

Reproduction of All Copyrighted Materials

Print materials, audio and video materials and computer disks are ordinarily protected by copyright. All such materials are to be treated as copyright-protected unless there is a specific waiver of copyright or a disclaimer allowing limited reproduction.

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.

In Section 107 of the new copyright law the conditions under which “fair use” of copyrighted material may be made by educators is described. 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/nonprints:

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.”

The district shall include the following criteria of fair use in music printing and duplicating:

1. Emergency copying may be done to replace purchased copies. Emergency means copies are not available for an imminent performance and replacement copies will be purchased in due course;
2. For academic purposes, other than performance, multiple copies of excerpts may be made. Excerpts may not comprise an entire section, movement or aria, etc. In no case no more than 10 percent of the whole work may be copied.

Exceptions would include materials that are out of print and for use solely by the teacher for research or preparation to teach a class.

Purchased printed copies may be edited or simplified provided the fundamental character of the work is not distorted.

Copying to create or replace or substitute for anthologies, compilations or collective works is prohibited.

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 is available in the media center, building main office and district office. They are assessed and updated annually or as necessary.

Administrators will post the official guidelines and regulations regarding reproduction and use of all copyright materials.

Such guidelines will include regulations for use of print, audio tape, video and computer-programmed materials.

Specific regulations will be developed by the administration to cover the use of computer software and video materials.

All staff is directed to use the utmost caution and discretion when reproducing or using copyright materials in the classroom.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Copyrights, 17 U.S.C. §§ 101- 1332; 19 C.F.R. Part 133 (2006).

Cross Reference(s):

GCQBA - Copyrights and Patents