

Use of Copyrighted Materials

The Governing Board recognized that district staff and students may use a variety of copyrighted materials in the educational program and other district operations. When such materials have not been purchased by the district for the intended use, the Board expects staff and students to respect the protection afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other district purpose, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC 107-122. If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exemption.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exemption, he/she shall take the safest course and seek permission from the copyright holder to use the material or if it is impracticable to obtain permission, shall contact the Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of authorized copies on school equipment.

The Superintendent or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

Legal References:
EDUCATION CODE
35182 Computer software
UNITED STATES CODE, TITLE 17
101-122 Subject matter and scope of copyright
102 Definitions
10 6 Copyright protection

107 Fair use of copyright works

110 Limitations on exclusive rights: Exemption of certain performances and displays

504 Penalties for copyright infringement

U.C. COPYRIGHT OFFICE PUBLICATIONS

Circular 21: Reproduction of Copyrighted Works by Educator and Librarians, rev 2009

Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013

Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012

WEB SITES

Copyright Society of the USA: <http://www.csusa.org>

National School Boards Association: <http://www.nsba.org>

University of California, Copyright Education:

<http://copyright.universityofcalifornia.edu/usingcopyrightedworks.html>

Adopted: June 10, 1985 as Copyright (Microcomputer Software)

Revised: October 26, 1992

April 1, 2014

LONG BEACH UNIFIED SCHOOL DISTRICT