

**Policy #: 443.9**

## **SCHOOL DISTRICT OF WEBSTER**

**Date Adopted: May 17, 2011**

**Date Revised:**

**Policy Title: Use of Copyrighted Materials**

Copyright law and the associated fair use guidelines are designed to protect the rights of the copyright owner and promote the public interest in sharing new ideas and information. Copyright protection is for the life of the copyright owner plus 70 years. This protection exists from the time the work is created in fixed form. A work need not be registered with the Copyright Office in order to be copyrighted. It should be assumed that all works created after 1978 are copyrighted and permission to use these works should be requested.

Copyrighted works fall into the following categories:

- Literary works
- Musical works, including accompanying words
- Dramatic works, including accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic and sculptural works
- Motion pictures and other audio/visual works
- Sound recording
- Architectural works

These categories should be viewed in the broadest sense. Computer programs, web pages, maps and other formats are registered within the above categories.

Fair use guidelines have been developed to assist educators, scholars, and students in determining allowable use of copyrighted materials. Fair use is an exemption to the exclusive rights of copyright owners. It allows for the copying of copyrighted materials for limited and transformational purposes, such as criticism, comments, news reporting, teaching, scholarship, and research. In addition to the fair use guidelines, one must also consider all of the following in determining if they can use the copyrighted material(s):

- The purpose and character of the use
- The nature of the copyrighted work
- The amount and substantiality of the portion taken, and
- The effect of the use on the potential market

All students and staff of the School District of Webster must comply with the current copyright laws and the fair use guidelines that have been drawn up to help interpret those laws.

Specifically, the following general copyrighted requirements shall apply:

- A. Building administrators are responsible for ensuring staff awareness and compliance with this policy.
- B. Staff members shall apply all "fair use" criteria in identifying material, which may be used or reproduced consistent with the copyright law.
- C. The duplication, distribution and/or transmission of copyrighted materials without permission from the copyright holder, except under the provisions of "fair use", are prohibited.

**Cross Reference:**

**Legal Reference:**

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- D. Copying copyrighted materials to substitute for the purchase of that material is prohibited.
- E. The district shall provide all staff with regular information, materials and training relating to the copyright law.
- F. The district shall provide staff with assistance in acquiring rights to copyrighted materials.
- G. The use of district equipment for the purpose of violating copyright law is prohibited.
- H. Appropriate copyright notices and warning signs shall be placed on all copying equipment.
- I. No employee shall direct another individual to violate the copyright law.

**Cross Reference:**

**Legal Reference:**