

## Copyright Policy

Summit Christian College seeks to protect the rights of the owners of all copyrighted material and uphold all copyright laws. This policy, therefore, establishes the *Fair Use* of copyrighted material by College personnel, students, and all others who would have access to or use copyrighted materials as a part of their relationship with Summit Christian College.

This policy addresses all copyrighted material in paper, digital, and all other formats. This policy covers materials used in the classroom, placed on the website, or used in any public performance. This policy does not cover material that is in the public domain or not protected by copyright. However, material should be treated as copyrighted unless there is clear verification that it is not.

This policy does not set aside or diminish the Institution's Academic Integrity Policy or Computer Network Internet Policy. Consequently, all students are still subject to the above policies even if they have not violated copyright law.

Examples of copyrighted material include, but are not limited, to the following:

1. Literary and musical works,
2. Computer software,
3. Photographs, graphics, and artwork,
4. Architectural works,
5. Sound and audiovisual recordings.

For more information about copyright laws and Fair Use guidelines, please see the United States Copyright Law, Title 17, U.S. Code, 1976 and Fair Use of Guidelines of 1997.

**Fair Use Guidelines.** Those desiring to copy or distribute copyrighted material must get permission from the copyright holder before using it unless its usage falls under Fair Use guidelines. In determining if a use is fair, the following factors must be considered.

1. The purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes. Even if its use is for non-profit educational purposes, users should not assume they have the right to make copies if the usage would keep copyright owners from receiving their rights. For example, a professor should not make photocopies of a textbook or a large portion of a textbook, for in doing so, the copyright holder does not receive any financial benefit that may have come through the purchase of the textbook (See factor 4).
2. The nature of the copyrighted work, with special consideration given to the intended purpose of the work. For example, copying materials for the classroom that were originally developed for educational purposes is less likely to be a fair use of the materials than copying materials that were intended for public consumption.
3. The amount and substantiality of a portion used in relation to the copyrighted work as a whole. This factor addresses both the proportion of the work that is copied as well as the significance of the copied portion. Frequently, copyright owners stipulate the amount of a work that may be copied without receiving permission.
4. The effect of the use upon the potential market for, or value of, the copyrighted work. This factor is the most critical one in determining fair use and serves as the basic principle for understanding the previous three factors. If the reproduction of a copyrighted work reduces the potential sale, and therefore, the potential profit of the copyright owner, the use should not be considered fair use.

**Copyrighted Materials in Student Work.** As students complete course assignments, they may be required to access and include copyrighted materials. When completing research and other assignments that would be submitted to the professor without any broader publication or dissemination, student work must adhere to Summit Christian College's Academic Integrity policy. When students complete assignments with a wider dissemination, they must adhere to the copyright policy.

**Copyrighted Materials in Instructional Use.** In addition to the Fair Use guidelines, faculty and students should adhere to following guidelines when using copyrighted materials for instructional purposes.

1. The distribution of the same photocopied materials should not occur every semester.
2. Only one copy is to be distributed to each student, which must become the student's property which the student cannot distribute or sell.
3. The materials must include a copyright notice on the first page of the portion of material photocopied.
4. Students cannot be assessed any fee beyond the actual cost of photocopying.
5. The amount of material should be reasonable in relation to the total amount of material assigned for one term of a course.
6. The effect of copying the material should not be detrimental to the market for the work.
7. Whenever possible, ensure that the library does own at least one copy of the work.

Faculty desiring to create course packs or use copyrighted material in the same course each semester should consider the following.

1. Take advantage of a vendor that clears copyright legally.
2. If you go directly to the copyright owner to receive permission, keep copies of the permission agreements, and include the permission on the first page of the material.
3. Normally, permission is given for use in a course for a semester. If possible, try to get permission for the course without a semester limit. If permission does include a semester limit, ensure that you secure permission prior to teaching the course each semester.
4. When feasible and advantageous, consider having the students purchase a copy of the materials.

**Copyrighted Audio and Audiovisual Media.** Users must secure public performance rights prior to showing copyrighted work on campus, unless the work was purchased with public performance rights attached. The exception to this requirement is when the work is used in the classroom setting. The classroom setting extends to all courses listed in the academic catalog and orientation classes. When showing copyrighted material in the classroom setting, the following guidelines must be observed.

1. The use must be by instructors or by students.
2. The use is a part of the curriculum for a specific course and is confined to the members in the course or teaching activity.
3. The showing takes place in a classroom or other instructional venue.
4. The material shown is a legal copy that has been legally procured.