



Title:	Copyright and Intellectual Property
Effective Date:	10/19/2015
Last Revision Date:	N/A
Office:	Library Services

Copyright and Intellectual Property

Purpose

Northshore Technical Community College (NTCC) expects all students and employees to comply with applicable federal laws governing copyrighted materials which grant authors, publishers, and creators control over the copying, distribution, transmission and performance of their original works.

Background and Scope

All educational institutions have an obligation to uphold the copyright laws that govern the creation and Fair Use of all copyrighted materials; therefore, this policy applies to all NTCC employees and students. The policy also applies to non-employees who may be authorized to use any State resources at any NTCC facility. The principles of this policy extend to, and include, any use of College resources, regardless of its location. Access to information resources, the sharing of information, and the security of the intellectual products of the community all require that each and every user accept responsibility to protect the rights of the community.

Definitions

- A. **“Copyright** is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of ‘original works of authorship,’ including literary, dramatic, musical, artistic, and certain other intellectual works. “Copyright Basics. (2012, May 31). Retrieved September 17, 2015, from <http://copyright.gov/circs/circ01.pdf>.
- B. **Fair Use** - In Title 17, U.S. Code, Section 107 of the Copyright law, it explains the four factors that can be used to consider whether or not fair use is applied in the use of the copyrighted material. The four factors are:
1. The purpose and character of the use – which includes whether it is being used for commercial reasons or for non-profit educational purposes
 2. The nature of the work (a creative piece or more factual information)
 3. The amount of the work used in relation to the entirety of the work
 4. What kind of effect the use of the work will have on the market value of the work



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Examples and further explanation of Fair Use is available online at the U.S. Copyright Office's website: <http://www.copyright.gov/fls/fl102.html>. Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code. (2011, December 1). Retrieved September 17, 2015, from <http://copyright.gov/title17/circ92.pdf>.

Policy

Northshore Technical Community College recognizes the importance of the Fair Use doctrine (section 107 of the U.S. Code Title 17 on Copyright) and its responsibility to provide information and guidance in support of teaching and learning.

To that end, the College shall:

- Inform its employees about the application of the four factors governing fair use.
- Develop and make available resources related to copyright and fair use.
- Provide notice to students that materials used in connection with courses may be subject to copyright protection.
- Assist employees in obtaining permission to use copyrighted materials. Employees are responsible for maintaining their own records involving written permissions.
- Impose sanctions in compliance with employee and student discipline policies.

Intellectual Property and Ownership:

- The ownership of any materials, processes, or inventions developed solely by an employee's individual effort and expense shall vest in the employee and be copyrighted or patented, if at all, in his/her name.
- The ownership of materials, processes, or inventions produced solely for the College and at College expense shall vest in the College and be copyrighted or patented, if at all, in the name of the College.
- In those instances where materials, processes, or inventions are produced by an employee with College support, by way of use of significant personnel, time, facilities or other College resources, the ownership of the materials, processes or inventions shall vest in (and be copyrighted or patented by, if at all) the person designated by written agreement between the parties entered into prior to the production. In the event there is no such written agreement entered into, the ownership shall vest in the College.



Procedure

A. General Education and Awareness

The implementation of this policy will be augmented by an education and awareness campaign that may include but is not limited to:

- Notification to prospective and current students in both print and/or electronic format
- Notification to all incoming students at all orientation programs
- Training of all supervisors on their governance responsibilities related to this policy prior to implementation of policy
- Notification to new staff/faculty hires through new employee orientation
- A copyright statement will be signed by all current and new employees
- Posting of policy on appropriate web sites
- Involvement of the Student Government Association
- Meetings conducted with key departments, programs, etc.
- Informational meetings, postings, and e-mail notification
- Publication of policy in Faculty/Staff Handbook and Student Code of Conduct
- Each faculty member and class advisor shall be encouraged to explain the College copyright policy at the beginning of each class term during the first year of implementation
- The library will maintain a LibGuide webpage dedicated to disseminating information regarding copyright law, fair use and related issues

B. Permanent Visual Communication of Policy

Signs bearing this copyright policy will be posted in the library as well as in areas where copying and printing take place on campus.

Compliance

It is the responsibility of all members of the NTCC community to comply with the Copyright and Intellectual Property Policy as with all other college policies. Members of our campus community are empowered and expected to professionally and respectfully inform others about the policy in an ongoing effort to enhance awareness and encourage compliance. Furthermore, employees and student leaders are expected to serve as role models for the entire campus community. Violations of the policy will be handled in a manner that is consistent with college procedures.



Reference:

RELEVANT LAWS AND OTHER RESOURCES

[Copyright Law of the United States](#)

[Everett Community College EVCC 4010 Copyright and Intellectual Property Policy](#) (This policy based on EVCC 4010 and used with permission of EVCC Copyright Officer)

Policy Reference: LCTCS Policy #I.1.042

Review Process:

X	Reviewing Entity	Review Date	Effective Date
X	NTCC Chancellor/Appointing Authority	10/19/2015	10/19/2015
X	College Leadership Committee	10/19/2015	10/19/2015
X	Academic Affairs Committee	10/19/2015	10/19/2015

Distribution:

Distributed Electronically via College's Internet
All Employee Email Dated 10/19/2015