

VII-5.3 Policy on Use of Copyrighted Materials - UB

Approved by President Bogomolny November 30, 2010

I. PREAMBLE

Copyright laws and legislation are designed to balance the protection of the copyright holder and the ability of educational institutions to advance their teaching and learning. This policy is intended to govern faculty, staff and student use of copyrighted materials for their courses or for University-related activities and is informed by the fair use protections in the Copyright Act of 1976 [17 USC Section 107]¹, and the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002 [17 USC Section 110 (2)], which addresses copyright protections within the realm of online education.

II. POLICY

It is the policy of the University of Baltimore that all questions regarding the use of copyrighted material shall be resolved before it may be used in authorized University activities. Individual faculty, staff, and/or students are responsible for obtaining permissions to copy or make available online any copyrighted materials, including but not limited to literary works, computer programs, audiovisual works, sound recordings, musical works, and pictorial, graphic or sculptural works.

The University expects that the requestor shall have written permission from the copyright holder prior to use in all cases that do not fall within the bounds of Copyright Act of 1976 [17 USC Section 106 et seq.], the Digital Millennium Copyright Act of 1998 [17 USC Section 1201 et seq.], and the Technology, Education, and Copyright Harmonization (TEACH) Act of 2002 [17 USC Section 110 (2)].

Langsdale Library can request copyright permissions from the Copyright Clearance Center for items placed on course reserves where applicable. Faculty who are interested in bundling course materials for sale as texts must obtain permission through a general clearance service such as the [Copyright Clearance Center](#) or work with the campus bookstore to acquire publisher permissions and package materials for sale.

UB faculty members are responsible for adhering to the copyright policy regardless of the source of material. The University expects that faculty will be cognizant of this policy and relevant laws and legislation when assigning course materials and that students will be aware of the policy when they are sharing materials as part of their academic work.

For more information about copyright law and acceptable educational uses, please visit Langsdale Library's copyright pages at: <http://langsdale.ubalt.edu/research-help/copyright/>. These pages provide an overview of fair use and copyright laws as well as offer answers to frequently asked questions. Please contact Langsdale Library at langref@ubalt.edu or the Law Library at reflaw@ubalt.edu for specific questions.

¹These fair use exceptions allow for reproductions of materials in educational settings for the purposes of discussion, criticism, teaching and scholarship. Determination of fair use generally falls on four factors: the purpose of the use (commercial or non-profit), the nature of the work used (creative or factual), the amount used in proportion to the work as a whole, and the market effect of the use. Educational uses of small amounts of copyrighted works with no negative market effect often fall within fair use exceptions.