

4: Copyright Policy and Law

Students' Rights and Responsibilities

The unauthorized distribution of copyrighted material, including through peer-to-peer file sharing, may subject a student to criminal and civil penalties. The laws that govern copyright are not specific to any one technology. Students can violate the rights of a copyright holder using many different types of technology. Both uploading and downloading of files can pose a violation of the copyright law. Students should be cautious when obtaining any copyrighted material. As a rule of thumb, before a student receives anything for free, they should research whether that source provides material licensed by the copyright owner. A group called EDUCAUSE has a list of legal file sharing alternatives at <http://www.educause.edu/legalcontent>.

Unauthorized distribution or receipt of copyrighted material is a violation of University Business Policies and Procedures Manual 2500. That policy states that: “Users shall respect all copyrights including software copyrights...Use of University computing services in violation of applicable laws or University policy may result in sanctions, including withdrawal of use privilege; disciplinary action, up to and including, expulsion from the University.”

Faculty Rights and Responsibilities

If instructors and/or institutions wish to take advantage of the opportunities provided by the TEACH Act (The Technology, Education and **Copyright** Harmonization Act of 2002 is a section of an Act of the United States Congress.) for using copyrighted materials, they must reasonably:

- limit access to copyrighted works to students currently enrolled in the class;
- limit access only for the time needed to complete the class session or course;
- inform instructors, students, and staff of copyright laws and policies;
- prevent further copying or redistribution of copyrighted works; and
- not interfere with copy protection mechanisms

In terms of courses taught using our LMS, the University owns all of its courses and has the right to review the content of them. If University resources have been used in the development, or if the faculty member has been paid or given re-assigned time for development, the University owns the course materials.