

**ADMINISTRATIVE RULE NO: AR 4030-04
RELATED TO POLICY SERIES NO: 4030**

TITLE: COPYING COMPUTER SOFTWARE

It is the intent of Linn-Benton Community College to adhere to the provisions of copyright laws related to computer software. It is also the intent of the district to comply with the license agreements and/or policy statements contained in the software packages used by the college. The guidelines outlined here are guidelines only and should be used in conjunction with the copyright law of the United States of America, specifically Section 117: Computer Programs, in determining what is and is not permitted.

Each director or dean is responsible for establishing practices which will enforce the copyright policy in his/her area. Each person using software will be held individually responsible for following the established copyright policy and administrative rules.

In circumstances where the interpretation of the copyright laws is ambiguous, the college shall look to the applicable license agreement to determine appropriate use of the software. The college recognizes that computer software piracy is a major problem and that violations of copyright laws contribute to higher costs and greater efforts to prevent copying. Piracy also lessens incentives for the development of effective educational uses of computers. Therefore, in an effort to prevent such illegal activities:

- A. The ethical and practical implication of software piracy will be communicated to educators and students in the college.
- B. District employees will be informed that they are expected to adhere to applicable copyright statutes.
- C. When permission is obtained from the copyright holder to use software on a disk-sharing system (such as a network), every effort will be made to secure this software from copying.
- D. Under no circumstances shall illegal copies of copyrighted software be made or used on college equipment.
- E. Each director or dean is responsible for obtaining license agreements for software used in his/her area. Each division or department using licensed software should retain a copy of the software agreement and proof of purchase as long as the software is in use.

PERMITTED

- A. New copies of the software created as an essential step in the installation and

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utilization of the computer program (i.e. installation to a hard drive);

- B. New copies made for archival purposes only to be held in case the working copy is destroyed or no longer functions; and
- C. New copies of "shareware" programs as long as payment to the author is immediate.

PROHIBITED

- A. Creation of any new copies of copyrighted programs for any purpose other than the two permitted above;
- B. Creation of new copies while using a disk-sharing system.
- C. Copying shall not:
 - 1. substitute for the purchase of software;
 - 2. be directed by higher authority; and
 - 3. be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the legal copy.

DATE OF ADOPTION: 04/06/93

DATE(S) OF REVISION(S):