

ACTION, TO SHARE

LOS ANGELES UNIFIED SCHOOL DISTRICT  
Office of the Chief Administrative Officer

DISTRIBUTION: All Schools and Offices ROUTING  
All Staff

SUBJECT: BULLETIN NO. K-20 (Rev.)  
COMPLIANCE WITH THE 1976 UNITED STATES  
COPYRIGHT LAW - COMPUTER SOFTWARE

DATE: July 1, 2001

DIVISION: Information Technology

APPROVED: MARGARET A. KLEE, Chief Information Officer

For further information, please call Vickie Frederick, Director, Systems Software and Security Administration, (213) 633-1070.

This bulletin reflects LAUSD policy as it relates solely to computer software. Refer to Bulletin No. M-43 (Rev.), Compliance with the 1976 United States Copyright Law dated May 18, 1998, for additional information concerning copyrights.

I. DISTRICT POLICY

Federal law and District policy prohibit the unauthorized copying and use of computer software programs. The Federal Copyright Act provides for the recovery of actual or statutory damages for violations of copyright infringement. Damages under federal law may be as much as thirty thousand dollars (\$30,000) for non-willful violations of each work infringed, and as much as one hundred fifty thousand dollars (\$150,000) for willful violations of each work infringed. Some cases may constitute criminal copyright infringement, which is punishable by fines of up to \$250,000 and imprisonment for up to five years. The law does not exempt educational institutions from copyright laws (see CASBO article - Attachment C). This article is not attached as a legal opinion but for informative and educational purposes.

By law, Los Angeles Unified School District employees are subject to the U.S. Copyright Act of 1976. **Use or copying of any software product in violation of the applicable license agreement is strictly prohibited.** Any employee found copying software (other than for backup purposes) and/or giving software to any other person is subject to appropriate administrative and/or disciplinary action, up to and including dismissal.

## II. RESPONSIBILITIES OF DISTRICT PERSONNEL

Site Administrators are required to review the "Software Policy and Code of Ethics" (see Attachment A) with new employees and annually with all other staff. A signed copy of the "Software Policy and Code of Ethics" must be maintained at the location to which the employee is assigned.

Sites are required to maintain a log of software purchased and to secure original diskettes and/or licenses in a central location. This log should consist of (a) date acquired, (b) software product, (c) where installed, including room number and computer serial number, (d) license number, and (e) purchase order number. For legal purposes, in case of an audit, proof of purchase may be (a) original diskettes, (b) license agreement or (c) a copy of the purchase order. Attachment B is a sample of a software log.

For information relating to donation of computer software, please refer to Business Services Division Bulletin No. 66 (Rev.) "Donations" dated January 31, 2000.

## III. SOFTWARE LICENSE AGREEMENTS

### A. TYPES OF SOFTWARE LICENSE AGREEMENTS

District or Enterprise License - Allows Los Angeles Unified School District to use software on any personal computer anywhere in the district.

Site License - Permits a particular school/office to copy software on any personal computer at that site. (Be sure to read the detail for the license, some site licenses indicate a limited number of workstations on which it can be installed.)

Network License - Allows software to be used on a particular local area network. This type of license may be restricted to a number of workstations.

Shrink Wrap License - That license printed on a package of software that usually states, "breaking the seal of the disk package indicates your acceptance of these terms and conditions." This type of license may be for a single-user, network or classroom.

Click Wrap License - Same as Shrink Wrap, except you agree to the terms and conditions on-line.

Single Use License - Permits the licensee to use the software on a single computer only. (Note: Some manufacturers allow you to use a copy of the same software at home and work as long as the software is not being used concurrently.)

## B. DISTRICT SOFTWARE LICENSE AGREEMENTS

Wherever possible, the District will purchase site/enterprise licenses, if available and cost effective, for those software products found to be widely used. Software products, licensed to the District, can be found on LAUSDnet at [www.lausd.k12.ca.us/lausd/offices/itd/sccs/](http://www.lausd.k12.ca.us/lausd/offices/itd/sccs/) Purchasing Branch will have a link on their web site listing Master Agreements for software products. Check the Purchasing Branch web site at [www.lausd.k12.ca.us/lausd/offices/Business\\_Services\\_Division/purchasing](http://www.lausd.k12.ca.us/lausd/offices/Business_Services_Division/purchasing) for further updates.

## IV. ADDITIONAL SOURCES FOR COPYRIGHT INFORMATION

**Association for Educational Communications & Technology (AECT)** offers books and publications on copyright guidelines for schools. Contact AECT, 1800 N. Stonelake Drive, Suite 2, Bloomington, IN 47404; (877) 677-AECT or visit their web site at [www.aect.org/](http://www.aect.org/).

**Association for Information Media and Equipment (AIME)** Contact AIME, P.O. Box 9844, Cedar Rapids, IA 52409-9844; (319) 654-0608 or visit their web site at [www.aime.org/](http://www.aime.org/).

**CTAP California Software Group Purchase Website.** Offers reduced pricing on software products for schools and offices. <http://ca-soft.sdcoe.k12.ca.us>

**International Society for Technology in Education (ISTE)** distributes copyright resources. Contact ISTE, 480 Charnelton Street, Eugene, OR 97401-2626; (800) 336-5191 or visit their web site at [www.iste.org/](http://www.iste.org/).

**Software & Information Industry Association (SIIA).** Offers Anti-Piracy FAQ's and Copyright related issues. [www.siaa.net/piracy/copyright/default.asp](http://www.siaa.net/piracy/copyright/default.asp)

**U.S. Copyright Office** The full text of the Copyright Act of 1976 may be downloaded from [www.loc.gov/copyright/circs/circ92.pdf](http://www.loc.gov/copyright/circs/circ92.pdf). Circular 21, AReproduction of Copyrighted Works by Educators and Librarians, may be ordered by writing to U.S. Copyright Office, Library of Congress, 101 Independence Ave. S.E., Washington, DC 20559-6000 or visit their web site at [www.loc.gov/copyright/](http://www.loc.gov/copyright/).

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Information Technology Division

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July 1, 2001

ATTACHMENT A

SOFTWARE POLICY AND CODE OF ETHICS

The Los Angeles Unified School District licenses the use of computer software from a number of third parties. The software developer normally copyrights such software. Federal law and District policy prohibit the unauthorized copying and use of computer software programs. Any employee found copying software (other than for backup purposes) and/or giving software to any other person is subject to appropriate administrative and/or disciplinary action, up to and including dismissal.

All employees and students shall use software only in accordance with its license agreement. Unless otherwise noted in the license, or in the event that software arrived without a license agreement, any duplication of copyrighted software, except for backup and archival purchases, is a violation of Federal law and District policy. This signed Code of Ethics will be filed with the Site Administrator.

1. I will use software according to the provisions of the license agreements.
2. I will not make unauthorized copies of software under any circumstances.
3. I recognize that the District will not tolerate the use of any illegal software copies on District computers.
4. I understand that anyone found copying software other than for backup purposes is subject to administrative and/or disciplinary action, up to and including dismissal.
5. I understand that anyone found making illegal software copies may be subject to civil and criminal penalties up to \$250,000 per work copied and/or termination from the District.

Your signature below certifies that you have knowledge of the foregoing Federal law provisions and District policy concerning the prohibited and unauthorized copying and use of computer software programs and that you will comply with them. If you are unsure at all about the scope of a license, you must check with the site administrator designated to answer questions regarding Copyright compliance. You may also call the Software Copyright Compliance Section toll free at 1-877-SW-LICENSE (1-877-795-4236).

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Please print)

Date: \_\_\_\_\_ Site: \_\_\_\_\_

Signature of Site Administrator: \_\_\_\_\_

