

**TITLE: COPYRIGHT PROTECTED MATERIALS**

The unauthorized duplication or use of copyrighted materials in any form within the District is prohibited. Any employee or student who willfully disregards this prohibition assumes all liability for such action and may be subject to disciplinary measures under Board policy.

Copyrighted materials, whether print or non-print, may be duplicated only when such reproduction satisfies the “fair use” doctrine or when written permission for duplication has been obtained from the copyright holder. Factors relevant to determining whether the “fair use” doctrine applies include:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

The Superintendent or designee shall provide adequate information to appropriate District personnel regarding compliance with copyright law, including common school situations in which the “fair use” doctrine may apply.

School principals are charged with establishing practices to implement the provisions of West Virginia Board of Education Policy 5711, Copyright-Protected Computer Software, Print & Non-print Media.

Review Schedule. This policy shall be reviewed in accordance with the Policy Review Schedule published by the Superintendent.

**Legal Authority:** Title 17, U.S. Code  
West Virginia Board of Education Policy 5711

**Board Adoption:** July 21, 2014