

INSTRUCTION

Copyright Compliance

The Pullman School District Board of Directors 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 of audio visual or printed materials and computer software, unless the 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:

- 1.0 The Purpose and Character of the Use. The use must be for such purposes as teaching or scholarship.
- 2.0 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.
- 3.0 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.
- 4.0 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.

The Board encourages 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 follow the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly. The district shall not be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted materials complies with the district's procedures or is permissible under the law should contact the Instructional Programs Office. The Instructional Programs Office will also assist in obtaining proper authorization to copy or use protected material when such authorization is required.

The superintendent, copyright compliance officer or designee shall file with the federal Copyright Office and post the same information on the district's web site, his or her designation as the district's agent. The designated district agent shall receive claims that users of the district's Internet network have infringed copyright.

Violation of this policy constitutes improper use of district equipment and/or facilities, and may be grounds for discipline.

Cross Reference:

Board Policy 2022 Electronic Resources

Legal References:

P.L. 94-553 Federal Copyright Law of 1976 (U.S. Code, Title 17)

P.L. 105-304 Digital Millennium Copyright Act of 1998

Management Resources:

Policy News, October 2001 Copyright Information Update

Adoption date: May 13, 1998

Revised Date: March 10, 2010