

The board recognizes and supports the limitations on unauthorized duplication and use of copyrighted materials. The board does not condone any infringement on the property rights of copyright owners.

Employees, students and visitors are prohibited from the use or duplication of any copyright materials not allowed by copyright law, fair use guidelines sanctioned by Congress, licenses or contractual agreements. Willful or serious violations also are considered to be in violation of expected standards of behavior for employees and students and may result in disciplinary action in accordance with board policy.

FAIR USE

Unless allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to copying copyrighted material. Fair use is based on the following standards:

- the purpose and character of the use;
- the nature of the copyrighted work;
- the amount of and the substantiality of the portion used; and
- the effect of the use upon the potential market for, or value of, the copyrighted work.

The superintendent or designee is responsible for providing information and training to personnel and students, as appropriate, to provide further guidance on the fair use of copyrighted materials, including in the following circumstances:

- single and multiple copying for instructional purposes;
- copying for performances and displays;
- off-air recording of copyrighted programs;
- use of “for home use only” videotapes;
- computer software;
- copyrighted materials on the Internet and on-line databases; and
- reproduction and loan of copyrighted materials by school media centers.

BUDGET

The budget recommended by the superintendent to the board will include sufficient funds for purchasing copyrighted materials as a necessary budget expense.

Legal Reference: 17 U.S.C. 101, 102, 106, 108, 110, 117

Cross Reference: Technology in the Educational Program (policy 3220), Internet and the Educational Program (policy 3225/7320), Standards of Expected Student Behavior (policy 4310), Use of Computers (policy 6523), Staff Responsibilities (policy 7300), Budget Planning and Adoption (policy 8100)

Adopted: May 14, 1998 to become effective July 1, 1998

Administrative Procedure: None