

USE OF COPYRIGHTED MATERIALS Policy 361.2

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Today's new technologies have made learning and information gathering more readily available than ever before and have made it easier to use and copy materials and media. It is the intention of the School Board that all copyright laws be observed in the District. Teachers and students should be informed of related copyright guidelines and are expected to adhere to them.

Copyrighted materials or media may be used or copied only when such use or copying constitutes a "fair use" as defined by law, or with the prior written permission of the copyright holder. Four factors shall be considered in determining whether or not a particular use is fair under the federal copyright law:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes.
2. The nature of the copyrighted work.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for or value of the copyrighted work.

Educators and students have access to print, images, websites, moving-image media, and sound media in both analog and digital forms. In all cases, a digital copy is the same as a hard copy in terms of "fair use."

Also, today's technology allows for the creation of multimedia presentations by educators and students. It is the responsibility of course instructors to be familiar with copyright laws and to instruct students in responsible use of images, audio and print materials.

The District shall assume no liability for infringement of copyright by individual employees and others using school equipment in violation of this policy.

Notices of copyright restrictions shall be placed on and/or near those devices that could be used for copying materials or information. Media center websites will post guidelines and links to other resources regarding use of copyrighted works.

The District Administrator and administrative team shall be responsible for establishing and implementing appropriate procedures that enforce this policy at the building level.

LEGAL REF.: U.S. Copyright Law (Title 17, U.S. Code, Section 101, ET. Seq.)

Wisconsin Statutes

Section 943.70 [computer crimes]

Federal Laws

Title 17 U.S.C. [use and copying of copyrighted materials, including "fair use"]

Digital Millennium Copyright Act [digital rights management]

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