

## **COPYRIGHT INFRINGEMENT POLICIES**

### **Student Handbook Statement**

“Faith takes a firm position that the copyright, licensing, and intellectual property laws must be followed. This applies to printed, physical, and digital property. File-sharing software (peer-to-peer) is not allowed on computers using the campus network, and any unauthorized distribution of copyrighted material, or file-sharing may be subject to civil and criminal liabilities. Students should be aware that the legal penalties for violation of federal copyright laws can include: payment of the actual dollar amount of damages and/or profits ranging from \$200 to \$150,000 each work infringed, impounding of illegal works, and even jail time.”

### **Computer Copyright Information**

Each student bringing a computer on campus must possess valid legal licenses for all software installed on his computer. Faith takes a firm position that the copyright, licensing, and intellectual property laws must be followed. File-sharing software is not allowed on computers using the campus network. (Page 92 of 2016–2017 student handbook).

While accessing the institution’s network, students are agreeing to abide by the standards set forth in the Student Handbook. This includes but is not limited to:

- Maintaining integrity while browsing the Internet, only visiting websites appropriate for Christians.
- Keeping my Operating System patched as well as antivirus and antispyware software installed and up-to-date.
- Adhering to government regulations concerning Internet use (e.g. copyrighted material).
- Avoiding the use of P2P file sharing software and other activities that may consume excessive bandwidth.

I understand that FBBC&TS has the right to filter, log and review all my network/Internet activity and to block any and all content FBBC&TS deems to be inappropriate or bandwidth intensive. I also give permission for FBBC&TS to work on my computer, if the computer requires network related service or Student Life requests such service.” (Network Agreement Form Distributed to All Students]

### **Copyright Restrictions**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or reproduction. One of these specified conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law. (Posted in the college library)

### **Copyright Law Concerning Fair Use**

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered “fair,” such as criticism, comment, news reporting, teaching,

scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work; (published or unpublished—factual or creative)
3. Amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

The distinction between “fair use” and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

Taken from Factsheet FL-102; Fair Use produced by the U.S. Copyright Office with added explanation on #2. <http://www.copyright.gov/circs>.

A checklist for use is available in the office. (Posted in the college library)

### **Guidelines for Educational Uses of Music**

The purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107 of HR 2223. Moreover, the following statement of guidelines is not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.

#### **A. Permissible Uses**

1. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.
2. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement, or aria, but in no case more than 10 percent of the whole work. The number of copies shall not exceed one copy per pupil.

#### **B. Prohibitions**

1. Copying to create or replace or substitute for anthologies, compilations, or collective works
2. Copying of or from works intended to be “consumable” in the course of study or of teaching, such as workbooks, exercises, standardized tests and answer sheet, and like material.
3. Copying for the purpose of performance, except as in A (1) above.
4. Copying for the purpose of substituting for the purchase of music, except as in A (1) and A (2) above.
5. Copying without inclusion of the copyright notice which appears on the printed copy.

Taken from Circular 21: Reproduction of Copyrighted Works by Educators and Librarians produced by the U.S. Copyright Office <http://www.copyright.gov/circs>. (Posted in the college library)