

# Policy

Policy # 7.02.01

Effective Date \_\_\_\_\_  
 Policy decommissioned 3/25/09

<i>(Impact Area - Dept Name)</i>  Business Procedures	<i>(General Subject Area)</i>  Miscellaneous Services	<i>(Specific Subject Area)</i>  Photocopies
	<b>Author:</b>	<b>Supersedes Policy #</b>  7.02.2
<b>Relates to Procedure #</b>	<b>Impact:</b>	
<b>Legal Citation (if any):</b>		
<i>North Idaho College</i>		

Policy Narrative

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**PHOTOCOPYING POLICY FOR COPYRIGHTED MATERIALS**  
 (for which permission to copy has not been granted)

In 1976, a copyright law (P.L. 94-553) was passed which was the first major revision in the laws governing intellectual property in this country in almost seventy years. This law was intended to bring about a balance between the interests of the proprietors of a copyright and the interests of the users of copyrighted materials. A major means for accomplishing this was the inclusion of the concept of fair use into the law. Subject to certain criteria, fair use allows copyrighted works to be reproduced for such purposes as criticism, comment, news reporting, teaching, scholarship, and research.

To aid in the interpretation of fair use, and especially to clarify the fair use right for teachers at all levels, a set of minimum guidelines was drawn up by representatives of educators, authors, and publishers. These guidelines were included in the House Judiciary Committee report which accompanied the new law. Fair use copying under these guidelines must meet the tests of spontaneity, brevity, and cumulative effect. Spontaneity implies that the inspiration and decision to use a work and the moment of

its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission. The tests of brevity and cumulative effect speak to the amount of material that can be copied. For example, copying which substitutes for the purchase of books, publishers' reprints or periodicals is prohibited. These tests also specify that copying of an item cannot be repeated from term to term.

After reviewing the copyright law and the accompanying educational guidelines and recognizing the importance of photocopying to the program, the following policies were developed. These policies also take into consideration the impact of photocopying on the divisions' time allotment on the copier.

#### 1. Multiple Copies of Copyrighted Material for Course/Classroom Use

Multiple copies of material from periodicals or books, not to exceed more than one copy per student in a course, may be made by, or for the instructor giving a course for student use under the following circumstances.

- a. The material (periodical articles, pages from a book, illustrations, graphs, etc.) will be photocopied only one time for a particular course. If the instructor wishes to use the same material in subsequent terms, reprints must be ordered and bought by the students or permission to photocopy the material for distribution to the students must be obtained from the copyright holder.
- b. The material to be photocopied must not exceed five pages from a given issue of a journal or periodical, or ten pages from a bound volume. If it more than five/ten pages, the secretary must seek permission from the copyright holder.
- c. No more than ten different items (articles, test material, pamphlets, illustrations, graphs, etc.) may be photocopied for distribution to students by an individual faculty member per course per term.
- d. When copyrighted materials are submitted for photocopying, appropriate bibliographic information must be provided by the instructor and attached to the material whenever possible.
- e. All copyrighted material that is photocopied will be stamped with a copyright notice, such as "NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW (Title 17 U.S.Code).
- f. A log will be kept by the division secretary of all materials reproduced for course/classroom use.
- g. If an instructor wishes to use copyrighted material in subsequent terms, he/she should notify the secretary by no later than the middle of the

current term, so that the division secretary can send for permission from the copyright holder to photocopy the material for distribution to students, or order reprints to be placed in the bookstore for sale. A form letter will be used by the secretary to obtain photocopy permission. Faculty will be notified by the secretary whether or not permission has been granted by the copyright holder.

## 2. Single Copying for Faculty

Single copies of materials may be made for a faculty member at his/her request for use in teaching or preparing to teach a class for his/her scholarly research through the division under the following conditions:

- a. No more than ten different items (articles, pages from a book, illustrations, graphs, etc.) may be photocopied for an individual faculty member per course per term. (This does not include photocopying necessary for the making of transparencies.)
- b. All photocopied material will be stamped with a copyright notice, such as, NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW (TITLE 17, U.S. Code).
- c. A log will be kept by the division secretary of all material produced for each individual faculty member's use. Individual faculty will be notified when they have reached their limit of ten items per course.
- d. A photocopy machine is available in the library for individual faculty use at ten cents per page.

## 3. It's Illegal to Make Copies of These Documents:

- a. Obligations or Securities of the United States Government, such as:

Certificates of Indebtedness

National Bank Currency

Coupons from Bonds

United States Bonds

Treasury Notes

Federal Reserve Notes

Federal Reserve Bank Notes

Silver Certificates

Gold Certificates

Fractional Notes

Certificates of Deposit

Paper Money

Bonds and obligations of certain agencies of the government such as FHA, etc.

Bonds. (U.S. Savings Bonds may be photocopied only for publicity purposes in connection with the campaign for the sale of such bonds.)

Internal Revenue Stamps - if it is necessary to copy a legal document on which there is a cancelled revenue stamp, this may be done provided the reproduction of the document is performed for lawful purposes.

Postage Stamps Cancelled or Uncancelled - for philatelic purposes, postage stamps may be photocopied provided the reproduction is in black and white and is less than 3/4 or more than 1 1/2 times the linear dimensions of the original.

Postage Money Orders

Bills, checks, or drafts for money drawn by or upon authorized officers of the United States.

Stamps and other representatives of value, of whatever denomination, which have been or may be issued under any Act of Congress.

- b. Adjusted Compensation Certificates for Veterans of the World Wars.
- c. Obligations or securities of any foreign government, bank or corporation.
- d. Copyrighted material of any manner or kind without permission of the copyright owner.
- e. Certificates of Citizenship or Naturalization. Foreign naturalization certificates may be photocopied.
- f. Passports. Foreign passports may be photocopied.
- g. Immigration Papers.
- h. Draft Registration Cards.
- i. Selective Service Induction Papers which bear any of the following information:

Registrant's earnings or income

Registrant's dependency status

Registrant's court record

Registrant's previous military service

Registrant's physical or mental condition

Exception: U.S. Army and Navy discharge certificates may be copied

- j. Badges, identification cards, passes or insignia carried by military naval personnel or by members of the various federal departments and bureaus, such as the FBI, Treasury, etc., unless a photocopy is ordered by the head of such department or bureau.

Division secretaries are instructed to follow the photocopying policy and the specific stipulations noted below. Stipulations 1-7 refer to multiple copies for distribution to students.

1. Each instructor will be allowed to have ten, multiple page items, such as journal articles, text material, etc., photocopied per course per semester.
2. No more than ten pages may be photocopied from a single bound volume if the book is under copyright, unless permission has been granted by the copyright holder/publisher.
3. No more than five pages may be photocopied from a single issue of a periodical or journal if the periodical or journal is under copyright, unless permission has been granted by the copyright holder/publisher.
4. No more than three pages of retyped text or "cut and paste" text from a single bound volume, journal, or periodical may be photocopied without permission of the copyright holder/publisher.
5. Division secretaries must be given the material to be photocopied twenty four hours in advance of the time it is needed.
6. The policy affecting periodical/journal copying is the same for printed forms, pamphlets, etc.
7. No "already copied" material may be photocopied unless the source and copyright are properly cited. If the copied material is from a bound volume, then stipulation 2 applies. If the copied material is from a journal or periodical, then stipulation 3 applies.
8. Stapled packets of five pages or individual sheets, to be grouped in a packet of up to five sheets, count as one item.
9. Every faculty member may have up to ten items single copied per course during a given semester so long as stipulations 2-8 are followed.

A reference properly written in "legal citation" strives to do at least three things, within limited space. Any time your research is centered in the law of a particular state you will want to master the abbreviations for its different courts. Last and least are the conventions for reducing the space consumed by case names and journal titles. Including the full word "Environmental" in a case name rather than the abbreviation "Envtl." is, standing by itself, a trivial oversight. How legal cases are cited. Every legal case citation has two basic parts, separated by a comma. The first part contains the case name. The second part contains case citation information: the year of the decision, the law reporter(s), and the name of the court where the case was tried. (There are some exceptions to this pattern).

Legal Citation Examples

3. Find the correct case from your search results. A = Check for the same year of decision. B = See if any of the case citations line up. C = Ensure the level of court (example: Court of Appeal) and/or jurisdiction (example: Saskatchewan) are the same. Note: Some unreported local cases might be found in the Vancouver Courthouse Library (33,000 court and tribunal decisions from 1881 to the present are held there). Gaining familiarity with the legal-citation practices used to document legal works may be impractical for student writers and sometimes even for scholars working in nonlegal fields. Nonspecialists can use MLA style to cite legal sources in one of two ways: strict adherence to the MLA format template or a hybrid method incorporating the standard legal citation into the works-cited-list entry. As with any source in MLA style, how you document it will generally depend on the information provided by the version of the source you consulted.

Legal-citation style, in contrast, points to the opinion published in the United States Reports, the authoritative legal source for the United States Supreme Court's decisions, and cites the elements of that publication.