

**Williamsburg Technical College
PROCEDURE**

SECTION E – FACILITIES MANAGEMENT

Title COPYING AND COPYRIGHTS	Number E-13.1
Division of Responsibility Administration and Finance	Approval Date Page 1/21/2021 1 of 3
Approval Vice President _____ President _____	Supersedes Procedure No. E-13.1 Date 5/24/10

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. Copier Use

- A. Copying machines are located in various places throughout the campus and are for official institutional use.
- B. The copying equipment available to all College personnel is to be used for instructional and administrative purposes. Copy work must be related to departmental activity; no personal copy work is permitted with these copiers. Any questions on the nature of the copying work or on possible violations of copyright laws are referred to the appropriate administrator for clarification.
- C. Faculty, staff, and authorized work-study students who have received instruction on the copier can make copies at any time during school hours that the machine is not already in use. All copying will be done on a first-come, first-served basis. Employees with a large amount of copying work should yield the use of the copying machine to those with short runs as a matter of courtesy.
- D. Most copying machines will only operate with a PIN number. Each of the College divisions has a PIN number. Faculty and staff members of Academic Affairs can obtain a PIN number from the office of the Academic Affairs. All copies made will be charged to a departmental budget.
- E. A coin-operated photocopier has been placed in the Library for the convenience of students employees, and patrons.
- F. Report any problems with the machines to the Business Office/Academic Affairs office.

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II. Copyright Guidelines for Printed Matter

A. Certain kinds of documents may be copied without restriction. Published works which were never copyrighted, published works whose copyrights have expired, and U.S. government publications (not to include works published by others who received U.S. government grants or contracts) may be copied at the discretion of the user.

B. Reproduction of copyrighted material for educational and scholarly use is permitted for purposes of criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, and is not an infringement of copyright. It is the interpretation of fair use which is important, and the following factors should be considered:

- The purpose of use, e.g. commercial vs. educational
- The nature of the copyrighted work
- The amount of the work copied in relation to the work as a whole
- The effect of the use on the potential market for or value of the work

C. Guidelines for single copies for educators for scholarly research, use in teaching, or in preparing to teach include:

- X A chapter from a book
- X An article from a newspaper or periodical
- X A short story, short essay, or poem
- X A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper

These guidelines also indicate the degree of brevity which is considered acceptable for multiple copies (one copy per student). Other fair use conditions which must be met include spontaneity and cumulative effect.

1. Spontaneity is copying at the instance and inspiration of the teacher. The time between the decision to use the work for maximum teaching effectiveness and the use of the material is so close that a reply to a permission request would not be received before use.
2. Cumulative effect refers to the maximum application of fair use that may be made over a period of time. In most cases, more than two or three uses is considered beyond the scope of fair use.

D. Any time that materials are copied, permission should be requested from the copyright holder, even if the materials copied fall under the fair use standard. If permission is later denied, the copied works can be destroyed. If approved, however, the user may keep the materials for as long as the permission is in effect.

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- E. Certain prohibitions include copying to create or replace anthologies, compilations, or collective works; copying "consumables" (workbooks, standardized tests, etc.); copying to substitute for purchase; copying directed by a higher authority; copying for repeated use; copying for profit.

- F. Libraries/librarians must look at additional guidelines regarding photocopy and interlibrary arrangements. Systematic photocopying of copyrighted materials is prohibited, but interlibrary arrangements, which do not have the intent of making copies in such numbers as to substitute for purchase are permitted.

- G. Photocopies may be placed on reserve in the library by a teacher as long as general copyright guidelines are followed. The reserve room is considered to be an extension of the classroom, and standards apply to the reserve room as such.

- H. Whenever a library offers copies either as self-service or staff-served, a notice must be displayed which states the copyright law as it pertains to photocopying, and a notice must also appear on copying request forms as well as on the reproductions. The librarian and/or staff cannot knowingly assist a patron in making illegal copies.

- I. Whenever the criteria for reproducing material cannot be met, then it is necessary to obtain written permission from the publisher. Permission to copy must include:
 - Title, author and/or editor, and edition of materials to be duplicated
 - Exact material to be used, giving amount, page numbers, chapters and, if possible, a photocopy of the material
 - Number of copies to be made
 - Use to be made of duplicated materials
 - Form of distribution (classroom, newsletter, etc.)
 - Whether or not the material is to be sold
 - Type of reprint (ditto, photocopy, offset, typeset)

- J. Educational institutions are expected to establish procedures to maintain the integrity of these guidelines.

- K. These guidelines have been recommended for inclusion in the copyright law, but they are not law at present. There are differing interpretations of the guidelines among educators, some more liberal than the interpretation stated here, some more conservative.