

VENTURA COUNTY BOARD OF EDUCATION

BOARD POLICY NO. 2260

ADOPTED: 2/24/97

CLASSIFICATION: Administration

REVISED: 10/24/05

SUBJECT: Copying and Use of Copyrighted Material

USE OF COPYRIGHTED MATERIALS (PRINT AND NONPRINT)

It is the intent of the Board to adhere to the provisions of all copyright laws and to maintain the highest ethical standards in the use of copyrighted material. Willful infringement of copyright laws by employees of the Superintendent is prohibited. It is the policy of the Board that employees should know that the court may assess actual damages or may assess statutory damages not to exceed one hundred thousand dollars (\$100,000). Copyright infringement may also be a crime punishable by imprisonment and/or fines. Therefore, the Superintendent shall provide employees of the Superintendent with guidelines that insure compliance with all applicable copyright laws.

Copyrighted materials, whether they be nonprinted or printed, may not be duplicated without first receiving written permission from the copyright holder or complying with guidelines presented in administrative regulation.

The Board does not sanction illegal use or unauthorized duplication of copyrighted materials in any form. Employees of the Superintendent are hereby notified that willful infringement of the law shall result in disciplinary action. When infringement has been a willful act of an employee of the Superintendent, that employee may be personally liable for damages and the Board and Superintendent may not indemnify (protect or exempt from loss or damage) the employee. Responsibility for compliance with copyright laws and guidelines lies with the originator of the request that the materials to be copied, not with an employee reviewing or authorizing a duplicating order.

The Superintendent shall develop and maintain an administrative regulation designed to guide employees of the Superintendent in the lawful use of copyrighted materials.

The Superintendent shall designate a staff member as the copyright officer who will train employees of the Superintendent in the proper use of copyrighted materials and the legal, ethical, and practical implications of copyright infringement.

The principal in each school operated by the Superintendent will train all school staff in the proper use of copyrighted materials and the legal, ethical, and practical implications of copyright infringement.

Legal Reference:

EDUCATION CODE

32360 Chapter 7. Copyright laws

32361 Copyrights

UNITED STATES CODE, TITLE 17

Copyright Act of 1976, PL 94-553, effective January 1, 1978

Amends Section 117 PL 96-517, effective December 12, 1980

Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes
(Congressional Record, October 14, 1981)

Legal Opinion Regarding Duplication of Computer Software (5-4694) Legal Counsel,
State Department of Education, September 19, 1988