

**USE OF COPYRIGHTED MATERIALS**

It is the intent of this school board that all students and staff adhere to the provisions of the copyright law (Title 17 of the U.S. Code). While the law identifies some "fair use" provisions, it also defines restrictions on the reproduction of copyrighted materials. A copyright is a property right; willful infringement of a copyright can result in criminal prosecution. It is the position of the Jackson Public School District Public Schools that copyrighted materials, whether print or nonprint, will not be duplicated unless such reproduction meets "fair use" standards or unless written permission from the copyright holder has been received. Illegal copies of copyrighted material may NOT be made or used on district equipment.

**I. FAIR USE**

Congress has identified four criteria to be balanced in considering questions of "fair use":

1. The purpose and character of the use, including whether such is a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use on potential market for or value of the copyrighted work.

**II. EMPLOYEE LIABILITY FOR VIOLATION**

In an effort to discourage violation of the copyright law and to prevent such illegal activities:

1. All employees will be advised of this policy; and
2. Employees who willfully disregard the district's copyright position are in violation of board policy; they do so at their own risk and assume all liability responsibility. The legal and/or insurance protection of the district will NOT be extended to anyone who violates the fair use standards of this policy.

SOURCE: Mississippi School Boards Association  
LEGAL REF.: 17 USCA §106, 107, 110  
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