



INSTRUCTION

6162.6

Use of Copying Devices

Publication or Creation of Educational Materials -- Copyrights: Printing and Duplication

The Montville Public School district adheres to the provisions of the United States Copyright Act (Title 17, US Code), the Digital Millennium Copyright Act, and the Sonny Bono Copyright Term Extension Act. Severe penalties may be imposed for unauthorized copying or use of printed material, audio-visual material, computer software, or web-based resources, except to the extent that such duplication falls within the bounds of "Fair Use" doctrine.

Employees of the district who willfully disregard the copy laws do so at their own risk and assume all liability. No employee can direct another employee to violate copyright laws. Anyone uncertain of interpreting "fair use" guidelines should contact the district designated copyright compliance staff person. Proper forms to obtain authorization to copy or use protected material can be supplied.

Under the "Fair Use" doctrine, unauthorized production of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. In determining whether the use made of a work in any particular case is "fair use," the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of 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 upon the potential market for or value of the copyrighted work. The fact that a work is unpublished shall not itself bar a finding of "fair use" if such finding is made upon consideration of all the above factors.

Appropriate copyright guidelines and warnings shall be posted at all copiers and other pertinent locations.

Legal reference: Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et seq.

Policy Adopted: 12/19/00