

Coast Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3750 USE OF COPYRIGHTED MATERIAL

References:

Education Code Sections 32360 and 67302;
U. S. Code Title 17, Copyright Act of 1976
AP 3750

Instructional programs and activities within the District often require the use of publications, writings, materials, and creations ("materials") of third parties. Such materials may be entitled to copyright protection. If so, the copyright owner in that protected work holds the exclusive rights to many of the uses of that material. This includes the right to reproduce, make derivative works, distribute copies, and publicly perform or display the materials. However, the Copyright Act also includes several important exceptions to these exclusive rights. A very important exception for purposes of teaching and scholarship is the "fair use" exception. Because use of protected materials requires strict adherence to the copyright laws, and given that it is sometimes difficult to determine whether the fair use exception will apply, legal advice should be sought when necessary.

Employees of the District are expected to abide by the United States Copyright Act, Title 17 of the United States Code. Employees and students shall not reproduce copyrighted materials without the prior permission of the copyright owner, except as allowed by the "fair use" doctrine.

The "fair use" doctrine (Section 107 of the Copyright Act [17 U.S.C. § 107]) permits limited uses of copyrighted materials in certain situations, including for purposes of teaching, research and scholarship. The "fair use" Doctrine and test can be found on the District's Risk Services Department website for guidance.

When questions relating to the use of copyrighted materials and an application of the fair use doctrine arise, employees shall contact District Risk Services for assistance.

The Chancellor shall establish procedures for the use of copyrighted material in compliance with the applicable state and federal laws.

See Administrative Procedure 3750.

Adopted December 2, 2013
Revised April 6, 2016