

1 The Transylvania County Board of Education (the “board”) recognizes and supports the
2 limitations on unauthorized duplication and use of copyrighted materials. The board does not
3 condone any infringement on the property rights of copyright owners and requires that all
4 employees adhere to copyright laws protecting copyrighted materials. The board neither
5 sanctions nor condones the illegal use or duplication of copyrighted materials in any form.
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7 Employees, students, and visitors are prohibited from the use or duplication of any copyright
8 materials not allowed by copyright law, fair use guidelines sanctioned by Congress, licenses, or
9 contractual agreements. Willful or serious violations also are considered to be in violation of
10 expected standards of behavior for employees and students and may result in disciplinary action
11 in accordance with board policy. Further, any employee violating this policy does so at his or
12 her own risk and assumes any and all civil and/or criminal liability associated with the violation.
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14 **A. FAIR USE**

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16 1. Unless allowed as “fair use” under federal law, permission must be acquired from
17 the copyright owner prior to duplicating, adapting, distributing, displaying, or
18 performing copyrighted material. Fair use is based on the following standards:
 - 19 a. the purpose and character of the use;
 - 20 b. the nature of the copyrighted work;
 - 21 c. the amount of and the substantiality of the portion used in relation to the
22 copyrighted work as a whole; and
 - 23 d. the effect of the use upon the potential market for, or value of, the
24 copyrighted work.
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26 2. The superintendent or designee shall provide information and training to
27 personnel and students, as appropriate, on the fair use of copyrighted materials,
28 including in the following circumstances:
 - 29 a. single and multiple copying for instructional purposes;
 - 30 b. copying for performances and displays;
 - 31 c. off-air recording of copyrighted programs;
 - 32 d. use of “for home use only” videotapes or DVDs;
 - 33 e. computer software;
 - 34 f. copyrighted materials on the Internet and on-line databases;
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46 g. reproduction and loan of copyrighted materials by school media centers;
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49 h. preparation of educational multimedia projects using portions of
50 copyrighted works.
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52 **B. DISSEMINATION OF COPYRIGHT GUIDELINES**

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54 Copyright guidelines are outlined in the Transylvania County media guidelines,
55 “Duplication of Copyrighted Materials.” These guidelines shall be maintained, updated,
56 and made available to all schools as follows:
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- 58 1. Copies of the media guidelines shall be placed in the principal’s office and media
59 center and will be made available on the school system website.
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61 2. The principal shall review this policy and the related guidelines with faculty and
62 staff members each year.
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64 3. The superintendent or designee shall periodically review and update the
65 Transylvania County media guidelines in order to ensure that they accurately
66 reflect current legal standards and practices.
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68 **C. IMPLEMENTATION**

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70 1. Principals shall work with their schools’ media and technology advisory
71 committees to establish and maintain procedures consistent with this policy.
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73 2. The budget recommended by the superintendent to the board must include
74 sufficient funds for purchasing copyrighted materials as a necessary budget
75 expense.
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77 Legal References: 17 U.S.C. 101, 102, 106, 107, 108, 110, 117
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79 Cross References: Technology in the Educational Program (policy 3220), Technology
80 Responsible Use (policy 3225/4312/7320), Integrity and Civility (policy 4310), Network
81 Security (policy 6524), Staff Responsibilities (policy 7300), Budget Planning and Adoption
82 (policy 8100)
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84 Adopted: November 19, 2015
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86 Revised: March 5, 2018; [DATE]