Board Policy 3720
“The District explicitly prohibits individuals from using its computer systems and networks to violate intellectual property and copyright laws.”

Fair Use of Copyrighted Materials
Copyright applies as soon as the material is produced; a copyright notice isn’t required. Copyright protection does include an exception for “fair use,” but it is limited. There are no clearcut legal requirements for fair use, but the law does include four factors (see full text below) that need to be considered. The first is the purpose of the use; this favors nonprofit or educational use, or use that transforms the work in some way. Second is the nature of the work. This factor favors use of factual or scientific items; use of creative works such as images is less likely to be considered fair. Next is the percentage of the work that you wish to use, although no specific percentage has been defined. Lastly is the effect on the market for the content. If the new use appeals to a different audience than the original, it’s more likely to be judged fair.

Other Sources of Content
Not all works are released under copyright. Works licensed under Creative Commons may be used in accordance with their licensing terms; works in the public domain may be freely used.

Creative Commons
Creative Commons is a copyright alternative that offers creators six options for licensing their work. These are: Attribution, CC BY, Attribution-ShareAlike, CC BY-SA, and Attribution-NoDerivs, CC BY-ND. Each of these, BY, BY-SA, and BY-ND, also exists in a non-commercial version.

- CC BY: works may be used or changed for any purpose as long as credit is given to the original creator.
- CC BY-SA: same as above, but also requires that the new work created has the same license.
- CC BY-ND: works may be used with credit, but not changed in any way.

You can search for Creative Commons content at http://search.creativecommons.org/ or by using the “usage rights” limiter in Google’s advanced image search.

Public Domain
The majority of works in the public domain are those published before 1923; however, there are some newer items as well. Some authors may choose to “dedicate” their works to the public domain. These works will be explicitly labeled as such. Works created by employees of the federal government are also public; this can include more recent content as well as some classic images like those created for the WPA during the Depression.
About copyright law:

From the U.S. Copyright Office (http://www.copyright.gov/fls/fl102.html):

The doctrine of fair use has developed through a substantial number of court decisions over the years and has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair.

1. The purpose and character of the use, including whether such use is of 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
4. The effect of the use upon the potential market for, or value of, the copyrighted work

Resources Used:

Fair Use Checklist prepared by the Indiana University Copyright Management Center: http://www.stayfreemagazine.org/ml/readings/fairuse_checklist.pdf

Copyright Guidelines & Resources at University of Louisville Libraries: http://louisville.edu/copyright