

**USE OF COPYRIGHTED MATERIALS**

All district staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials. The district shall provide no legal support to any employee who violates the copyright law. Willful infringement of this law by students or staff may result in disciplinary action.

The Governing Board recognizes that computer software piracy contributes to higher costs and decreases commercial incentives for the development of quality educational computer software. In circumstances where the interpretation of the copyright law is ambiguous, the district shall determine appropriate use of computer software by referring to the license agreement and/or policy statements contained in the software packages used in the district. Computer-related instruction for students and staff shall address the ethical and practical problems caused by software piracy.

*(cf. 1113 – District Related Web Sites)*  
*(cf. 4040 – Employee Use of Technology)*  
*(cf. 4119.21 – Code of Ethics)*  
*(cf. 4131/4231/4331 – Staff Development)*  
*(cf. 6163.4 – Student Use of Technology)*

The Superintendent or designee shall be the only individual who may sign license agreements for software for district schools. Each school using licensed software shall have a signed copy of the software agreement.

The Superintendent or designee shall maintain regulations to discourage violation of all copyright laws and prevent illegal copying activities.

*(cf. 3300 – Expenditures/Expending Authority)*  
*(cf. 3312 – Contracts)*  
*(cf. 6163.1 – Library Media Centers)*  
*(cf. 6161 – Equipment, Books and Materials)*

*Legal Reference:*

EDUCATION CODE

35182 Computer Software

UNITED STATES CODE, TITLE 17

101-122 Subject matter and scope of copyright

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*

**USE OF COPYRIGHTED MATERIALS** (continued)

*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>