

Texas Virtual Driver Education Copyright Policy

By: Amarillo Independent School District

Texas Virtual Driver Education (TxVDE) complies with the provisions of the Digital Millennium Copyright Act (DMCA). If you have a concern regarding the use of copyrighted material on any page on the TxVDE course site or network, please contact the following agent designated to respond to reports alleging copyright infringement: admin@vdrive.us

The Digital Millennium Copyright Act specifies that all infringement claims must be in writing (either electronic mail or paper letter) and must include the following elements:

- a physical or electronic signature;
- identification of the infringed work;
- identification of the infringed material;
- contact information for the complainant, e.g. address, telephone number, electronic mail address;
- a statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner or the law; and
- a statement that the information contained in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the copyright owner.

To learn more about the Digital Millennium Copyright Act (DMCA), visit: <http://cweb.loc.gov/copyright/onlinesp/>

Use of Copyrighted Material

1. GENERAL

Texas Virtual Driver Education (TxVDE) respects the rights of authorship granted to individuals and/or organizations through the various copyright laws. It is the policy of TxVDE that in the preparation and distribution of this course, copyright law requirements shall be observed. The following policy has been adopted to ensure that faculty, staff, and students can work in an environment consistent with all applicable copyright laws.

2. USE OF COPYRIGHTED WORKS BY FACULTY, STAFF, AND STUDENTS

It is the responsibility of the faculty member to reproduce copyrighted works in a course pack only when such reproduction is consistent with copyright law. Under certain limited circumstances, reproduction of copyrighted materials may constitute "fair use" and it is not necessary to obtain the permission of the copyright owner before producing copies in a course pack. However, in most cases it will be necessary to secure the permission of the copyright owner before making copies. Copyright owners may or may not require the payment of a fee or royalty before granting permission for a given document to be reproduced in a course pack.

3. FAIR USE

Fair use is defined by 17 U.S.C. § 107: Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in

copies or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright.

a. Elements of Fair Use. Faculty, staff, and students are responsible for making a good faith effort to determine whether the use made of a work in any particular case is a fair use.

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