

1 Ovando School District #11

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3 INSTRUCTION

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5 Copyright

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7 The District recognizes that federal law makes it illegal to duplicate copyrighted materials
8 without authorization of the holder of the copyright, except for certain exempt purposes. Severe
9 penalties may be imposed for unauthorized copying or use of audio, visual, digital, or printed
10 materials and computer software, unless the copying or use conforms to the “fair use” doctrine.

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12 Under the fair use doctrine, each of the following four standards must be met in order to use the
13 copyrighted document:

- 14 • Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
- 15 • Nature of the Copyrighted Work – The type of work to be copied.
- 16 • Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be
17 considered fair use; copying a small portion may be if these guidelines are followed.
- 18 • Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting
19 economic loss to the copyright holder can be shown, even making a single copy of certain
20 materials may be an infringement, and making multiple copies presents the danger of greater
21 penalties.

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23 While the District encourages its staff to enrich learning programs by making proper use of
24 supplementary materials, it is the responsibility of staff to abide by District copying procedures
25 and obey requirements of law. Under no circumstances will it be necessary for staff to violate
26 copyright requirements in order to properly perform their duties. The District cannot be
27 responsible for any violations of the copyright law by its staff.

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29 Any staff member who is uncertain as to whether reproducing or using copyrighted material
30 complies with District procedures or is permissible under the law should consult the
31 Superintendent. The Superintendent will assist staff in obtaining proper authorization to copy or
32 use protected materials, when such authorization is required.

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36 Legal Reference: 17 USC 101 - 1332 Federal Copyright Law of 1976

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40 Policy History:

41 Adopted on: February 10, 2014

42 Reviewed on: January 13, 2014

43 Revised on: January 13, 2014