



**BRANDYWINE
HEIGHTS**
AREA
SCHOOL
DISTRICT

Book	BHASD Policies
Section	800 Operations
Title	Copyright Material
Code	814
Status	Active
Adopted	June 28, 2004
Last Revised	June 19, 2017
Prior Revised Dates	11/3/2008

Authority

The Board emphasizes that **federal law** makes it illegal for anyone to duplicate copyrighted materials without permission. The Board attests that severe penalties are provided for unauthorized copying of audio, visual, software or printed materials unless the copying falls within the bounds of the fair use doctrine.[1]

Under the **fair use doctrine**, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product falls within the bounds of fair use, four (4) standards must be met:

1. **Purpose And Character Of The Use** - The use must be for such purposes as teaching or scholarship and must be nonprofit.
2. **Nature Of The Copyrighted Work** Staff may make single copies of: book chapters for use in research, instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals or newspapers.
3. **Amount And Substantiality Of The Portion Used** - Copying the whole of a work cannot be considered fair use; copying a small portion may be if stated guidelines are followed.
4. **Effect Of The Use Upon The Potential Market For Or Value Of The Copyrighted Work** - If resulting economic loss to the copyright holder can be shown, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties.

Staff may make copies of copyrighted school district materials that fall within established guidelines . Where there is reason to believe the material to be copied does not fall within guidelines, prior permission shall be obtained from the principal.

Staff members who fail to adhere to this policy may be held personally liable for copyright infringement.

Staff members shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately.

References:

U.S. Copyright Law – 17 U.S.C. Sec. 101 et seq.
Board Policy - 000
Federal
Regulations

P.L. 94-553

Legal

1. P.L. 94-553 Sec. 107