

# USE OF COPYRIGHTED MATERIALS

## Policy 771.1

### Waunakee Community School District

### Page 1 of 2

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. It is also the intention of the Board to inform teachers and students of related copyright guidelines and to promote adherence 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 multi-media 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. Violations of the copyright laws may result in criminal or civil suits and/or suspension or dismissal from employment in the system.<sup>1</sup>

Notices of copyright restrictions shall be placed on and/or near those devices that could be used for copying materials or information (e.g., computers, photocopiers). They shall also be posted on the media centers' Web pages, along with links to other resources regarding use of copyrighted works.

### Legal References:

#### 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]

### Cross References:

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<sup>1</sup> This language is from your current policy 771.

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Page 2 of 2

WASB PRG 771.1 Sample Policy 2

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