



**BOARD OF EDUCATION POLICY**

**UNITED STATES COPYRIGHT LAW**

The technology center does not condone and will not allow violations of the United States copyright laws. Subject to certain specific exceptions, the owner of a copyright has the exclusive right to reproduce, distribute, perform, or display the copyrighted work or to authorize such reproduction, distribution, performance, or display. An exception to the exclusive rights is the Doctrine of Fair Use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. The following factors shall be considered in determining fair use for all works other than broadcast programming:

1. Purpose and nature of the use; whether the use is of a commercial nature or for non-profit educational purposes.
2. The nature of the copyrighted work.
3. The amount and importance of the portion used in relation to the copyrighted works as a whole.
4. The effect of the use upon the potential market for, or the value of, the copyrighted work.

Broadcast Programs

A "broadcast program" is any television program transmitted by a television station without charge to the general public. Teachers may not record a broadcast program for classroom use but may request that the technology center record a broadcast program for the teacher's one-time instructional use. The broadcast program must be used within ten (10) school days of the recording and must be destroyed within forty-five (45) calendar days of recording. Teachers may also view the program to determine whether to purchase the program and add it to the curriculum. The technology center will not record multiple copies of the same broadcast program for an individual teacher and will not record broadcast programs without first receiving a request to record. No broadcast program will be altered (but teachers are permitted to play only an excerpt), displayed without its copyright notice, or combined with other media to make an anthology.

Copyright law also addresses the use of videos in educational settings. For a video to meet copyright law, the use must meet all three (3) of the following criteria: The video must be legally made or acquired, and the use of the video must take place in a classroom or other place of instruction and be directed by students or teachers of the institution in the course of face-to-face teaching activities.

Exceptions

A further exception to the copyright law includes the performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other place devoted to instruction.

Reference: 17 U.S.C. §107