

**Effective Date** Friday, November 16, 2018

**Status** Final

**Policy Type** [University](#)

**Contact Office** [Executive Vice President and Chief Operating Officer \(Office of the\)](#)

**Oversight Executive**

Executive Vice President and Chief Operating Officer

**Applies To** Academic Division, Medical Center, and the College at Wise.

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## **Reason for Policy**

The University recognizes the need to articulate Copyright law requirements to its faculty, staff, and students in order to comply with the Copyright Act (Title 17 U.S.C.).

## **Definition of Terms**

### **Copyright**

#### **Description**

A form of protection provided by the laws of the United States to “original works of authorship” including literary, dramatic, musical, artistic, and certain other intellectual works, whereby copyright owners may claim, for a limited time, certain exclusive rights to specified works. This protection is available to both published and unpublished works and gives the copyright owner the exclusive right to reproduce, distribute, sell, perform, display, or prepare derivatives of the work, and to protect a copyright against infringement. Copyright protection does not extend to an idea, procedure, process, slogan, principle, or discovery.

#### **Policy Statement**

It is the policy of the University to respect the protections given by federal law to owners of copyrightable subject matter (“Copyright-Protected Materials”). It is against University policy for faculty, staff, or students to use University equipment, services, or facilities to access, use, copy, reproduce, distribute, or display Copyright-Protected Materials except as permitted under copyright law.

Applying the legal principle of “fair use” or other exemptions under the Copyright Act which protects many teaching and learning activities, obtaining the permission of the copyright holder, or acquiring appropriate rights in Copyright-Protected Materials, are ways to address the federal copyright requirements. It is the individual responsibility of faculty, staff, and students to comply with this policy in all University programs and activities and in use of all University equipment, services, or facilities. The University Library and University Information

Technology Services provide copyright guidance and information resources. The Office of University Counsel provides legal advice concerning copyright law.

Copyright-Protected Materials include software, library holdings, audio and audio-visual works, and other technology and information resources provided through the University for use by faculty, staff, and students. Such materials must be used consistent with the licenses that have been entered into by the University.

Special requirements apply to public performance of motion pictures, films, songs, and videos. Federal law grants copyright owners the exclusive right to perform motion pictures in any “place open to the public or at any place where a substantial number of persons outside a normal circle of a family and its social acquaintances is gathered” (United States Code, Title 17, Section 101). Students should be aware that dormitories and meeting places may also be “public” places. Further information regarding the showing of motion pictures or films, or public performance of music, on University property, can be obtained by contacting Event Management (Student Affairs) on the fourth floor of Newcomb Hall at (434) 924-7225.

**Compliance with Policy:**

Under federal law, violations of copyright law may result in civil and criminal penalties, including imprisonment. The University regards violation of its Copyright policy as a serious matter. Any such violation is without its consent and is subject to appropriate disciplinary action or sanction ranging from loss of access to the relevant University services, resources, or property (including computing privileges) to dismissal or removal from the University as determined by applicable employment or student disciplinary policies.

Questions about this policy should be directed to the [Office of the Executive Vice President and Chief Operating Officer](#).

**Related Information**

[IRM-002: Acceptable Use of the University’s Information Technology Resources](#)

[RES-001: Ownership Right in Copyrightable Material](#)

[Copyright and Scholarly Communication Resources](#)

[Copyrights of Digital Materials and Software Standard](#)

For policies related to computer use, consult the [Information Policy Library](#)

**Major Category** [Governance](#)

**Next Scheduled Review** Tuesday, November 16, 2021

**Supersedes Policy Text**

Copyright Laws (Undergraduate Record)

**Approved By** Policy Review Committee

**Approved Date** Friday, November 16, 2018