

REPORT TO FACULTY COUNCIL

COMMITTEE ON COPYRIGHT

January, 2001

The Copyright Committee, created as a result of a Faculty Council resolution, is now in its second year. The primary focus for the year has been responding to the June, 2000 report of the Task Force on Intellectual Property created by the General Administration and the subsequent adoption of the system-wide copyright policy.

Five members of this committee served on the task force (although one represented North Carolina State University at that time). The report included a recommended copyright use and ownership policy for the UNC system which was adopted with some changes by the Board of Governors on November 10, 2000 and was effective immediately. The thrust of the new policy is that faculty continue to own copyright in their scholarly and creative works, except for works in certain defined categories: "sponsored works," "directed works," and "works involving the exceptional use of institutional resources." A copy of the BOG resolution and policy is appended.

The Committee drafted a response for the Chancellor to proposals for changing the pending policy from North Carolina State University and more recently worked on preparing a response to a checklist of items from the President to which each chancellor in the system had to respond on issues in which there was campus flexibility. A copy of Chancellor Moeser's response to the President is also attached.

The remainder of this year the Committee will focus attention on how to merge the campus copyright use policy adopted by the Faculty Council in 1998 with the UNC policy. There are no major areas of conflict, but there are areas in which the campus policy will need to be expanded. The second activity will be to plan educational efforts for faculty and staff about the new policy.

Members of the Committee have met with the Faculty Information Technology Advisory Committee to discuss the new policy and to begin to explain its implications. A series of such meetings, publications and the like are needed to further this effort. Finally, the Committee continues to believe strongly that the creation of an Office of Scholarly Communications with an attorney at its head, as called for in resolution 98-12, adopted October 9, 1998, is critical to this campus and to members of the faculty, staff and student body.

Resolution 98-12. Endorsing Creation of an Office of Scholarly Communication.

The Faculty Council resolves:

The Faculty Council recommends the establishment of an Office of Scholarly Communication. Its purpose should be to support the University's teaching,

research, and service missions in matters related to the creation, dissemination, and use of scholarly information. The Office should assist members of the University community in dealing with copyright issues that arise in the course of creating original work and in the use of existing copyrighted works for teaching, research, and service, and should offer legal advice when appropriate. The director of the Office should be a licensed North Carolina attorney reporting jointly to the associate provost for university libraries and the university counsel.

Attachments: 2