

DANIEL BOONE REGIONAL LIBRARY**SUBJECT: Copyright/Public Performance Rights****ADMIN 2-640****BOARD****SECTION: Library Administration****Approved: 04/11/96****Revised: 03/11/10****Revised: 04/11/13****Revised: 09/13/18****POLICY**

The Daniel Boone Regional Library complies with US Copyright Law (Title 17, U.S. Code), which prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principles of "fair use." Patrons may copy, scan or download material under these fair use exceptions. To protect creators' copyrights, the Library will post copyright warning notices at all library machines where material might be copied, scanned or downloaded, and will monitor its requests for journal articles from other libraries. The Library will also honor the rights of film producers by purchasing public performance rights, if appropriate, when buying or renting material. Software licenses will be in compliance with the provisions of U.S. Copyright Law.

PROCEDURE

Administrative Guidelines for Copyright/Public Performance Rights

1. Patrons may copy, scan or download material under the fair use exceptions to the rights of the copyright holder. Fair use is determined by the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit, educational purposes; the nature of the copyrighted work; the amount and substantiality of the portion used in relationship to the copyrighted work as a whole; and the effect of the use upon the potential market for or value of the copyrighted work.
2. The copyright warning notice from the Federal Register (16 November 1977) shall be posted at all library copy machines where copyrighted materials might be copied, scanned or downloaded.
3. Staff should avoid copying for patrons whenever possible.
4. Should a photocopy be made in order to fax material to a patron, the staff member should:
 - a) Determine that the amount copied is within the “fair use” guidelines of the copyright law;
 - b) Provide a copy of the aforementioned copyright warning notice;
 - c) Ensure the source of the material is fully cited; and
 - d) Destroy the photocopy as soon as receipt of the fax is confirmed.
5. Since interlibrary loan is conducted under the auspices of the requesting patron’s local library, it is the responsibility of a library requesting material through interlibrary loan to inform its patrons of the copyright law and keep track of its requests.
6. A copy of the copyright warning notice shall be a portion of all interlibrary loan periodical request forms used by the library’s patrons. Furthermore, the library shall not request through interlibrary loan either:
 - a) The same title more than five (5) times a year; or
 - b) More than five articles per year from the past five (5) years of any one journal.
7. Staff shall not photocopy sheet music for patrons.
8. All materials rented or purchased for public performance at the library must either be copyright-free or come with public performance rights.
9. The Internet is a communications medium. Anything copied and sent via the Internet must be with proper citation of its source or by permission of its creator, and only if the copying falls within the “fair use” exception guidelines.
10. Upon purchase of a software program, the library may make one (1) backup-copy. Public access software may be used by patrons on the public access computers provided. No copying of library computer programs will be allowed.
11. The library will secure site licenses for programs for which it anticipates multiple users.