

COMPUTER SOFTWARE COPYRIGHT COMPLIANCE

In an effort to discourage violation of software copyright laws and to prevent illegal use of the computer system, staff shall follow the procedures listed below.

1. Division employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 and Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This section states....it is not an infringement of the owner of a copy of computer programs to make or authorize the making of the copy or adaptation of that computer program provided.
 - (a). That such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner, or;
 - (b). That such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.
 - (c). The following computer software may also be copied by or at the individual request of a staff member for classroom use:
 1. In-house production,
 2. Works that are not copyrighted or works in the public domain, and
 3. Software which has been designated as shareware can be copied by individual employees for the purpose of preview. If the software is deemed appropriate for use, the individual software falls under copyright law thus requiring payment to the software developer.
2. The proper use of computers will be taught through planned computer curriculum and computer-related instruction for students. Staff will address the ethical and practical problems caused by software piracy.
3. Division employees are expected to maintain software and supporting manuals in a safe place. The manual needs to be available for software and hardware audit.

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4. When software is being used on a disk sharing system, efforts will be made to secure this software from copying.
5. Illegal copies of copyrighted programs may not be made or used on school equipment.
6. The superintendent or designee is the only individual who may sign license agreements for software in the school division.
7. No employee of the school division will surreptitiously or illegally access any data base or electronic bulletin board.
8. No employee of the school division will encourage or allow any student to surreptitiously or illegally duplicate computer software or illegally access any data base or electronic bulletin board.
9. The principal of each school site or manager of each department is responsible for enforcing this regulation.

Penalties for Infringement of Copyright

EDUCATORS, EDUCATION INSTITUTIONS, AND SCHOOL DIVISIONS MAY BE SUED IF THEY VIOLATE OR INFRINGE THE RIGHTS OF COPYRIGHT.

THE LEGAL OR INSURANCE PROTECTION OF Waynesboro City SCHOOLS WILL NOT BE EXTENDED TO EMPLOYEES WHO KNOWINGLY VIOLATE COPYRIGHT LAWS.

COPYRIGHT INFRINGEMENT INVOLVING THE REPRODUCTION OR DISTRIBUTION OF AT LEAST 10 COPIES OF ONE OR MORE COPYRIGHTED WORK(S) WITH A RETAIL VALUE IN EXCESS OF \$2500 (ANY KIND, NOT JUST COMPUTER SOFTWARE) WITHIN A 180 DAY PERIOD IS A FELONY. FIRST OFFENSE IS PUNISHABLE IN GENERAL BY A SENTENCE OF UP TO 5 YEARS AND/OR A FINE OF UP TO \$250,000 FOR INDIVIDUALS AND UP TO \$500,000 FOR ORGANIZATIONS. ANY SUBSEQUENT OFFENSE IS PUNISHABLE IN GENERAL BY A SENTENCE OF UP TO 10 YEARS AND/OR THE FINES SPECIFIED ABOVE.

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