

**2008-2009 ANNUAL REPORT OF
THE UNIVERSITY COMMITTEE ON COPYRIGHT
TO THE FACULTY COUNCIL**

March 20, 2009

Members: Tyler Curtain (2010), Robert S. Dalton (2009), Leah McGinnis Dunn (chair) (2010), Deborah Gerhardt (2009), R. Michael Hoefges (2011), Cathy Innes, (2010), Sarah Michalak (2011) , David Montgomerie (2009), Virginia Neelon (2009)

Ex officio: William Fletcher Fairey, Sian Hunter

Note: Graduate student Mark Swails attended all copyright committee meetings as assistant to the Chair. He served as scribe and web administrator.

Charge: The committee represents to the chancellor and the University community the concerns of faculty and other users and creators of scholarly information. The committee's functions include:

- 1) monitoring trends in such areas as institutional or consortial copyright use policies, changes in copyright ownership models, and guidelines for fair use of information in all formats;
- 2) identifying areas in which policy development is needed and recommending to the chancellor new or revised institutional policies and guidelines;
- 3) cooperating with the administration to propose and monitor the application of University policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works; and
- 4) assisting in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs.

Membership:

Four members' terms will expire this year: Robert Dalton, Deborah Gerhardt, Virginia Neelon and David Montgomerie.

Meeting Dates for 2008-2009:

Sept. 19: 2:00pm - 3:00pm ([Minutes PDF](#))

- Oct. 20: 11:00am - 12:00pm ([Minutes PDF](#))
- Nov. 21: 2:00pm - 3:00pm ([Minutes PDF](#))
- Feb. 6: 12:00pm - 1:00pm
- March 6: 12:00pm - 1:00pm
- April 3: 12:00pm - 1:00pm
- May 1: 12:00pm - 1:00pm

Previous Faculty Council questions or charges: None.

2008-2009 Activities:

- **Commercialization policy accepted**

The Resolution “**Encouraging use of Office of Technology Development’s Resources for the Commercialization of Works**” was passed by Faculty Council in 2007 pending some recommended clarification in language. The proposal went on to the Provost and then the Chancellor’s Office for approval. After discussion of the Vice Chancellors over the concern of how the policy treats faculty, EPA non-faculty, and SPA employees in the policy, the changes to the policy were approved.

The revised policy is now posted to the Committee’s website with a revision date of January 1, 2009 (<http://www.unc.edu/campus/policies/copyright%20policy%2000008319.pdf>).

- **Fair Use Event**

Anthony Falzone of the Stanford Fair Use Project, was invited to campus to speak on issues of fair use and copyright on March 3, 2009 in the Wilson Library Pleasants’ Family Room.

Falzone is one of the lawyers representing street artist Shepard Fairey who is in a copyright dispute over an image used in Barack Obama campaign materials.

Falzone’s talk focused on the cases handled by the Stanford Fair Use Project, including the highly publicized Harry Potter Lexicon case (Rowling vs. RDR Books) and other recent copyright-related events.

Members of the Copyright Committee Michael Hoefges, Sarah Michalak, Leah Dunn, and Deborah Gerhardt arranged co-sponsorship

of the event, including opportunities for faculty and students to have discussions with the speaker. The event was very well-attended, with estimates of 150-180 attendees.

- **Design of Copyright Tutorial**

Progress is being made in the development of a faculty tutorial to assist in the educational needs of faculty relating to the use of copyrighted works on Blackboard. The committee plans to have the tutorial complete and available on the committee's website by end of the academic year, and then on Blackboard's website.

- **Recommendations for permission to use student work**

The committee is receiving an increasing number of questions from faculty regarding accepted practice in utilizing examples of student work in the classroom environment beyond the term in which the student may be enrolled in a course. Hence, the committee is investigating guidelines and model language for faculty in requesting permission to use student-owned work in such cases. It hopes to make these guidelines available, including on the committee's web site, by early Fall 2009.

- **Education on NIH guidelines for public access**

The committee revised its website to include links to information regarding the NIH guidelines for public access.

In 2009-2010 the committee intends to:

- 1) Continue guidelines for permission to use student work.
- 2) Provide promotion and outreach relating to copyright and fair use and issues surrounding Scholarly Communication.
- 4) monitor copyright violation notices that students receive relating to peer-to-peer sharing and illegal downloading, working with the new Vice Chancellor for Information Security.

No recommendations for specific action by Faculty Council are proposed.

Submitted by:

Leah McGinnis Dunn, chair

Tyler Curtain

Robert S. Dalton

Deborah Gerhardt

R. Michael Hoefges

Cathy Innes

Sarah Michalak

David Montgomerie
Virginia Neelon
William Fletcher Fairey, ex officio
Sian Hunter, ex officio