

Appendix 3

Copyright Policy

The members of Hendrix College have all members of the College community adhere to the provisions of the United States Copyright Law (Title 17, United States Code, Section 101, et seq.). The following policies and guidelines constitute a manual for anyone at the College who is responsible, in some form or another, for the distribution of copyrighted materials, including, but not limited to, electronic, digital, computer-aided, and other materials that have been created or added in the past few years of media.

U.S. copyright law and related commentary are available in the Bailey Library Faculty Development Collection and on the Bailey Library website. For information about Copyright Policy, contact the Library Director who will seek advice or clarification from the Copyright Team or appropriate members of the Copyright Team. Members of the Copyright Team include the Library Director; Special Librarian; Public Service Librarian for Interlibrary Loan, Reference, and Government Documents; Library Media Center Director; Assistant Director of Information Technology/Academic Computing; Director of Student Activities; and the faculty representative elected from the Commission on Information and Instructional Resources. The CIIR representative for this Copyright Policy, and the Copyright Team will make specific policy recommendations to the CIIR. This Copyright Policy will be revised as needed. Like this, copyright materials in the Bailey Library Faculty Development Collection and on the Bailey Library website will be revised as needed.

Members of the College community who will disseminate this Copyright Policy assume all liability.

WHAT COPYRIGHT IS

Copyright is a form of legal protection for authors of original works, including literary, dramatic, musical, artistic, and other intellectual property. Publication is not essential for copyright protection, nor is the well-known symbol of the encircled "c". Section 106 of the Copyright Act (90 Stat 2541) generally gives the owner of copyright the **exclusive** right to do and to authorize the following:

Reproduce copies of the work.

Prepare derivative works based on the copyrighted work.

Distribute copies of the work by sale, rental, lease, or lending.

Publicly perform the work (if it is literary, musical, dramatic, choreographic, pictorial, or pantomime, motion picture, or audiovisual work).

Publicly display the work (if it is literary, musical, dramatic, choreographic, pictorial, graphic, or pictorial work--including the individual image of a film--or pantomime).

PRINTED MATERIALS

Works that May be Used Freely

Occasionally, certain public domain works, such as journal articles, include a notice offering the right to copy for educational purposes. Some categories of public domain are in the public domain (such as government documents); however, copying laws do not protect them. Once a work has entered the public domain, it is no longer eligible for copying protection.

PHOTOCOPYING

Printed Materials Other Than Music: What Quantity Conforms to the Law?

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Special Work: Certain books in poetry or prose in "poetic prose", which may combine language in hill, a line and which fall short of 2,500 words, may not be reproduced in their entirety. However, an excerpt comprising no more than 10% of the published page of a book, and containing no more than 10% of the words found in the text, may be reproduced.

Spontaneity

The copying of a line in verse and in prose of the individual in a collection.

The in prose and decision of the book and the moment of its release for maximum teaching effectiveness are a close in time that should be a reasonable expectation of a complete copy.

Cumulative Effect

The copying of the material for only one copy, if no more than one copy per person in the collection.

No more than one copy of a poem, article, or other material may be copied from the same author, no more than half from the same collection or periodical volume, in a volume.

The entire book may not be more than nine in a collection of multiple copies for one copy of a volume.

Course Packets

Copyright legislation in college academic work has focused on the "analogous", which are reproduced by a book and have a teaching potential may be reproduced for publication. Each article or chapter in a collection, if derived from copyrighted material, is a complete copy, either in a 1 Tf-o.02d

Multiple Copies of Classified (Non-Perforated) U.S. Government Documents may be made for a fee of 10% of the total cost and may be made for a fee of 10% of the total cost.

Package of Photocopied Material: See section above, "Copies of Packaged."

Photocopies Obtained Through Interlibrary Loan

Section 108(d) of the Copyright Law of 1976 specifies that a library may copy "no more than one article or one copy of a copyrighted collection of periodicals, or one or more articles or one copy of a copyrighted book." The copy must be for the use of the library, and it is limited to "private use, scholarship, or research."

In the Interlibrary Loan Act, the fee is defined in the aggregate by the "CONTU Guidelines", which cap the amount of photocopying the ILL office can charge for the College community in an academic year. The heart of the "Guidelines" is to allow the maximum number of photocopies to be made -- if it can be demonstrated that the photocopying is for a periodical which the library does not subscribe. The "CONTU Guidelines" are available in the Interlibrary Loan office. Individual photocopying in excess of the CONTU allowance may be requested on a separate fee schedule to obtain each copy commercially.

The Interlibrary Loan office is legally obligated to display prominently the following notice and to include the same on all electronic forms:

NOTICE

WARNING CONCERNING COPYRIGHT RESTRICTIONS

This notice is provided to you by the University of Southern California (USC) Library. It is intended to inform you of the copyright restrictions that apply to the use of the materials in this collection. The University of Southern California Library is not responsible for any copyright infringement that may occur as a result of the use of these materials. For more information, please contact the USC Library at (310) 743-2111.

Photocopy Machines

Electronic photocopy machines on campus may include effective signage in compliance with the following:

Notice: This notice is provided to you by the University of Southern California (USC) Library. It is intended to inform you of the copyright restrictions that apply to the use of the materials in this collection. The University of Southern California Library is not responsible for any copyright infringement that may occur as a result of the use of these materials. For more information, please contact the USC Library at (310) 743-2111.

How many photocopies of an item may be placed on reserve? Baile Lib a e e e
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a igned pho cop . I L

How many photocopied items are permitted on reserve for a course?

How many items from one source? The amo n of ma e ial ho ld be ea onable
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eaching activities of a non-profit educational institution, in a classroom or similar place devoted to instruction, namely, in the case of a motion picture or audio-visual work, the performance of the display of individual images in any means of a copy that has not been fully made...and has been performed on equipment that had not been fully made.

Additional copies of the Copyright Act and provisions of the House Report (94-1476) combine to provide the following, more detailed list of conditions:

The material be a part of the instructional program.

The material be shown, in connection with lecture, or in a face-to-face meeting with the student and teacher in the classroom or general area. The material be not otherwise available.

The material be neither in a classroom or school location devoted to instruction, nor a library, library, or audio-visual center.

The material be not a legally obtained (has not, nor illegally obtained) copy held by the copyright owner.

library,

Further, the material may be a film or video and the copyright owner may be a public library. Film or video, even in a "face-to-face" classroom setting, may be used for entertainment or recreation, has not been obtained in a legal manner.

face-to-face in 4 in the 8.58 section included. To minimize the BTETEMC/P (check) area in the 766(o)(1) (caption), however,

Use Outside the Classroom

Be identified in the classroom, the teacher and the student have a responsibility to the College maintain the best interest of the student, faculty or staff or in the marketplace, the copyright owner / for the performance of the 8.1 section of the CID 8.61-177 (end of 001) To obtain BTLa get it

Off-air recording may be made only **at the request** of an individual in accordance with **instructional** purposes, not for any other purpose.

The recording shall be the property of the donor, and the donor shall be responsible for its safekeeping and its return to the donor.

The recording may be made of a performance only in accordance with educational purposes, and shall be the property of the donor.

If the individual who records a performance, duplicates a copy for personal use; all copies shall be the property of the original recorder.

The off-air recording may be physically or electronically altered or combined with other material, but the donor shall be notified in writing.

All copies of off-air recordings shall include the copyright notice on the recording label.

The guidelines apply only to non-profit educational institutions, which are exempt from the provisions of the Copyright Act of 1976.

Certain public broadcasting services (Public Broadcasting Service, Public Television Library, and Agency for International Television) impose similar restrictions on their local broadcasting.

Network Distribution of Video

The College negotiates for closed-circuit distribution, if possible, then purchases or acquires all video materials for its own use. Where possible, the purchase of closed-circuit distribution, not the purchase of a video in a public library, is preferred.

SOUND RECORDINGS

Non-Music Recordings

Copies of recordings may be made for replacement recordings from a commercial source, but shall not be used for any other purpose. Recordings shall be made for personal use only.

Music Recordings

A single copy may be made for the purchase of a complete collection of recordings. Otherwise, the restriction on copying non-music recordings applies. The downloading of music and entertainment video may comply with the *Code of Copyright and Fair Use* in the faculty and student handbook.

SLIDES AND PHOTOGRAPHS

Violation of a professional integrity, including plagiarism, in a violation of professional standards, unethical and copyright violation, may be grounds for sanction against members of the academic community.