	No Children Under 17 Admitted	<p>Patently adult, Children are not admitted.</p>			
NC-17	No Children Under 17 Admitted					