


<p style="text-align: center;">Tucson Unified School District    <i>Celebrate the US!</i>  Tucson, Arizona</p> <p style="text-align: center;"><b>GOVERNING BOARD POLICY</b></p>	<p>POLICY TITLE: Copyright and Patent Compliance</p>
	<p>POLICY CODE: EGAD</p>

**District-Owned Copyrights and Patents**

All publications, articles, audio and/or visual materials, models, and other items produced with District time or money by a school employee(s) shall remain the property of the District and all rights of copyright and patent shall be retained by the District.

The District shall apply for copyrights and patents when deemed appropriate by the Superintendent's Office.

In the event an employee(s) produces items described above partly on his/her own time and partly on District time, the District reserves the right to claim full ownership. The employee(s), however, may petition the District for assignment of copyright or patent rights.

Within the petition the employee(s) shall furnish to the Superintendent full, complete, and prompt information and disclosure with respect to any such item. The Superintendent shall retain or waive and relinquish any copyright or patent interest in the item within ninety days after full disclosure is made by an employee(s). An employee(s) shall not attempt to copyright or patent any item described above without the knowledge and consent of the Superintendent.

**Limitations on Use of Copyrighted Material**

School equipment and personnel cannot be used for any printing work for P.T.A. or for professional, charitable, or character-building organizations. The only exception to this policy is when an individual school duplicates notices of the parent group meetings directly connected with a specific activity in the school.

The District does not condone violations of the United States copyright law. Subject to certain specific exceptions, 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.

An exception to the exclusive rights enjoyed by copyright owners is the doctrine of fair use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. All of the following factors shall be considered in determining fair use:

- The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes.
- The nature of the copyrighted work.
- The amount and importance of the portion used in relation to the copyrighted work as a whole.
- The effect of the use upon the potential market for, or value of, the copyrighted work.

A further exception shall be performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other similar place devoted to instruction.

Adopted: September 17, 1985

Revision: September 9, 2008 (numeric to letter format only)

Revision: July 28, 2009

**LEGAL REF.:** 17 U.S.C. 101 *et seq.*

**CROSS REF**

**Replaces TUSD Policy # 4340**