



**Provo City School District**  
**Policy Series 4000 Curriculum, Instruction & Assessment**

**Policy No. 4025**

## **Instructional Resources: Copyrighted Material**

### Copyrights to Be Honored

Employees of the District shall comply with the provisions of the United States copyright law. Under that law, subject to certain specific exceptions, as stated below and in the associated procedures, the owner of a copyright has the exclusive rights to reproduce, distribute, perform, or display the copyrighted work, or to authorize such reproduction, distribution, performance, or display by others. Unless the use is permitted under the law and procedures, District employees shall not copy or make use of copyrighted material without first obtaining the appropriate permissions from the copyright holder.

### Fair Use Exception

Fair use in the United States allows for the limited use of copyrighted materials without the permission of the author. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. In determining whether the fair use exception applies, the following factors are considered:

- 1) The purpose and character of the use, including whether the use is of a commercial nature or for non-profit educational purposes.
- 2) The nature of the copyrighted work.
- 3) The amount and importance 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.

District employees should use caution before making use of copyrighted material based only on application of these fair use factors, and should consult with District administration and/or District legal counsel before making such uses.

The Board directs the superintendent and the executive director of teaching and learning to develop procedures and trainings for building principals and instructional staff to ensure that copyright law is followed throughout the District. Training will be provided to principals, school librarians, and teachers at the beginning of each school year.

Legal References:  
United States Code 17:107 (2005)

Synopsis:  
Copyright Law of the United States

Approved by Board of Education:

February 10, 2015