

Faculty Bulletin – Copyright and Classroom Materials

The Penn State policy that governs copyright of classroom materials is AD-40, accessible via GURU at: <https://guru.psu.edu/policies/AD40.html>. The policy is complex, and you are encouraged to read it in full. A general summary follows:

- **Classroom print materials:** An original work of authorship prepared by a faculty member is subject to copyright protection. The "original hard copy" material in printed or tangible form includes but is not limited to) handouts, diagrams, photographs, motion pictures, and computer programs, data bases and audio and video recordings. The Copyright Act prohibits the unauthorized reproduction and/or sale of "original hard copy" works of authorship prepared by a faculty member, and presented, offered or distributed during a class lecture.
- **Audio and video recordings** of classroom sessions:
 - A student “must not record activity in classrooms or other instructional settings without the express permission of the faculty member responsible for instruction in the course.”
 - Faculty members who record lectures “shall have copyright ownership rights to and plenary control over the subsequent use of the recordings.”
- **Note-Taking** - Only formally registered students may attend class and qualify as a note-taker. (exception: accommodations required by federal or state law for disabled students). Registered students “lawfully may take original hand written or typed notes during an oral lecture presentation and may sell those notes in the free marketplace.” However, those notes must be an “interpretation of, and not a verbatim transcript of the lecture material.”
- **Privacy** - “Faculty and students engaged in the instructional process have a **reasonable expectation of privacy**. Assurance of privacy encourages open and robust discussions on issues and ideas without fear that any statements made will be used for inappropriate purposes and, thereby, enhances learning.” (see also AD-53, *Privacy Statement*).

Violations and Student Referrals

Students who violate classroom materials copyright policy (AD-40) – for instance, by uploading course handouts or study guides without permission – should be referred to Ken Miller or Kelly ShROUT in the Office of Student Affairs for violations of the Code of Conduct.

Please note that students who purchase or sell exams violate policy G-9 (Academic Integrity) and should be referred to Sarah Whitney, the Assistant Director of Academic Administration.

Sample Syllabus Language

This is a frontier that continues to develop. Below are several sample syllabi statements addressing issues of classroom materials and copyright:

1. Several note-taking/note-sharing companies approach students about "jobs" (including "jobs" that appear to be connected to PSU). If this is something that you want to do, you **MUST** make an appointment and talk with me first. You may not share any information from this course (including notes and assignments) with others who are not currently registered for the course, nor post such information electronically without the permission of the instructor - this includes online note-taking/note-sharing services (See Penn State Administrative Policy AD-40). Unless you have my permission, you risk disciplinary sanctions.
2. Penn State University holds copyright for the educational materials in this class (slides, handouts, assignments, etc). You cannot share them with others without my permission, nor can you upload materials to course sites like

CourseHero, GradeSaver, etc. In the unlikely event you deliberately violate this policy, you will be referred to the Office of Student Conduct for disciplinary procedures. Please don't do this!

3. This material is presented for use solely by enrolled members of this course. Further reproduction or distribution of this material is expressly prohibited. This material may be made available on alternative media upon request.
4. Online coursework may contain material used in compliance with U.S. Copyright Law. Under the law, materials **may not** be downloaded, saved, revised, copied, or distributed without permission. These materials are to be used for course instruction only, and are limited to the duration of this course. You may **only** download or print materials at the direction of your course instructor.

Takedown Notices

Faculty who discover course materials shared against permission on sites like CourseHero should file Digital Millennium Copyright Act (DCMA) takedown notices. These sites are required to respond to DCMA violations, and have their own individualized forms. You, as the copyright holder, will have to file these notices (PSU cannot do it for you).

Questions? Please contact Sarah Whitney, Asst. Director of Academic Administration, at sew17@psu.edu.