

**WESTERN NEBRASKA COMMUNITY COLLEGE
POLICIES AND PROCEDURES**

SECTION: Human Resources 400.0000.14
SUBSECTION: All Employees 415.0000.15

Copyright Policy
Policy Number: 415.2150.91

POLICY

It is the intent of the Board to adhere to the provisions of the current copyright laws and Congressional guidelines.

The Board recognizes that unlawful copying and use of copyrighted materials contribute to higher costs for materials, lessens the incentives for development of quality educational materials, and fosters an attitude of disrespect for law which is in conflict with the educational goals of this postsecondary institution.

The Board directs that College employees 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 copyrighted materials.

The Board further directs that:

- 1) Unlawful copies of copyrighted materials may not be produced on College-owned equipment.
- 2) Unlawful copies of copyrighted material may not be used with College-owned equipment, within College-owned facilities, or at College-sponsored functions.
- 3) The legal and/or insurance protection of the College will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make and/or use copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use and public display, and are further expected to be able to provide their supervisor, upon request, the justification under Sections 107 or 110 of USC 17 for copies that have been made or used.

Employees who use copyrighted materials which do not fall within fair use or public display guidelines will be able to substantiate that the materials meet one of the following tests:

- 1) The materials have been purchased from an authorized vendor by the individual employee or the College and a record of the purchase exists.
- 2) The materials are copies covered by a licensing agreement between the copyright owner and,
- 3) The materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase or licensing and a valid agreement exists which allows for such use.

Though there continues to be controversy regarding interpretation of the copyright laws, this policy represents a sincere effort to operate legally. Employees seeking information concerning copyright laws and regulations should contact the Library Director on the Scottsbluff Campus, or the Learning Resources Coordinator at the Sidney Campus.

DEFINITIONS

N/A

APPLICABILITY

N/A

Adoption Date: 1991

Revision Date (and Board of Governors' Minutes Item Number):

Prior Policy/Procedure Number:

Schedule for Review:

Divisions/Department Responsible for Review and Update:

Sponsoring Division/Department:

Rescinded Date:

Cross Reference:

Procedure(s) for Policy:

Related Policies/References: Title 17 of the United States Code, entitled "Copyrights"