

Instruction

Copyright Compliance

The Board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes.

Severe penalties may be imposed for unauthorized copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must be met for any of the foregoing purposes:

1. **The purpose and character of the use.** The use must be for such purposes as teaching or scholarship.
2. **The nature of the copyrighted work.** Staff may make single copies of: book chapters for use in research; instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays, or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines.
3. **The amount of substantiality of the portion used.** Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
4. **The effect of the use upon the potential market for or value of the copyrighted work.** If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

While the district encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copying procedures and obey the requirements of the law.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the district's procedures, or is permissible under the law, should contact the Superintendent or the person designated as the copyright compliance officer. The latter will also assist staff in obtaining proper authorization to copy or use protected material and computer software when such authorization is required.

The Superintendent or designee will notify the Federal Copyright Office of the district's agent for receiving notifications that users of the district's internet network have infringed copyright and will also post the name, address, phone number, and email address of the agent on the district's website.

Cross References: Policy 2022 – Electronic Resources

Legal References: P.L. 105-304, Digital Millennium Copyright Act of 1998
P.L. 94-553, Federal Copyright Law of 1976 (U.S. Code, Title 17)

Classification: Encouraged

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