

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**3020**  
**Copyright Compliance**

4 **Restrictions on Use and Permission.** Copyrighted works such as  
5 print, audio, video, software, applications, and other documents or  
6 media ("works") may be reproduced or used for educational purposes  
7 only when the use of the reproduction is a fair use in compliance with  
8 state and federal copyright law or when the written permission or  
9 license for such use has been obtained from the copyright holder. A  
10 staff member who wishes to use any non-original work must obtain  
11 the prior written permission of the building principal. Unless the  
12 district has obtained a license for use of a work for its intended  
13 educational purpose, no principal shall grant permission for a  
14 requested use of a copyrighted work unless the principal has  
15 reasonable grounds to believe that it is a fair use under applicable  
16 copyright law. Only works requested to be used in the course and  
17 scope of employment with the district will be permitted.

18  
19 **Distribution of Copyright Compliance Materials.** The district will  
20 make information available to staff and students which describes and  
21 promotes compliance with copyright laws.  
22

23 **Course Materials Subject to Copyright Protection.** The purpose  
24 of this provision is to provide notice to all staff, students, and parents  
25 that course materials may be subject to copyright protection. No class  
26 materials may be used or copied for use outside of the class session or  
27 sessions in which the materials are used for educational purposes  
28 unless authorized or required by law. No student or staff member may  
29 take audio or video recording of any class in which copyrighted  
30 materials are used unless authorized or required by law or an  
31 applicable educational plan provided under state and federal disability  
32 laws. Any such recordings will be kept only long as required to fulfill  
33 the purpose of the recording, such as for evaluative purposes, or the  
34 applicable retention period required by law.  
35

36 **Copies for Individuals with Disabilities.** This policy does not  
37 restrict district staff members from reproducing or distributing copies  
38 of copyrighted works in a specialized format for use by individuals with  
39 disabilities to gain access to the work.  
40

41 **Removal of Unauthorized Copyrighted Works.** Upon obtaining  
42 knowledge or awareness of an unauthorized use of copyrighted works,  
43 the district will take reasonable steps to remove, deny access to, and  
44 stop use of any unauthorized copyrighted work stored in the district's

45 paper or digital files or programs. This includes but is not limited to  
46 administrators accessing staff files and equipment for the purpose of  
47 physically removing curricular materials or directing staff members to  
48 cease using the materials immediately when there has been no license  
49 granted or fair use determination made. The superintendent or  
50 superintendent's designee may limit or deny access to district  
51 materials and programs to students or staff members who engage in  
52 violations of this policy or copyright law. The district may require the  
53 student or staff member to obtain training on copyright protections  
54 and limitations in order to regain access to any such materials or  
55 programs.

56  
57 **Participation in OER.** Collaboration through Open Educational  
58 Resources (OER) is beneficial in many ways for the district and for the  
59 education community in Nebraska. The Educational Service Unit  
60 Coordinating Council (ESUCC) and the Nebraska Department of  
61 Education (NDE) have provided a platform to share educational  
62 materials with OER designation which can be reviewed and aligned to  
63 Nebraska's state standards. The board authorizes the superintendent  
64 to allow staff members to participate in OER, at the superintendent's  
65 discretion, both by incorporating OER materials into the curriculum  
66 adopted by the board and by sharing materials and resources owned  
67 by the district. Those materials and resources include works made for  
68 hire by district employees. Unless the superintendent or  
69 superintendent's designee(s) determines otherwise, materials owned  
70 by the district may be shared to the ESUCC-NDE OER Collection(s)  
71 with the Creative Commons Attribution License designation of either  
72 (1) "Attribution-Noncommercial-Share Alike," which is universally  
73 noted as "CC BY-NC-SA"; or (2) "Attribution-Noncommercial-No  
74 Derivatives," which is universally noted as "CC BY-ND-ND."

75  
76 **Violations by Students and Staff.** Any staff member who violates  
77 this policy will face disciplinary action up to and including the  
78 cancellation, nonrenewal, or termination of the employee's  
79 employment. Any student who violates this policy may face  
80 disciplinary action up to and including expulsion. Individuals who  
81 subject the school district to financial penalty for copyright violations  
82 may be required to reimburse the district for its costs for such  
83 violation.

84  
85 Adopted on: May 13, 2008  
86 Revised on: December 11, 2018; November 13, 2019  
87 Reviewed on: February 14, 2012; March 10, 2015; December 11, 2018;  
88 November 13, 2019