

Policy and Procedure

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Division/Department: Learning Resource and Technology Center

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Subject: Copyright

Authorities:

Federal Copyright Law (Title 17, United States Code); Minnesota State Statute (136F), MnSCU Board Policy (3.26 & 3.27)

Purpose: This policy is intended to guide Pine Technical College faculty, staff, and students in their use of copyrighted materials.

Policy:

Copyright owners of original works, regardless of the format of the work, have exclusive rights with respect to their creations. The College promotes the recognition and protection of these rights, including the rights of reproduction, preparation of derivative works, distribution, and performance. The College also recognizes that reproduction and use of original works in accordance with fair use limitations can further teaching, research, and public service.

Procedure:

Copyright Clearance

Employees and students are responsible for clearing copyright of materials before use. Every individual planning to use materials shall determine that the proposed use is lawful and does not infringe on the rights of the copyright owner. When permission from a copyright owner is obtained, a copy of the permission agreement shall be retained. Employees and students needing assistance with copyright clearance issues are advised to consult with the college or university intellectual property coordinator.

Fair Use

Certain limited use of copyrighted materials for teaching, criticism, commentary, reporting, scholarship, and research is considered a "fair use" and does not constitute an infringement of copyright. Copying for educational purposes is often considered a fair use, provided the person doing the copying has acted fairly and in good faith. Employees must determine whether the proposed use of the materials would be considered a "fair use" under copyright law.

Copyright Holders Rights

Copyright owners have certain exclusive rights. These include the right to reproduce their work; to distribute their work; to create derivative works; to publicly display their work; and to publicly perform their work. The copyright holder alone may use the work or grant permission to others to use the work.

Intellectual Property Coordinator

The College Librarian shall hold the role of the Intellectual Property Coordinator. College faculty and staff may seek advice from the intellectual property coordinators on a range of intellectual property issues including:

- whether a work is protected by copyright; whether and to what extent a work may be reproduced;
- how to go about obtaining permission to use a work;
- negotiating royalties, licenses and fees;
- the application of copyright law to distance education settings.

If the Intellectual Property Coordinator is not available, the Chief Information Officer may provide assistance.

Resources

Appendix A contains a variety of resources to assist you with copyright related issues.

Responsibilities:

It is the responsibility of all members of the College community to make a good faith determination that their use of copyrighted materials complies with the United States Copyright Law and MnSCU Copyright Policy.

The intellectual property coordinators shall maintain copies of permission authorizations received from copyright owners. The coordinators also shall serve as agents under the Digital Millennium Copyright Act for Minnesota State Colleges and Universities and shall immediately advise the presidents of such institutions if a notice of copyright infringement is received.

Dissemination:

Reviewed by Campus Roundtable: June 9, 2014

Reviewed by Faculty Shared Governance: May 7, 2014

Approved:

Robert Musgrove, Ph.D., President

Date