

## **NORTHEASTERN OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGE COPYRIGHT POLICY**

It is the policy of Northeastern Oklahoma Agricultural and Mechanical College (NEO) to comply with the United States Copyright Act of 1976 as amended, the Digital Millennium Copyright Act (DMCA) of 1998, and the Higher Education Opportunity Act (HEOA) of 2008. This policy applies to all members of the NEO community, including administrators, faculty, staff, students and any other person who has access to NEO's information technology resources.

All reproduction, distribution and/or use of copyrighted materials must comply with the provisions of the law. NEO prohibits the reproduction, distribution and/or use of copyrighted materials by administrators, faculty, staff and students that is not expressly covered by:

1. the written permission of a copyright holder,
2. fair use, and
3. other specific exemptions permissible under copyright law, licenses and/or agreements.

NEO prohibits illegal file sharing through peer-to-peer (P2P) file sharing services and other uses of its technology and/or network resulting in violation of copyright laws and NEO policy.

NEO participates in contractual arrangements mandating royalty payments or licensing fees to copyright owners whenever feasible. Nevertheless, it often falls to the individual faculty to obtain written permission from the copyright owner to copy a large portion of a work or an entire work, or to produce multiple copies of chapters or periodical articles. Contact the NEO Director of Library Services for more information.

Compliance with federal copyright law and this policy is the individual responsibility of every member of the NEO community. Expectations for federal and local compliance require that every NEO administrator, faculty, staff and student:

1. take a personal interest in becoming informed about copyright law and how it affects teaching and learning activities at NEO and
2. adhere to the limits for copying and the use of copyrighted materials while fulfilling NEO's mission through teaching, learning and research activities.

In accordance with the law, employees and students who willfully disregard copyright law may be subject themselves to civil and/or criminal penalties or other legal action. Individuals who engage in infringing activities also place the college at risk of legal action.

### **Permission of Copyright Holder**

If it is deemed necessary to obtain written permission from the copyright owner or owners for college-related activities (instruction, publication, etc.), a copy of the written permission and terms of use is to be submitted to the Director of Library Services for institutional records.

### **Guidelines and Resources**

Guidelines have been compiled and made available on the NEO Library webpages and in the compliance training to assist NEO administrators, faculty, staff and students in understanding what is allowable by law and in complying with federal copyright law and this policy. NEO's policies, training and guidelines

were developed based on careful review of the [United States Copyright Law, Title 17, US Code, 1976, Fair Use Guidelines of 1997, DMCA of 1998, DMCA exemptions of 2006, and guidelines resulting from the 1994 Conference on Fair Use \(CONFU\)](#). Questions about Copyright Law should be directed to the NEO Director of Library Services.

### **Interlibrary Loan Notice**

The Library is responsible for posting the following notice with information about the interlibrary loan service and how to request materials through interlibrary loan.

**NOTICE:** Material obtained through the interlibrary loan service may be protected by copyright law (Title 17 U.S. Code). The person requesting materials through interlibrary loan services are responsible for abiding by applicable laws in the use of the materials and are liable for any infringement of these laws.

### **Photocopy Notice**

All departments, computer labs and the NEO library are responsible for posting notices reflecting this policy at all photocopying stations that may be used for reproducing copyrighted materials (e.g., those in the library and in departmental copy rooms) and at or near all computer stations.

**Notice:** The copyright law of the United States (Title 17 U.S. Code) governs the making of photocopies or other reproductions of copyrighted material. The person using this equipment is liable for any infringement.

### **NEO Photocopy Services**

The NEO Print Department provides photocopy services to NEO employees for college-related use. Copyright laws and the NEO Copyright Policy apply. This institution reserves the right to refuse to accept a copying order if, in its judgement, fulfillment of the order would invoke violation of copyright law.

### **Copies on Reserve in the Library**

The library reserve services accept single photocopies of copyright-protected chapters, articles, etc. but these photocopies are considered to be the instructor's property. Although copyright law prohibits libraries from systematic copying to enhance their collections, an instructor may provide duplicate photocopies (three at the most) when a course is large enough to require more than one of an assigned photocopy. The amount of material should be reasonable in relation to the size of the source. Applicable copyright laws apply to all items placed on reserve in the library.

Copies on Reserve must be marked:

**NOTICE:** This material may be protected by copyright law (Title 17 U.S. Code).

*Policy Adopted December 2, 2016*