

## Board Policy 3.27 Copyrights

### Part 1. General Statement

Copyright owners have exclusive rights with respect to their creation of original works. Minnesota State Colleges and Universities promotes the recognition and protection of these rights, including the rights of reproduction, preparation of derivative works, distribution, display, and performance.

Reproduction and use of copyrighted works in accordance with fair use limitations and Sections 110(1) and (2) of the U.S. Copyright Act can further teaching, research, and public service at Minnesota State colleges and universities. Where proposed uses of copyrighted works exceed those permitted by fair use and other statutory exceptions, permission to use the copyrighted works should be obtained from the copyright holder.

Consistent with the mission of the Board of Trustees and the distinct missions of the colleges and universities, the board supports the creation and sharing of new knowledge for course development and to improve student learning, through Creative Commons licenses and open education resources (OER).

### Part 2. Applicability

This policy applies to colleges, universities, the system office and their respective employees and students, and to works in which colleges, universities or Minnesota State has a legally recognized interest.

### Part 3. Definitions

The following definitions apply to this Policy and to Procedure 3.27.1 Copyright Clearance.

#### Copyright

A form of protection granted by federal law for original works of authorship that are fixed in a tangible medium of expression. Copyright covers both published and unpublished works.

#### Copyright Compliance

The actions of colleges, universities, the system office and their respective employees and students that ensure proposed uses of materials comply with copyright laws and do not infringe on the intellectual property rights of the copyright owners.

#### Part 4. Copyright Notice

A copyright notice (Copyright © [year] College or University Name) may be placed on college, university, and Minnesota State owned materials that will be made available to the public. The date in the notice should be the year in which the materials are first published, i.e. distributed or made available to the public or any sizable audience. Where a work is revised over a period of time, a range of years should be used.

#### Part 5. Copyright Registration

Prior to commercialization of works in which a college, university, or the system office has an ownership interest, such works should be registered with the U.S. Copyright Office in the name(s) of the copyright owner(s).

#### Part 6.