

USE OF COPYRIGHTED MATERIALS

Introduction

Copyright law and guidelines serve the purpose of protecting the rights of the copyright owner and promoting 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 audiovisual works
- Sound recordings
- 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.

It is the policy of the School District of Marathon to direct its staff to comply with the Copyright Law of 1976, the Sonny Bono Copyright Term Extension Act of 1998, The Digital Millennium Copyright Act of 1998, and the Technology, Education and Copyright Harmonization Act (TEACH Act) of 2002 and the guidelines that have been drawn up to help educators and librarians interpret the law.

Specifically, the following general copyright requirements shall apply in the district:

- A. The district shall provide all staff with in-service training, information and materials relating to the copyright law.
- B. The district shall provide staff with assistance in acquiring rights to copyrighted materials.
- C. Appropriate notices and warning signs shall be placed on all copying equipment.
- D. The duplication of copyrighted materials without permission from the copyright holder, except under the provisions of "fair use," shall be prohibited.
- E. The use of district equipment for the purpose of violating copyright law shall be prohibited.
- F. Copying copyrighted materials to substitute for the purchase of that material shall be prohibited.
- G. The distribution and/or transmission of a reading or performance of copyrighted works without permission from the copyright holder, except under the provisions of "fair use," shall be prohibited.
- H. No employee shall direct the violation of the copyright law.
- I. Administrators shall be responsible for established practices which will ensure staff awareness of this policy.
- J. Staff members shall apply the "fair use" criteria in identifying material which may be used or reproduced consistent with the copyright law. Staff members are cautioned to test such decisions against all the criteria, being mindful that their status as district employees does not provide immunity for violation of that law.

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Cross Ref.: EGAA-R Copyright Guidelines, EDCA Computer System Security

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