

Copyright – Frequently Asked Questions

Disclaimer: The following information is intended to offer faculty a quick guide to copyright and is not intended as counsel or legal advice. As a service to the college, we are providing answers to basic information and questions commonly asked by our faculty. Faculty are ultimately responsible for obtaining copyright permissions and clearances for all materials used in your courses. Please contact jc.marvin@cba.ufl.edu (ITSP) for more information. This document has been provided by the [Information Technology Support Programs](#) and the information below has been generated from the University's [Copyright FAQ](#).

University of Florida Support, Policies, and Contact Information

Is there someone in the University who can help me with general questions about copyright as applied to use of materials in a course?

[Office of the Vice President and General Counsel website](#)

General Counsel's Office:

123 Tigert Hall
P.O. Box 113125
Gainesville, FL 32611-3125
Phone: 352-392-1358
Suncom: 622-1358
Fax: 352-392-4387
Suncom: 622-4387

Does UF have a Copyright FAQ?

Please see [Copyright FAQs](#) (PDF).

What are the University's policies regarding copyright?

The University of Florida does have additional policies related to copyright. Each of these policies can be found within UF's [Copyright FAQs](#) (PDF).

Where can I find information about copyright law?

www.copyright.gov/help/faq/

Copyright in the Classroom

Is there someone in the College who can help me with general questions about copyright as applied to use of materials in a course?

JC Marvin: 273-3226, jc.marvin@cba.ufl.edu

Fair Use Doctrine

Developed from federal copyright law, this doctrine provides some limits to an author's exclusive control of a copyrighted work. As instructors, using copyrighted materials in a classroom is *likely* to be considered fair use.

Consider the following when using copyrighted materials in your classroom:

1. If you use the same copyrighted materials every semester as part of your curriculum and/or is an integral component in your course curriculum, you should consider obtaining permission as soon as it is feasible
2. Copyrighted material should be distributed only to your students and avoid public access to these materials. Suggestions for distribution:
 - a. Posting within a class website (WebCT Vista / eLearning)
 - b. Distribute or present during class
3. Copies and presentation of copyrighted works should include acknowledgment of the author

What can be copied and how much of the content?

1. Articles, charts, graphs, pictures, and chapters in a book (never the entire book)
2. Audio, DVDs, VHS, etc – You will need to own the work
3. Copies should contain no more than two pages or 10 percent, whichever is less, for special works

What should you avoid?

1. Distributing the same copyrighted materials semester after semester (permission will be required from the publisher)
2. Distributing copyrighted materials that substitute for the purchase of the materials. Consider having students buy materials when commercially available or available in libraries.

TEACH Act of 2002

The TEACH Act (2002) is an extension of copyright law as it applies to digital technology in education institutions. This flexibility allows copyrighted materials to be used in distance learning when it is an integral part of the classroom experience. The act **permits** instructors to use certain copyrighted materials (including but not limited to print, still images, audio recordings, video recordings, diagrams, charts, and graphs) during online instruction without obtaining permission from or paying royalties to the copyright owners.

The act also **grants** the right to digitize portions of an analog work for use in an online course, if a digital version is not available. (if it exists in digital format, the digital format must be obtained and used.) Further, the instructor may store

digitized copyrighted materials on a secure server for the duration of the instructional activity. (WCBA's course servers are secure.)

The act also **requires instructors to:**

(1) Inform online students that:

- Some course materials are copyrighted
- They cannot save these materials to their computers
- They cannot alter or revise the materials
- They cannot copy or distribute the materials

(This can be done by placing an announcement on the course Website.)

(2) Take reasonable action to ensure that course materials are accessed only by enrolled students, TAs, mentors, tutors, instructors, and site administrators., and that users must have a login and password to access online instructional materials. (WCBA's class websites meet this criteria.)

The act **prohibits instructors from** using copyrighted digitized materials developed and marketed specifically for instructional activities, unless proper permission or licensing is obtained.

Can I Make Copies of Movies and Music?

You are allowed to make copies of movies and audio media (CD, DVD, VHS, etc) that you already **own** up to 10% of the work. Copying media from rental stores or the library is illegal.

Can I use web pages, articles, or multimedia found on the web?

If the web page or media material is publicly available, provide a web link within your course materials or class website to the host. If the information is not public, contact the owners of the copyrighted materials for permission. It is always best to contact the [Office of the Vice President and General Counsel](#) if you have any questions.