

Book	Policy Manual
Section	800 Operations
Title	Copyright Material
Code	814
Status	First Reading
Last Reviewed	January 20, 2021

Authority

The **Joint** Operating Committee **emphasizes** that **federal law** makes it illegal for anyone to duplicate copyrighted materials without permission. The **Joint** Operating Committee **acknowledges** that severe penalties are provided for unauthorized copying of audio, visual, **software, online** or printed materials unless the copying falls within the bounds of the fair use doctrine. [\[1\]](#).

Definition

Under the **fair use doctrine**, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. **In order for the** duplication or **alteration of** a product to fall within the bounds of fair use, four **(4)** standards must be met:

1. Purpose And Character Of The Use – The use must be for such purposes as teaching or scholarship and must be nonprofit.
2. 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.
3. Amount And Substantiality Of The Portion Used – Copying the whole of a work cannot be considered fair use; copying a small portion may be **considered fair use** if **appropriate** guidelines are followed.
4. 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, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties.

Delegation of Responsibility

Staff may make copies of **the** school's copyrighted materials that fall within **established administrative regulations**. Where there is reason to believe the material to be copied does not fall within **the administrative regulations**, prior permission shall be obtained from the **Director**.

Staff members who fail to **adhere to** this policy may be held personally liable for copyright infringement.

Staff members shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately.

Legal	1. 17 U.S.C. 101 et seq
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