



"To Build Knowledge and Skills for Success Today and Tomorrow"

Policy File: EGAA

REPRODUCTION OF COPYRIGHT MATERIALS

Works Protected by Copyright

Copyright protection extends to literacy works, musical works, dramatic works, pantomimes and choreographic works, pictorial, graphic, and sculptural works, motion pictures and other audiovisual works including television, and sound recording.

Unpublished works by U.S. and foreign authors are protected by the copyright statute, as are published work by U.S. authors. The published works of foreign authors are subject to copyright under certain conditions, including coverage under national treaties such as the Universal Copyright Convention.

U.S. government works are excluded. Works produced for the U.S. government by its officers and employees are not subject to copyright.

District Procedure

Copyright materials, be they print or non-print and including computer software, will NOT be duplicated unless such reproduction meets "fair use" standards or unless written permission from the copyright holder has been received. The Board does not sanction illegal duplication in any form. Employees who willfully disregard the District's copyright position are in violation of Board policy and the law and assume all liability and responsibility related thereto.

The principal of each school site is responsible for establishing practices, which will enforce this policy.

LEGAL REF: PL 94-553 Copyright Law

Adopted 3/13/2007

(The doctrine below is not part of the policy, but included for informational purposes.)

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:

a. **THE PURPOSE AND CHARACTER OF THE USE.** The use must be for such purposes as teaching or scholarship and must be nonprofit.

b. **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.

c. **THE AMOUNT AND 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.

d. **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.