

Copyright in the Time of Corona

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So your staff is trapped at home with deadlines looming, and not only do you have to find the name of that blurry-faced kid in the back row of the NHS photo, but now you need to toss out a spread on packed lunches to make room for two pages of coronavirus coverage. A spread, by the way, with information and photos that will live forever.

No pressure.

For the majority of our yearbook production lives, the process is straightforward. Your staff takes the pictures, interviews people connected to the event, writes the copy, and – BAM! – spread magic. But then things happen that you have to cover, and you don't have what you need to get it done in-house.

Where can you get photos? What is fair game to use in your coverage? What's allowed and what's not?

Copyright and fair use guidelines can be tough to navigate, especially if you don't have to use them on a daily basis. Let's look at how these rules apply to covering COVID-19. They are rules you probably can apply throughout your journalism career.

The Basics

The underlying rule of copyright law, as it applies to yearbooks, is that you can't use work created by someone else unless you have their permission. So no, you can't grab that Google search picture of people in masks fighting over Walmart toilet paper, you can't raid the CNN news site for the awesome quote they got from your governor and you can't even steal the cute virus graphic you found on the quarantinelife.com blog. "Go get permission" is the standard answer, but that is an option that usually takes planning, patience and a lot of emails.

Staffs often cite Fair Use as a cover for all manner of journalistic sins, claiming it allows Robin Hood-like theft of photos, design and information for the underfunded and underappreciated yearbook program. Nope. Fair Use allows you to quote a lyric or two in your newspaper's Doja Cat music review and probably even use the album cover as a picture next to it, but Fair Use does not mean that other people's work is fair game, no matter how objective and serious (and underfunded) your reporting is.

Just Get Me Some Pictures, Please

Getting permission to use someone's photo is always okay, but it's often impossible in the time frame you need. So for outside pictures, there are several routes: Creative Commons, Wikimedia Commons, Pixabay, Unsplash, Flickr (many Flickr photos are free-to-use but not all – check the details of the individual image), and for coronavirus coverage, the CDC has created a wealth of resources (not just pictures) for anyone to use. So you will see everyone's favorite gray ball with red bouquets sprouting out of it, and now you can use it

too. CDC.gov is a government site, and any government website (.gov) is fair game for photo and information use.

If you try a simple Google image search with the advanced settings “free to use or share,” you are probably okay to use the photo, but dig a little deeper. Double check the origin and make sure the poster owns the image and is okay with its use. Even the sites listed above might provide free photos but require you to credit the photographer. And by the way, always credit the source, and not just for photos. Photographers work hard – especially yours – give them some love.

A note on royalty-free images. Plenty of sites pop up if you search for images of “royalty-free DIY masks,” but do your homework. Some sites, like Adobe or Shutterstock, have tons of images but require paid memberships to get that “free” access.

What About Social Media?

In general, photos posted on social media are usable if the owner has not made them private. Of course, you still need to give credit, and there are extra rules that protect minors (pretty much all the students you cover), so you do need to tread carefully if the image gives personal information. Again, getting permission is always a good idea.

I Forgot – I Need Some Words, Too

Yearbooks usually run into photo problems, but sometimes you need that specific fact or VIP quote that you can’t get on your own. Information is always safe to use if it’s common knowledge (findable on many sources). The number of coronavirus cases, the population of New York City, even top sites that provide free images for journalists – that’s all legal information for you to use without attribution.

Even if you didn’t attend the press briefing, but it was broadcast over your favorite news channel or printed in the newspaper, you can probably use the information too. Don’t quote someone you didn’t interview, however, paraphrasing and attribution can work.

In an interview with the *Orlando Sentinel*, star adviser Brit Taylor said he was pioneering a mask-making technique using old yearbook covers.

You didn’t quote me, you just paraphrased and sourced.

Using the Time Machine

By this point, you probably want to hop in the time machine, travel back about six weeks and snap a picture of the math teacher in 2-201 cleaning her desks with Lysol wipes ... the last time anyone was at your school. You can’t go back, but you can always find ways to localize coverage. Someone’s phone picture of empty toilet paper shelves at Publix tells your story better than a Creative Commons picture probably does. A drive-by picture of that essential senior working at Twistee Treat or a picture of a sophomore doing a puzzle with her 9-year-old brother, probably also taken from a phone, can look great in the right circumstances. There are always human stories to tell that localize national events, and

COVID-19 coverage certainly fits in that category. But if you absolutely need some outside coverage, do your homework, ask for permission and double check everything.