

Faculty Council Agenda

October 9, 1998

Recommendations of the UNC-CH Copyright Committee

For the past two decades prices paid by academic libraries for scientific journals have increased at roughly three times the rate of inflation, owing largely to monopolistic practices by large, for-profit publishers. In essence, faculty give away copyright to their scholarly work in exchange for publication of that work, and universities buy that work back at extraordinarily high prices. The resulting crisis in library funding has led to numerous efforts to develop new models for scholarly publication wherein the rights associated with copyright ownership would be managed to protect the universities from unreasonable prices and to preserve for the faculty certain rights to use and distribute their work. The UNC Copyright Committee was formed by the Provost to examine models for copyright ownership proposed in 1994 by the Task Force on Intellectual Property Rights in an Electronic Environment, sponsored by the Association of American Universities, and to investigate other issues related to copyright policy of importance to the University.

Much has happened since the 1994 Task Force Report was released. In particular, the development and maturation of digital communication has created a host of new issues with respect to both ownership and use of copyrighted material. Class and faculty Websites, distance learning, and multimedia instruction are among the developments that present a bewildering set of legal issues about which faculty and staff are at best poorly informed and with respect to which the University is exposed to potential litigation. The Committee examined these issues in detail.

The final report of the Copyright Committee contains 14 specific recommendations. Six of these recommendations appear appropriate for endorsement or approval by the Faculty Council and specific action items are attached for each of these. In short the proposed actions are:

1. Endorsement of proposed University principles with respect to fair use.
2. Recommendation of endorsement by the University of the National Humanities Alliance principles for managing intellectual property in the digital environment.
3. Endorsement of the proposal to establish a University Office of Scholarly Communication.
4. Endorsement of the proposal to establish a Standing Committee on Copyright
5. Endorsement of the proposed University Copyright use policy for faculty, staff and students .
6. Endorsement of the proposed University policy on multi-institutional initiatives on copyright ownership

The final report of the Copyright Committee can be found in full at <http://www.unc.edu/faculty/faccoun/reports/copyright2.pdf>.

Resolutions embodying action on items 3 and 4 will be considered by the Faculty Council at its October 9, 1998, meeting. The remaining items have been tentatively scheduled for consideration at the November 6, 1998, meeting. Documents relating to all items will be found on the Faculty web site.