



PRINCETON RESCUE SQUAD EDUCATION DEPARTMENT

701 Stafford Drive Princeton, WV 24740

POLICY: Copyright and Software Infringement

Effective Date: August 2018

TITLE: Copyright and Software Infringement—Faculty

RATIONALE: To establish policies for faculty conduct with regard to copyright and software infringement, liabilities for unauthorized distribution, and misuse of computing, telecommunication, and simulation equipment.

POLICY:

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Fair use provisions of the Copyright Act (Section 107) permit certain uses of copyrighted works for education and scholarly research, especially if the proposed use:

- Is nonprofit and educational

 - Use in a class presentation is more permissible than use in something you will sell.

- Takes into account the nature of the original (i.e. highly creative vs. largely factual)

 - Being highly creative in nature, music has more protection than a scholarly article, which is largely factual.

- Is not a substantial portion of the original, and

 - Photocopying an entire book is not permissible, but one chapter is.

- Does not affect the potential market for the original.

 - Buying a book at the bookstore, photocopying it, and then returning the book for a refund is not permissible.

For more information about fair use, see <https://www.copyright.gov/title17/>

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750.00 and not more than \$30,000.00 per work infringed. For “willful” infringement, a court may award up to \$150,000.00 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000.00 per offense.

Telephones, computer equipment, simulation and recording equipment, data, or programs owned, leased or otherwise provided by Princeton Rescue Squad are for conducting authorized, non-personal business. Use of personal benefit, gain, or unauthorized purposes may be grounds for suspension or dismissal and may require reimbursement of funds to Princeton Rescue Squad. Inappropriate use of computing, simulation, and telecommunication resources should be reported to the Education Director and the Information Technology (IT) Department. The IT department will investigate and verify any abuse or misuse of the computers, software, etc. Upon the findings of the investigation being presented to the Education Director, he/she will contact the COO and CEO if criminal conduct is determined. If the findings are limited to a violation of policies and/or procedures, then the Education Director, in conjunction with the CEO and COO will determine what penalties/discipline is necessary.

RESPONSIBLE PERSONNEL:

Education Director, Faculty, and Staff

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