

Copyright Materials

The Federal copyright law (U.S.C. Title 17) governs the duplication, distribution, use and display or performance of all copyrighted materials, which includes printed matter, audiovisual materials, television programs, computer software and content from the internet. Violation of the law can subject the violator to legal action resulting in the levying of fines and/or compensatory damages as well as criminal penalties. WCSCC Adult Education's status as a school district does not provide exemption from the law; public schools are subject to its provisions just as are other agencies, business and individuals. It is the intent of WCSCC to promote respect for the rights of copyright owners, knowledge of the copyright laws, education of students in those legal issues, and strict compliance with the copyright laws in all activities of the school. Therefore, WCSCC has adopted the following policy regarding use of copyrighted materials by school employees:

1. WCSCC shall abide by all provisions of the copyright laws.
2. Copyrighted materials, whether traditional printed material, audiovisual media or computer software, may not be duplicated without prior written permission from the owner or copyright holder unless that duplication falls under the exception in the law for "Fair Use" in instruction or other exceptions in the law.
3. The School does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials or the improper use of commercially duplicated materials.
4. Each employee is responsible for compliance with copyright law, and for compliance with copyright law by students under their supervision.

WCSCC's statement on "Fair Use" of copyrighted materials in instruction:

WCSCC recognizes that there are exceptions to Federal copyright laws that provide some latitude for the use of copyrighted materials for instructional purposes, which fall under the doctrine known as "Fair Use." WCSCC understands the doctrine to have the following components:

1. "Fair Use" presupposes good faith and fair dealing.
2. The courts use the following criteria to determine "Fair Use":
The purpose and character of the use – the use of materials for teaching or research is acceptable according to "Fair Use" guidelines. These "Fair Use" exemptions do not apply to non-instructional – if the material is designed primarily for educational use, it is more likely to fit the "Fair Use" guidelines. Creative materials are less likely to fit the "Fair Use" guidelines than informational materials. If only a certain percentage or an insignificant portion of a work is used, "Fair Use" guidelines are more likely to apply; and the effect of the use upon the potential market value of the copyrighted work – if future sales of the work are negatively impacted by the use, "Fair Use" guidelines will probably not apply. This is perhaps the most critical factor in the "Fair Use" analysis.
3. It is the intention of WCSCC that any instructional use of materials under the "Fair Use" exception to the copyright laws be conducted in compliance with these laws, and that permission of the author(s) or copyright owners be sought as necessary. If any faculty, staff or students are unsure if "Fair Use" covers a particular proposed use, it is their responsibility to seek assistance.