

Board of Education Policy 3.7330/7.3320
Administrative Procedure

Procedures for Software Provided by Employees, Students or Parents

Two federal laws must be considered when employees, students or parents bring software to the school or office to be used on Catawba County Schools computers. The first is the Copyright Act, Title 17 of the US Code; the second is the Software Rental Amendments Act of 1990 (Public Law 101-650). The Catawba County Board of Education Policy 3.7330, Copyright Compliance, must also be considered.

The Copyright Act provides that the unauthorized duplication of software constitutes copyright infringement regardless of whether it is done for free distribution or for the copier's own use. The Software Rental Act prohibits the rental, leasing, or lending of original copies of any software without the express permission of the copyright owner. The Board policy states: "Willful or serious violations also are considered to be in violation of expected standards of behavior for employees and students and may result in disciplinary action in accordance with board policy."

Employees, students or parents who bring software, including CD-ROMs, to school or the district office must donate the software to the school/system. In the schools, original copies of the software, documentation, and license agreement are to be given to the media coordinator. The media coordinator is to write a letter to the donor, acknowledging the receipt of the program. The software program is to be processed (bar code assigned and information entered into Circulation/Catalog Plus). All documentation should be kept on file, including a copy of the letter acknowledging the donation.

The software may be checked out on a permanent basis to the employee who donated the program. Software donated by students/parents may be assigned to the student's teacher. Once the software is donated to the school, it should be used in areas that are appropriate according to the curriculum.

The district, schools, and individuals who violate the copyright law may be held liable for as much as \$100,000 in statutory damages per copyright violation. Violators may also face criminal penalties of as much as \$250,000 and jail terms of up to five years, in addition to a civil lawsuit.

Superintendent's Signature _____ Date _____