

MAS Copyrighted Materials Use Policy



Purpose

All MAS employees and students are required to comply with United States copyright laws when using materials not owned or licensed by MAS as part of their work or assignment responsibilities. Owners of copyrighted materials deserve credit for their work, and this concept is embedded in the United States Constitution and other federal laws. To that end, unless use is permitted under the guidelines of this policy, MAS employees and students must not copy or make use of copyrighted materials without first obtaining the appropriate permissions from the copyright holder or determining that the use is considered “fair use,” the material is in “public domain,” or that other exceptions apply.

Definitions:

Copyright – Authors of creative works have a legal right to their work and are protected from others using their work without permission. Authors have the exclusive right to reproduce, create new works from their originals, distribute copies, and to perform and display their work publicly.

Fair Use Doctrine – Under certain circumstances, others may be permitted to use copyrighted materials without permission. This doctrine, or exception to copyright protections, generally provides that it is not a violation of the copyright to use these materials for purposes of teaching, scholarship, or research with certain limitations.

Permitted use without permission:

- The school owns the materials or holds a license with permission to copy the materials. Employees should check the scope of the license for permission to duplicate, etc.;
- The use falls under the Fair Use exception as explained below;
- Materials that are considered “public domain,” *e.g., the copyright has expired, works created by the federal government (with some exceptions)*;
- The copyright holder has granted a creative commons license (may have some limitations).

Note: Do not assume that information found on the internet is for public use or reprint. Even if the material is not identified as copyrighted, *e.g., does not include the © symbol, the creator may claim a copyright.*

Fair Use Guidelines. Generally, when making a decision whether the use of copyright materials without permission is a “fair use” there are four factors to consider: (1) purpose of the use is for education, scholarship, research, news reporting, or criticism and commentary; (2) nature of the original work (*e.g., use of a factual work is more likely to be fair use than use of a creative work*); (3) portion of the work to be used, *e.g., a smaller portion of the work versus the whole thing*; (4) whether use would impact copyright holder’s potential market for the work; and (5) transformative use which means using the source work in a completely new or unexpected way, *e.g., parody*. Applying fair use as justification for not obtaining permission for copyrighted materials must be done in good faith and only after a critical assessment of the four factors stated above. Understand that each assessment is fact-based and there is no black and white test.

Some guidelines for printed materials include:

- Single copying for teachers:
 - one chapter from a book

continued

- one article from a periodical or newspaper
- a short story, short essay or short poem, whether or not from a collective work
- a charter, graph, diagram, drawing, cartoon, or picture from a book, periodical or newspaper
- Multiple copies for classroom use may not exceed for each activity more than one copy per pupil enrolled in the class and must:
 - not be part of the regular curriculum, rather used spontaneously;
 - be only a brief section of the copyrighted material;
 - include notice of copyright on each copy; and
 - is used to assist the existing curriculum.

Other types of media (documentaries, television shows, radio broadcasts, information from the internet, etc.) must each be analyzed using the factors stated above. Before recording, re-playing, or using media for your class, it is your responsibility to ascertain whether such use is a fair use or whether permission must be obtained.

The *Center for Media and Social Impact* website contains numerous best practices around fair use of various media.

<https://cmsimpact.org/code/documentary-filmmakers-statement-of-best-practices-in-fair-use/>

Documenting that you have reviewed the applicable code of best practices relevant to the creative material that you chose to incorporate into your educational activity, will support fair use of copyrighted material.

Copyright Ownership of Work Created by Employees. Inventions, innovations, works of authorship and their associated materials that are developed by a MAS employee when produced within the scope of the employee's employment or when using MAS-owned or MAS-controlled facilities or equipment are the property of MAS. Consequently, no employee should have an expectation of a copyright on materials produced while at work. If you have a specific question about whether you can claim a copyright on materials you have produced, please seek written clarification from the administration.

Adopted on: August 20, 2026

Last Reviewed/Revised: August 20, 2026