

#307 – Copyrighted Materials and Performance Licensing

Policy 307

It is the intent of the School District of Flagler County, its Board of Education, staff and students, to adhere to the provisions of current copyright and performance licensing laws and congressional guidelines. Employees, students, and other individuals or organizations shall ~~are to~~ adhere to all provisions of Title 17 of the United States Code, entitled, "Copyrights," and other relative federal legislation and guidelines related to the duplication, retention, and use of all copyrighted materials. In circumstances where the interpreted law is ambiguous, the District shall look to the applicable license agreement to determine appropriate use of all material formats.

Therefore, in an effort to discourage violations of copyright and performance licensing laws and to prevent illegal activities:

1. The ethical and practical implications for copyright violations will be taught to all administrators, faculty, staff and students at all sites in the District.
2. District employees will be informed that they are expected to adhere to Section 117, of the 1976 Copyright Act as amended in 1980 and will acknowledge, by signature, that they have been so informed.
3. When permission is obtained from the copyright holder to use materials on a sharing system, efforts will be made to secure this software from copying.
4. Copyright and performance licensing agreements shall be signed by the Principal.
5. Each District site using licensed materials will have a signed copy of the use agreement.
6. Unlawful copies of copyrighted materials may not be produced.
7. Unlawful copies of copyrighted materials may not be used with District owned equipment, within District owned facilities, or at District sponsored functions.
8. The legal and insurance protection of the District will not be extended to employees who copy/use copyrighted materials unlawfully.
9. Employees who make copies and/or use copyrighted materials in their jobs are expected to be familiar with provisions regarding fair use and public

display, and are further expected to be able to provide their supervisor, upon request, the justification under U.S.C. Sections 107 or 110 for materials that have been used or copied.

10. Employees who use copyrighted materials that do not fall within fair use or public display guidelines will be able to substantiate that the materials meet one of the following criteria:
 - a. The materials have been purchased from an authorized vendor by an individual.
 - b. The materials are copies covered by a licensing agreement between the copyright owner, the District, the site or an individual employee.
 - c. The materials are being previewed or demonstrated by the user to reach a decision about future purchase or licensing and a valid agreement exists that allows for such use.
 11. The building administrator at each site is responsible for enforcing District copyright policy.
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STATUTORY AUTHORITY

1001.41

1001.42, F.S.

LAWS IMPLEMENTED

1001.41

1001.42

1001.43

1006.28

1006.32, F.S.

HISTORY

ADOPTED:September 15, 1998

REVISION DATE(S)

January 20, 2004

May 15, 2007