

## **Instruction**

### **Use of Proprietary Software Products**

It is the intent of the Board of Education to adhere to the provisions of copyright law (Title 17, U.S. Code) and publishers' license agreements, including trade secret provisions, in the area of proprietary software products. (Proprietary products are those made or marketed by persons having exclusive manufacturing and sales rights, who may or may not be the copyright holders.) Therefore, persons may use or cause to be used on school system computing equipment only software that is included in one of the following categories:

- A. Public domain (i.e., uncopyrighted) software.
- B. Software covered by a licensing agreement with the software author, authors, vendor, or developer, whichever is applicable (a licensing agreement is a legal contract authorizing use of the software).
- C. Software purchased by a school or school system, with a record of the purchase on file.
- D. Software purchased by the user, with a record of purchase available for verification.
- E. Software donated officially accepted by the Board.
- F. Software being reviewed or demonstrated by the users in order to reach a decision about possible future purchase, license, or acceptance of a donation.
- G. Software written or developed by an employee for use by the schools or to assist in training school district personnel.
- H. Software developed by a non-employee under contract to the school system for use by the school system or to assist in training school district personnel.

In addition, none of the software in the categories listed above may be used or obtained in violation of copyright law or licensing agreements.

Licensing agreements or other forms of documentation covering software shall be kept on file at the location where the computer program is used.

### **Backup Copies of Copyrighted Computer Software**

Schools may lawfully make one copy of a copyrighted program. The following conditions must be met:

1. One and only one copy is made.
2. One copy should be labeled with the name of the program, name of the publisher, copyright holder, and computer compatibility.
3. Either the original or the copy is stored, and referred to as the "archival" copy. The copy used is referred to as the "circulating" copy.
4. The archival copy should be stored in a limited access area with appropriate temperature and humidity controls.
5. Only the circulating copy may be used.
6. If the circulating copy is no longer usable, another copy may be made from the archival copy.

Policy adopted: June 12, 2023