

Reproduction of All Copyrighted Materials

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies. All personnel must understand that unauthorized reproduction and/or use of copyrighted materials is illegal and unethical and may result in criminal or civil suits.

The new copyright law in Section 107 describes the conditions under which “fair use” of copyrighted material may be made by educators. The guidelines of the American Association of Publishers, as printed below, shall be used by the district in determining “fair use.” These brief guidelines apply to print/non-prints.

1. The fact that a duplication is for non-profit use has no bearing on the question of “fair use;”
2. The systematic interlibrary exchange of copies of copyrighted material, serving as a substitute for purchasing more subscriptions, is beyond the bounds of “fair use;”
3. Photocopying or duplicating by an individual, for his/her own use, of a single copy or small portion of the work as a whole, is generally considered fair;
4. Systematic duplication, whether making multiple copies at one time or single copies that in the aggregate add up to multiple ones, is beyond the boundaries of “fair use.”

If an individual questions the legality of duplicating materials, he/she should seek permission from the copyright holders. Comprehensive and specific information on “fair use” guidelines are available in the media center, building main office and district office. They are assessed and updated annually or as necessary.

Reproduction of All Copyright Materials

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio tape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board therefore requires that all reproduction of copyrighted material be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as “fair use” under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form.

“Fair use” is not a rigidly defined term. “Fair use” is based on the following standards:

1. The purpose and character of the use;
2. The nature of the copyrighted work;
3. The amount of and the substantiality of the portion used;
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

If an individual questions the legality of duplicating materials, he/she should seek permission from the copyright holders.

Unlawful copies of copyrighted materials may not be produced on district-owned equipment. Unlawful copies of copyrighted materials may not be used with district-owned equipment, within district-owned facilities or at district-sponsored functions. The legal and/or insurance protection of the district may not be extended to employees who willfully violate copyright laws.

Employees in violation of copyright laws may be required to remunerate the district in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

The superintendent will develop administrative regulations that provide guidelines for the “fair use” of copyrighted materials that meet the requirements of Section 107 of the Copyright Act of 1976 and applicable amendments.

END OF POLICY

Legal Reference(s):

[ORS 332.107 \(2\)](#)

Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2001).

Cross Reference(s):

GCQBA - Copyrights and Patents