

Copyright Procedure	Procedure Number	9.1P
	Effective Date	December 12, 2005

1.0 PURPOSE

In accordance with Board Policy 9.1 Copyright, the purpose of this procedure is to articulate the process in which the College ensures compliance with copyright laws and issues.

2.0 REVISION HISTORY

Adopted on: 12/12/05
 Revised on: 03/20/12

3.0 PERSONS AFFECTED

This procedure applies to all students, faculty, staff, administrators, and other entities performing collaborative work or service for the College, whether compensated by the College or not.

4.0 DEFINITIONS


- A. *Archival Copy* – An original, kept in a restricted area, to be used as determined by the contract or license with the copyright owner. Usually refers to computer software and audio/video recordings.
- B. *Copyright* – A set of exclusive rights awarded to a copyright holder for an original and creative work of authorship fixed in a tangible medium of expression. It excludes others from doing any of the following activities to the work: reproduction (copying), distribution, modification, public performance and public display. Copyright also includes exemptions that permit a user of the copyright-protected work to exercise an exclusive right without authorization or royalty payment under certain conditions.
- C. *Fair Use* – The right to reasonably use copyrighted materials without the consent of the copyright owner, usually for scholarship, teaching, research, or criticism. There are four factors to consider in determining whether a particular “use” is “fair:”
 - 1) The purpose and character of the use, including whether such use is of a 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; and
 - 4) The effect of the use upon the potential market for or value of the copyrighted work.

The fact that a work is unpublished will not itself bar a finding of fair use, if such finding is made upon consideration of all the above factors.
- D. *Public Domain* – The realm of works not protected by copyright.

5.0 PROCEDURES

The federal copyright laws exist to “promote the useful arts and sciences” as well as to protect the ownership rights of copyright holders. Laramie County Community College will endeavor to take appropriate measures to ensure that its students, faculty and staff are aware of copyright laws, regulations and agreements and act responsibly as they use information which may be owned by others in the course of teaching, learning or administration of the College. This includes notification of copyright restrictions at point of use (such as copying machines) and periodic reminders to the college community of their responsibility.

- A. The College is responsible for upholding the principles of copyright. Institutional responsibilities include:
- 1) Informing and educating College employees about copyright and fair use.
 - 2) Maintaining a collection of resources about copyright in the library and on the College website.
 - 3) Providing students, faculty and staff with information which:
 - a) Describes and promotes compliance with copyright laws.
 - b) Provides notice that courseware material may be protected.
 - c) Sets forth institutional policies on copyright.
- B. Members of the college community are individually responsible for complying with current copyright law. Individual responsibilities include:
- 1) Learning about applicable copyright law and fair use.
 - 2) Making decisions about fair use utilizing recognized standards, in consultation with appropriate supervisors and administrators.
 - 3) Seeking permission for use of protected materials not meeting the criteria of fair use.
 - 4) Accountability for liability for willful infringement.
- C. For assistance with understanding or applying copyright procedures, employees and students may:
- 1) Consult the library director.
 - 2) Review the library’s website on copyright and printed resources available in the library.
 - 3) Consult their respective supervisor or administrator.

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s) Name(s)	Marlene Tignor, Instruction Vice President	1/4/11
Approval by President’s Cabinet		3/20/12
Approval by President (Signature)		3/20/12