

## **COPYRIGHT COMPLIANCE POLICY**

It is the policy of WVJC to comply with all copyright laws. All faculty, staff, and students are expected to be aware of and follow these requirements. General information on copyright law is provided below. For further information, refer to [www.copyright.gov](http://www.copyright.gov).

Any member of the campus community practicing unauthorized use or distribution of copyrighted material will be subject to sanctions by the School up to dismissal from school or termination of employment. Individuals would also be subject to Federal criminal offenses for copyright law violations. For a full list of these offenses, visit: [http://www.copyright.gov/\(title17/92\)chap5.html](http://www.copyright.gov/(title17/92)chap5.html).

### **COPYRIGHT DEFINED**

According to the U.S. Copyright Office of the Library of Congress, copyright is a form of protection provided by the laws of the United States (Title 17/92) to the authors of "original works of authorship." Copyrightable works include the following categories: Literary works, Musical works, including any accompanying words, Dramatic works, including any accompanying music, Pantomimes and choreographic works, Pictorial, graphic, and sculptural works, Motion pictures and other audiovisual works, Sound recordings, Architectural works, and Computer programs. It is best to assume that anything published after 1920 is protected by copyright, even if it does not contain the copyright notice. The Library of Congress Copyright Office Circular 22 explains how to determine the copyright status of a work, when in doubt.

### **PUBLIC DOMAIN**

Older materials or U.S. Government publications are considered to lie in the public domain and may not be subject to copyright restrictions. This material may be used without permission, but the original source should still be credited.

### **COPYRIGHT SYMBOL**

The absence of a copyright symbol © does not indicate that material is without copyright restrictions. Most nations follow the Berne copyright convention recognizing works created after April 1, 1989 to be protected whether or not a copyright notice is present.

### **FAIR USE**

The Fair Use Doctrine allows certain materials to be used for nonprofit, educational purposes without fees or permission and balances the exclusive protection of copyright law. The 1976 Copyright Act put forth these criteria to determine fair use: purpose and character of the use, nature of the work, amount used and effect of the use on the work's potential market value.

## PEER TO PEER FILE SHARING

A recent amendment to the Higher Education Act of 1965 requires Schools to have a plan to combat the illegal downloading of music, videos and other copyrighted works (otherwise known as Peer to Peer File Sharing, or P2P) on School campus networks. West Virginia Junior College takes this responsibility seriously. Campus computers will be monitored closely to address copyright violations related to illegal downloads. Each computer user at the School should understand what material is illegal or legal and what sites are authorized distributors of copyrighted material. For example, popular sites such as iTunes, Rhapsody, Amazon, etc. have downloads available for a fee. Any unauthorized or illegal downloads by any member of the campus community will be subject to the institutional sanctions as well as federal copyright criminal offenses as mentioned above.