

**USE OF COPYRIGHTED MATERIALS**

The Board of Education recognizes the importance of ensuring that the district complies with federal law regarding copyrights. District staff and students are expected to maintain the highest ethical standards in using copyrighted materials.

*(cf. 1113 - District and School Web Sites)*  
*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*  
*(cf. 6163.1 - Library Media Centers)*

When selecting appropriate supplementary instructional materials, it is each staff member's responsibility to adhere to the provisions of federal copyright law, Board policy, and administrative regulation. The district shall not be responsible for any violation of copyright laws by its staff or students. If a staff member is uncertain as to whether reproducing or using copyrighted material complies with the law, he/she shall contact the Superintendent/Principal or designee for clarification and assistance. At no time shall it be necessary for a district employee to violate copyright laws in order to perform his/her duties.

*(cf. 4040 - Employee Use of Technology)*  
*(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)*  
*(cf. 6161 - Equipment, Books and Materials)*  
*(cf. 6161.11 - Supplementary Instructional Materials)*

The Superintendent/Principal or designee shall ensure that the district observes all publisher licensing agreements between vendors and the district, including monitoring the number of users permitted by an agreement. Unless the applicable licensing agreement authorizes multiple users of a single program, the district shall not make multiple copies of a computer program or software. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

*(cf. 0440 - District Technology Plan)*  
*(cf. 3300 - Expenditures and Purchases)*  
*(cf. 3312 - Contracts)*  
*(cf. 6163.4 - Student Use of Technology)*

The Superintendent/Principal or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

*Legal Reference: (see next page)*

## USE OF COPYRIGHTED MATERIALS (continued)

### *Legal Reference:*

#### EDUCATION CODE

35182 *Computer software*

#### UNITED STATES CODE, TITLE 17

101-122 *Subject matter and scope of copyright, especially:*

102 *Definitions*

107 *Fair use*

110 *Limitations on exclusive rights: Exemption of certain performances and displays*

#### COURT DECISIONS

*Marcus v. Rowley*, (9th Cir., 1982) 695 F.2d 1171

### *Management Resources:*

#### U.S. COPYRIGHT OFFICE PUBLICATIONS

*Circular 21: Reproduction of Copyrighted Works by Educators and Librarians*, 1995

#### WEB SITES

*Copyright Clearance Center*: <http://www.copyright.com>

*Copyright Society of the USA*: <http://www.csusa.org>

*U.S. Copyright Office*: <http://www.copyright.gov>