

2. Copyright policies

a. Policy on Recording of Course Presentations: revised drafts for review (Discussion/Action)

Background Materials:

- Policy on Distribution of Recordings of Course Presentations (“Lawrence draft”)(2/26/03 draft, revised 4/7/03)
- Policy on Recordings of Courses and Other Instructional Presentations (“MacDonald draft”)(Draft, 4/21/03)

Following the discussion at the February meeting, both MacDonald and Lawrence drafted revisions of the draft policy on recordings to clarify and simplify the policy along the lines of the discussion. To resolve the ambiguity between regulation of creation of recordings and their distribution that plagued the first draft, Lawrence’s revision focuses exclusively on permissible distribution of recordings; MacDonald’s, by contrast, seeks to regulate the creation of recordings. Lawrence conveyed a few additional notes on MacDonald’s draft, in her absence:

- A Designated Academic Appointee may create a recording for the purpose of preparing materials for a scholarly/aesthetic work, but may not incorporate the recording verbatim in that work. This provision appears intended to prevent faculty from simply videorecording their courses, compiling the recordings, and selling them later under the dress of scholarly/aesthetic works.
- MacDonald believes that most campuses have rules regarding lecture notes and other student recordings. Her draft therefore defers to campus regulations rather than attempting to draft a policy that encompasses, accommodates and supersedes them all.
- Paragraph A.d. was put in because, without it, a faculty member could assert that the University could not tape a class without the professor's permission. In earlier SCC discussions, it was observed that there were some classes that were so esoteric (e.g., Hittite language) that the University should have the right to tape the professor and make it available to other campuses. This section is meant to address that eventuality. MacDonald believes that some such provision must be present if the administration ever wants to be able to make recordings under these circumstances. In an attempt to protect the faculty member, there is a condition that the professor needs to have been informed prior to teaching the class that it might be taped for instructional purposes.

It was the sense of the Committee that MacDonald’s draft, by restricting the making of recordings rather than their use, took a new approach to the issue that had not previously been discussed by the Committee; for this reason, the consensus was to use the Lawrence draft as the basis for discussion and action.

Action: The Committee suggested some editorial changes to the Lawrence draft, and recommended that it be prepared as soon as possible for formal review by the campuses, with an objective of receiving campus comments by 10/15/03.