

COPYRIGHT POLICY

Policy Statement/Purpose

This Copyright policy promotes the aim to protect both the American University of Leadership's commitment to uphold the principles of intellectual property as embodied in U.S. copyright law, and of protecting the rights of its faculty and to make appropriate and limited use of copyrighted works for legitimate educational purposes. Our Policy encourages the distribution of intellectual property and the proper use of copyrighted works.

This policy applies to all University personnel, including faculty and staff and students, who seek to make use of copyrighted works, whether in print, electronic or other form, in performing teaching or other University responsibilities.

Policy procedures

Applicability

Compliance with University policies, including this policy, is a condition of employment, enrollment, engaging in research at the University, or contracting to undertake work on the University's behalf. This policy applies to any copyrighted work fixed in a tangible medium on or after September 1, 2010.

Copyright

Under federal copyright law, a copyright exists in "original works of authorship" that are fixed in a tangible medium of expression for more than a transitory duration from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or a device.

In contrast to a patent, which protects a "concept" or "idea" a copyright covers the "expression" in particular the literary work, musical work, computer program, video, motion picture, sound recording, photograph, sculpture, pantomime, etc. or in which the "expression" is embodied, illustrated, or explained.

As provided in copyright law, a copyright owner has the exclusive right to reproduce the work, prepare derivative works, distribute the work by sale, license or otherwise, and publicly display or publicly perform the work. For an individual author, copyright protection for a work extends for the author's life plus 70 years. For employers, copyright protection for a work extends 95 years from the date of publication.

The Legal Default for Copyright Ownership

Under federal copyright law, ownership of the copyright to any work authored by an EMPLOYEE within the scope of his or her employment, including SCHOLARLY WORKS, initially vests in the employer as a "work made for hire." A "work made for hire" can include

other specially ordered works if the parties agree in writing. If a work was not authored within the scope of employment, the University does not hold copyright in that work unless the copyright has been transferred legally to the University by written assignment or other process of law.

University-Owned Works

For purposes of clarification, American University of Leadership is the legal entity capable of holding copyright.

Course Reserves Procedures

Materials may be placed on reserve through the University library only in accordance with this policy. Faculty members, instructors or other authorized personnel should carefully review any copyrighted material to be used and determine whether they need to seek permission from the copyright owner. Materials will not be put on course reserves without the copyright owner's permission unless the fair use factors are met, or unless some other legal exception to the permission requirement applies.

The following rules also apply:

- All use of materials placed on electronic reserves will be at the initiative of faculty solely for the non-commercial, educational use of students.
- Materials to be copied or scanned for electronic reserves will be in legal possession by the library or the faculty member (by purchase, license, fair use, etc.).
- There will be no charge for access. The charge for copies made by students will be limited to the nominal cost of photocopies or prints.
- Any copyright notice on the original material must be included in the material copied or scanned. Appropriate citations and attributions to source must also be included.
- When possible links to sites where material already is legally available (e.g., article databases) will be used instead of scanning or making a digital copy.

To the extent applicable and feasible, use of copyrighted materials on class web pages, in course packs, or otherwise outside the course reserve system should follow the above rules.

Contacts

Questions about copyright, Fair Use, or this policy may be addressed to the Operational Office at American University of Leadership.