PURPOSE

The purpose of this general order is to ensure that employees of A.T. Still University of Health Sciences (ATSU) follow copyright laws, as from time to time are enacted. This policy sets out the general guidelines for copying and use of copied materials and represents a sincere effort to function within the law.

POLICY

A. The fair use doctrine allows copying in certain instances without permission from or payment to the copyright owner. It is fair use to reproduce copyrighted materials for purposes of criticism, comment, news reporting, teaching, scholarship, or research. Four criteria must be applied in judgment whether or not there has been an infringement:
   1. The purpose and character of the use (commercial or educational).
   2. The nature of the copyrighted work (textbook, workbook, tests, poetry, novel, music).
   3. The amount and substantiality of the portion used in relation to the work as a whole. (How much is being copied? How important is the copied portion to the entire work? How many copies are being made?)
   4. The effect of the use on the value of or potential market for the work. (Will the owner suffer unreasonable financial loss?)

B. Under certain conditions libraries and archives are authorized to furnish a photocopy or other reproduction. One of the required conditions for producing the photocopy or reproduction prohibits the "use for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement. ATSU reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.
   1. The library shall retain a record of all materials requested for a period of five years.
   2. All departments requesting and obtaining copyright permission shall retain a record of all requests and responses.

C. ATSU employees must utilize the same copyright guidelines as practiced by the A. T. Still Memorial Library and the academic technologies department. These copyright guidelines give specific information regarding 1) the copying of classroom materials, 2) photocopying of library materials, 3) computer program copying, 4) obtaining permission to use copyrighted materials, 5) recording broadcast programs, 6) duplication of commercial videotapes, 7) duplication of slides from printed material, and 8) duplication of commercial slides. Copies of the guidelines are available in the library and academic technologies department.

D. Appropriate notices shall be placed on or near equipment intended for public use capable of making copies of copyrighted materials.
RESPONSIBILITY

A. It is the responsibility of each employee to follow the guidelines that have been written for copying of materials.
B. It is the responsibility of the department filling requests for use and copying of copyrighted materials to follow the guidelines.