



Policy Number: I.07
Policy Level: Operating Policy
Originally Issued: April 18, 2013
Revised: September 6, 2016
Policy Owner: President
Policy Implementation: Provost/VP of Academic Affairs

Copyright Compliance: Use of Copyrighted Materials

I. Policy Statement and Purpose

In accordance with Athens State University's educational mission, this policy establishes the standards related to the use of copyrighted materials by members of the University community.

This policy applies to:

- Faculty or staff members who may wish to use copyrighted materials in the development of course, research, or other University materials;
- Students who may wish to use copyrighted materials in the completion of course or program requirements;
- All members of the University community who use the University's computer networks and/or course/learning management systems.

The standards in this policy are comparable to practices at other institutions of higher education, and are aimed at achieving compliance with federal copyright law. Policies related to the ownership of intellectual property created by members of the University community can be found in the policy document *Intellectual Property: Ownership of Created Works*.

II. Compliance with Copyright Law

All students, staff, and faculty are expected to comply with federal copyright law. To achieve compliance, every member of the University community who plans to make use of copyrighted material is expected to be aware of the basic provisions of copyright law and the application of the law to individuals attending or employed by an institution of higher learning. **Lack of awareness of the law is not an adequate defense for violations of the law: all members of the University community who are considering using copyrighted works in any context are expected to consider the provisions of the law before using or distributing any copyrighted materials.**

In particular, since Athens State University is an institution whose primary mission is education, members of the University community are expected to take into account the "fair use" provisions of the federal Copyright Act, and how these provisions relate to the reproduction and use of any copyrighted work in an educational setting.

Individuals should also be aware of the provisions of the Technology, Education, and Copyright Harmonization (TEACH) Act, and the ramifications of this act on the performance and display of copyright-protected materials in the distance education environment, including display and use through the University's Learning Management System (LMS). **Students should be aware that any materials used in connection with a course on the University's LMS may be subject to copyright**



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protection, and should not be retained for purposes outside the course or further disseminated without permission.

Finally, all users of the University computer networks and systems should be aware that copying, distributing, and downloading copyrighted materials, including music, videos, and games, for which the user does not have permission, are violations of federal law. Federal law provides for severe civil and criminal penalties for unauthorized reproduction, distribution, or electronic/digital transmission of copyrighted materials. The University reserves the right to employ technology-based deterrents, including but not limited to traffic monitoring, accepting and responding to Digital Millennium Copyright Act (DMCA) notices, and commercial products designed to reduce or block illegal file sharing. The aim of these deterrents is to inhibit the unauthorized distribution of copyrighted material by users of the University's network without unduly interfering with educational and research use of the network.

The University has created the document *Guidelines for Copyright Compliance at Athens State University*, in order to provide additional information aimed at assisting students, staff, and faculty in achieving compliance with copyright laws. This document is available to all interested parties on the University's website – **members of the University community who are considering use of any copyrighted materials are strongly encouraged to review this document.**

III. Penalties for Violation of this Policy

In addition to any applicable civil or criminal penalties associated with violation of copyright law (see *Guidelines for Copyright Compliance at Athens State University* for a summary of civil and criminal penalties), faculty, staff and students found in violation of this policy may be subject to University sanctions or disciplinary actions. Students may be subject to sanctions under the *Student Code of Conduct and Disciplinary Procedures*, which may include, but are not limited to the following: official warnings, probation, loss of computer privileges, suspension, or expulsion. Faculty and staff found in violation of this policy may be subject to disciplinary actions that may include but are not limited to the following: official warnings or reprimands, reassignment, or termination.

IV. Responsibility for this Operating Policy

A. Policy Owner

As part of the initial approval of this policy by the President and subsequent to the original dissemination of the policy, the President remains the policy owner for the ongoing evaluation, review, and approval of this policy. Subsequent reviews and revisions to this policy must be in accordance with approved operating policy procedures and processes.

This policy will be reviewed every year or more frequently as needed.



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B. Responsibility for Policy Implementation

The President has assigned the responsibility of implementing this policy to the Provost/Vice President for Academic Affairs.