

2 **INSTRUCTION**3 **2312**4 Copyright5 The District recognizes that federal law makes it illegal to duplicate copyrighted materials without
6 authorization of the holder of the copyright, except for certain exempt purposes. Severe penalties may be
7 imposed for unauthorized copying or use of audio, visual, digital, or printed materials and computer
8 software, unless the copying or use conforms to the "fair use" doctrine.9 Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for
10 such purposes as criticism, comment, news reporting, teaching, scholarship, or research.11 Under the fair use doctrine, each of the following four standards must be met in order to use the
12 copyrighted document:

- 13 • Purpose and Character of the Use – The use must be for such purposes as teaching or scholarship.
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- 14 • Nature of the Copyrighted Work – The type of work to be copied.
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- 15 • Amount and Substantiality of the Portion Used – Copying the whole of a work cannot be
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- 16 considered fair use; copying a small portion may be if these guidelines are followed.
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- 17 • Effect of the Use Upon the Potential Market for or value of the Copyrighted Work – If resulting
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- 18 economic loss to the copyright holder can be shown, even making a single copy of certain
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- 19 materials may be an infringement, and making multiple copies presents the danger of greater
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- 20 penalties.

21 While the District encourages its staff to enrich learning programs by making proper use of
22 supplementary materials, it is the responsibility of staff to abide by District copying procedures and obey
23 requirements of law. Under no circumstances will it be necessary for staff to violate copyright
24 requirements in order to properly perform their duties. The District cannot be responsible for any
25 violations of the copyright law by its staff.26 Any staff member who is uncertain as to whether reproducing or using copyrighted material complies
27 with District procedures or is permissible under the law should consult the Superintendent. The
28 Superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when
29 such authorization is required.

30 Legal Reference: 17 USC 101 - 1332 Federal Copyright Law of 1976

31 Policy History:

32 Adopted on: 08/14/1994

33 Revised on: 04/05/2001

34 First reading on: 10/13/21

35 Second reading on: 11/10/21