

INTELLECTUAL PROPERTY

CY4
(REGULATION)

- | | |
|--------------------------------------|---|
| COMPLIANCE WITH
COPYRIGHT LAW | 1. The Copyright Law of 1976 and subsequent amendments outline five basic rights of copyright owners: the right of reproduction, adaption, distribution, performance, and display. In summary, the law grants copyright owners the exclusive right to use and to authorize the use of a copyrighted work. Therefore, the unauthorized use of a copyrighted work in one or more of the five areas is an infringement of the law. See Reference (d). |
| COMPLIANCE
PROCEDURES | 2. It is the policy of the Houston Independent School District (HISD) to comply with the law. Notices to this effect are to be posted in areas where there are photocopiers, facsimile machines, or scanners. See References (a), (b), and (f). Employees of HISD will abide by the provisions of the current copyright law as it affects the District and its employees. The District does not sanction illegal duplication of copyrighted materials, whether such materials are in printed or nonprinted form. Employees who willfully violate the District's position regarding the copying of copyrighted materials do so at their own risk and assume all liabilities and responsibilities connected with their actions. For additional information on guidelines for classroom copying, see References (a) and (b). |
| COPYRIGHT SYMBOL | 3. Typically, the indicator of a copyrighted work is the copyright symbol. Although the symbol is no longer mandated to preserve a copyright, the word copyright may appear, or a circle around the letter C may be used. Sometimes, this is followed by the year of the first publication and the words All Rights Reserved. The rights referred to are the bundle of rights, which represent the five basic rights of the copyright owner. The rights and privileges represented by the symbol, whether or not it is used, should be respected. |
| EXCEPTIONS | 4. Exceptions to the exclusive rights enjoyed by copyright owners are the doctrines of: |
| FAIR USE | a. The fair use of a copyrighted work for the purposes of teaching, scholarships, or research is not an infringement of copyright.

b. Performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other similar place devoted to instruction. |
| DISTRICT'S
COPYRIGHT
MATERIALS | 5. The District will own the claim to copyright all copyrightable materials created by employees of the District within the scope of their employment or which are specially commissioned by the District to be created by employees and others. The chief of staff or designee will act as the District's autho- |

- rized agent for the purpose of registering claims to copyright for materials owned by the District. See Reference (c).
- | | |
|--|---|
| COPYRIGHT
MATERIALS OF THIRD
PARTIES | 6. Employees wishing to obtain permission to duplicate copyright materials of third parties when the materials will be utilized on a Districtwide basis must prepare a Request for Copyright Permission. See Reference (e). The office of the chief of staff will also operate as a clearinghouse for granting permission to duplicate copyrighted materials owned by the District. |
| COPIES | 7. Employees should request permission to reproduce copyrighted work from the owner. See Reference (e). The cost of reproducing the copyrighted materials is the responsibility of the requesting department or school. |
| DESIGNATED
INDIVIDUAL | 8. The Superintendent is responsible for designating an individual in the District to monitor and promote compliance with the law. This function has been assigned to the chief of staff or designee. |
| CONSULTATION | 9. This regulation does not require consultation. |
| MAINTENANCE
RESPONSIBILITY | 10. The general counsel, Legal Services, is responsible for maintenance of this regulation. |

REFERENCES:

- (a) Board Policy CY(LEGAL)
 - (b) Board Policy CY(LOCAL)
 - (c) CY2(REGULATION)
 - (d) Copyright Law of 1976
 - (e) Request for Copyright Permission (Sample)
 - (f) Notice to All Employees Regarding Copyright Restrictions
-