

Centenary University Copyright Policy

- United States copyright law governs the making of photocopies or other reproductions of copyrighted material. It is Centenary policy to comply with the requirements of the copyright law, and Centenary expects all members of the University community to abide by such law. Copyright infringement is a violation of this policy and can result in the imposition of discipline under the Campus Code of Conduct and the Academic Code of Conduct as well as human resources policies.
- The copying of a copyrighted work by any means (*e.g.*, photocopying, scanning, digitizing, ripping, etc.) constitutes reproduction that is governed by copyright law. Except as may be set forth below, such reproduction may require the permission of the owner of the copyright.
- No one should use content consisting of copyrighted works or portions of such works in either hard copy or electronic form without first either:
 - obtaining the permission of the copyright owner or
 - concluding after reasonable inquiry, with the benefit of resources made available by the University for these purposes, including the attached Checklist, that the use qualifies as a fair use or other exempt or licensed use for which permission is not required.
- Permission may be required for the use of copyrighted material even when such material is:
 - available on the internet;
 - being used in a course for the first time; or
 - characterized for purposes of course use as optional, supplemental, or ancillary reading material, rather as required, assigned, or recommended reading material.
- The copyright principles that apply to the use of copyrighted works in electronic environments are the same as those that apply to such use in paper environments. Any use of copyrighted electronic material that would require permission from the copyright owner if the materials were part of printed material likewise requires the copyright owner's permission when made available in electronic format.
- Fair use is a longstanding doctrine, embodied in Section 107 of the Copyright Act, which recognizes the importance of accessing, using, and building upon copyrighted works in the

context of teaching, research, and scholarship. The law establishes a zone of “fair use” protection for copying or disseminating copyrighted works without obtaining permission from the copyright owner under certain circumstances. The copyright statute provides a framework for deciding whether a particular use is a “fair use”. The “fair use” analysis, whether in the paper or electronic environment, includes the following factors:

- the purpose and character of the use;
 - the nature of the copyrighted work;
 - the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - the effect of the use upon the potential market for or value of the copyrighted work.
- See the attached Checklist for help in determining whether fair use may be applicable to any planned use of copyrighted materials.
 - To the extent technologically feasible, instructors should use passwords, ID numbers, or other appropriate means to limit access to copyrighted electronic course content to students enrolled in the course or other individuals requiring access to the course material for purposes of conducting the course. The availability of such content to students should terminate when the students have completed the course. IT provides support for implementing these features in the classroom management system.
 - It is preferable to link to materials already legally available at another site rather than scanning or making a digital copy.
 - Copies of copyrighted works, regardless of their format, should include proper attribution and copyright notices.
 - Instructors should not direct or encourage students to print unauthorized copies of course content. Students seeking information about how to make or acquire personal copies for purposes of private study, scholarship, or research should be directed to consult available resources.
 - **Questions regarding this Policy may be directed to the Chief Operating Officer.**