

CCRI Policies on Copyright

(Approved by President's Council on 9/10/08)

In order to encourage compliance with federal copyright law by faculty, staff, and students at the Community College of Rhode Island, and to comply with the requirements of the Technology, Education, and Copyright Harmonization Act of 2002, the Community College of Rhode Island adopts the following policies:

1. The Community College of Rhode Island expects that all members of the college community (whether faculty, staff, or students) shall respect the proprietary rights of owners of copyrights given to those owners under the Copyright Laws of the United States, as found in Title 17, United States Code, Section 101 and following. Faculty, staff, and students are required by law to refrain from actions that constitute an infringement of copyright or other proprietary rights. Members of the college community should be aware that personal liability may result from actions that are deemed an infringement of the proprietary rights of others; and that faculty, staff, and students are expected to become familiar with copyright laws and to act in accordance therewith.
2. The Community College of Rhode Island shall maintain a section of its website that shall be devoted to providing information to the college community on copyright laws in general, the fair use exemption, the exemptions for face-to-face teaching and distance education, and other areas of copyright law for the purpose of promoting compliance at the Community College of Rhode Island with the laws of the United States relating to copyright.
3. The Information Technology Department of the Community College of Rhode Island shall provide faculty members involved in distance education with the means to establish reasonable controls that can be employed to prevent students from downloading and distributing the copyrighted material. This can be done by using technology, such as streaming video and streaming audio.
4. In using copyrighted materials for face-to-face teaching or for distance education, faculty members shall not knowingly use a copy of the material that is not lawfully made and acquired. If a faculty member does not know whether or not a copy of copyrighted material in his or her possession was lawfully made and acquired, then the faculty member shall refrain from using such material for educational purposes until its lawful origin can be reasonably established.
5. For distance education, copyrighted course materials should be accessible only to students in the course, for the duration of the course, through a secure, password protected course Website or through a password protected course management system (such as WebCT/BlackBoard Learning Systems).

6. For distance education, the instructor shall not make copyrighted material available to students unless a copyright notice appears on or in the copyrighted material involved, and the instructor shall post a notice to students on the home or opening page of the course that copyrighted work is being made available through the course and that students may not distribute or use the material outside of the course. An example of such a notice follows:

United States law governs the use of copyrighted material. These laws prohibit reproduction of the material for purposes other than the intended instructional purposes of this course. Other uses, including commercial use and any further electronic distribution of the material, may constitute copyright infringement.

7. For distance education, faculty are warned that there is no exemption under the copyright law for the use of works that were specifically produced for the purpose of educational use. Examples of such materials are electronic course packs and electronic textbooks provided by publishing companies. Faculty may use this type of material only in accord with the contracts or licenses entered into between the intellectual property holder and the user.
8. For distance education, under current copyright law faculty are advised that in the case of non-dramatic literary or musical works (e.g., an essay, a poem, or a song), the entire work may be transmitted in an online class session. Visual images that may be presented in a face-to-face class (e.g., a photograph or a painting) may also be transmitted online. However, copyright law only allows "reasonable and limited portions" of other works (e.g. a motion picture) to be presented online under the statutory exemption for distance education.

Prepared by Daniel J. Donovan, J.D. – February 2007 (revised 8/28/08)