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BERKELEY, CALIFORNIA 94720-1500

OFFICE OF THE VICE PROVOST FOR
ACADEMIC AFFAIRS AND FACULTY WELFARE
200 CALIFORNIA HALL #1500

April 8, 2005

Julius Zelmanowitz
Vice Provost
Academic Initiatives
Office of the President

Re: UC Berkeley policy commentary on "Recordings of Course Presentations"

Dear ^{*Julie*} Vice Provost Zelmanowitz,

Please find attached, for your review and consideration, samples of the commentary submitted by campus staff regarding the usage of recordings of course presentations. We note that we did not receive any commentary from faculty members.

Sincerely,

Jan de Vries
Jan de Vries
Vice Provost
Academic Affairs & Faculty Welfare

*H: Padona,
Thank
you!*

cc: Executive Vice Chancellor and Provost Paul Gray

*Cowly
#643-1963*

M.R.C. Greenwood request for policy commentary from UC Berkeley

Subject: Use of Recordings of Course Presentations

Comments:

1) I don't believe that it really comes to grips with one of the basic problems discussed originally, maintaining University control over the outside commercialization by faculty of their Campus course presentations. The opening paragraph, by itself, would prohibit the sale or distribution of campus lecture presentations without the Chancellor's consent, but, unfortunately, it is completely undercut by the exception in subsection (2). That subsection allows faculty to use recordings of their course presentations "at their discretion" subject to the policies on time commitment and use of facilities for commercial purposes (neither of which prohibit, or require prior approval of, the sale of lectures to other educational institutions or commercial on-line entities)

Submitted by Campus General Counsel, Mike Smith

2) As Director of Media Services for the Haas School of Business, I'm in charge of a department that video records, encodes (convert a video into a computer file), and delivers via Internet streaming media, literally thousands of hours of class sessions and special events over the course of a year. I'm in agreement with all that is proposed here, except section C, "...must consider not only the rights of the instructor and the University, but also those of third parties, such as the privacy rights of students enrolled in the course. It may be necessary to secure rights from these third parties before any recording, distribution, publication, or communication occurs."

I am in full support of getting signed rights release forms from faculty and main presenters or panelists of special events, but I believe requiring the video or audio rights release from students enrolled in a class, or attendees of special events, will mean the end of the university's use or distribution of almost every class or special event video. I believe it will be virtually impossible to obtain the signatures of every single audience member on a rights release form. The administrative work load alone would completely overwhelm departments such as mine and the Office of Educational Technology Services here at Berkeley. How would event coordinators, or media services staff determine if "...It may be necessary to secure rights from these third parties..."? What parameters would be used to determine this?

A significant concern of mine is the reason the Committee feels it needs to change policy. You'll note in Vice Provost Jan de Vries original email that this proposal is "...in response to a need to address the unauthorized distribution of course lectures, particularly by commercial enterprises that employ students to prepare lecture notes for sale via the Internet without authorization from the institution or course instructor." Our current copy write and Student Codes of Conduct policies already

M.R.C. Greenwood request for policy commentary from UC Berkeley

Subject: Use of Recordings of Course Presentations

prohibit this, and if students and these commercial enterprises are breaking these copy write laws now, just changing the terminology around in the policy isn't going to stop them. Legal prosecution and expulsion would however. I honestly don't see anything in section C of the proposed policy that will change the behavior of these law breakers. My thinking is the administration should consider enforcement of current laws and rules before placing severe restrictions upon the acquisition and use of video material. What I see is the strong possibility that the university will loose out on thousands of hours of valuable video footage, not to mention a lot more administrative work on our already crowded plates. If program recording may become as stifled as I fear it might, I don't think I'm exaggerating when I propose that a new policy like this would adversely effect, possibly even bring about the demise, of valuable resources such as UCTV, and the wealth of streaming media content now being brought forth by our extensive UC system. I strongly urge the Standing Committee on Copyright to delete this section from their proposal.

Submitted by Dana Lund, Media Service Director, Haas School of Business

3) Regarding one issue set forth within this material. UCB should not and probably cannot legally, prohibit students from selling notes that they themselves construct. They are paying for the course work and the notes they take will generally be "their" interpretation of what is being covered. As such, the notes they take would/could be considered under copyright law, "new" work, or at worst derivative work. If they generate them, they own them and can do what they wish with them.

Few are good enough to take verbatim transcripts.

As a personal and subjective comment - Professors who regurgitate the exact same lectures year in and year out are being lazy. In that regard UCB should not concern itself with the issue of written notes.

If UCB, or any other school for that matter, is going to be really scious about the issuc, they would not allow the Hellenic houses to keep notes/test files, which they all have done forever.

I generally agree on the principals of not allowing audio/video notes for the reasons given.

Submitted by John D. Berry, Associate Librarian

From: "Jan de Vries, Vice Provost- Academic Affairs & Faculty Welfare"
<CalMessages@berkeley.edu>
To: "Deans, Directors":
Subject: Re: Policy on Recordings of Course Presentations - Comments requested
Date: Tue, 01 Mar 2005 18:00:10 -0800

March 1, 2005

Re: Policy on Recordings of Course Presentations - Comments requested

Dear Colleagues:

I write to call your attention to the formal Systemwide review of the proposed Policy on Use of Recordings of Course Presentations (Attachment 1, below). This policy was prepared by the Universitywide Standing Committee on Copyright in response to a need to address the unauthorized distribution of course lectures, particularly by commercial enterprises that employ students to prepare lecture notes for sale via the Internet without authorization from the institution or course instructor.

Although Berkeley's existing Policy on Course Notes and Recordings (Attachment 2) includes most of the features of the proposed policy, and addresses student conduct issues as well, the proposed policy would add two additional provisions to the campus policy:

1. that an instructor's use of recordings of course materials is permissible, to the extent that such use does not conflict with the University Policy on Conflict of Commitment and Outside Activities of Faculty Members (APM 025) and the prohibition on the use of University facilities for commercial purposes (APM 015); and
2. that it may be necessary to secure rights from students and other third parties whose images and voices may be captured during the recording of a class before any recording, distribution, publication, or communication occurs.

Please share this memorandum with your colleagues. Comments about the proposed policy may be submitted to capps@berkeley.edu by March 15, 2005.

Sincerely,

Jan de Vries
Vice Provost
Academic Affairs
and Faculty Welfare

Attachment 1

University of California
PROPOSED Policy on Use of Recordings of Course Presentations (2005)

A. Purpose and Scope.

When recordings are made of course presentations and those recordings are shared or distributed, the distribution must be conducted in a way that ensures compliance with relevant University policies; protects the integrity and quality of the teaching and learning experience; and protects the interests of the University, the course instructor, and the University's students. This policy is intended to protect, and not restrict, the core academic values and processes of the University.

B. Distribution of Recordings of Course Presentations.

No business, association, agency, or individual, including a student, shall give, sell, or otherwise distribute to others or publish any recording made during any course presentation without the written consent of the instructor/presenter and the Chancellor. This policy is applicable to any recording in any medium, including handwritten or typed notes. The only exceptions are that:

1. students enrolled in or approved to audit a course may provide a copy of their own notes or recordings to other currently enrolled students for the purpose of individual or group study or for other non-commercial purposes reasonably arising from participation in the course; and
2. faculty may use recordings of course presentations, made by them or at their direction, to the extent that such use does not conflict with other University policies, including the Policy on Conflict of Commitment and Outside Activities of Faculty Members (APM 025) and the prohibition on the use of University facilities for commercial purposes (APM 015, Part II.C.3).

C. Special Considerations Pertaining to Recordings that Capture Sounds and Images.

Any distribution of a recording of a course presentation at the University of California that captures the actual sounds and/or images of that course presentation, in any medium, must consider not only the rights of the instructor and the University, but also those of third parties, such as the privacy rights of students enrolled in the course. It may be necessary to secure rights from these third parties before any recording, distribution, publication, or communication occurs.

References:

University of California Policy on Copyright Ownership, 1992
University of California Policy on Ownership of Course Materials, 2003

Policy on Course Notes and Recordings (1999)

As part of the education and learning experience, enrolled students routinely take course lecture notes. With the permission of the instructor, students may record lectures as well. Lecture notes and recordings involve issues related to the intellectual property rights of instructors and the University's regulation of the commercial use of such notes or recordings. This policy sets forth the limitations on such use and cites applicable law and policies related to the intellectual property rights of instructors.

Instructors' Intellectual Property Rights. Individual instructors retain intellectual property rights to lectures and class presentations and related material pursuant to the federal Copyright Act, California Civil Code section 980, subdivision (a)(1), and the University of California's Policy on Copyright Ownership (<http://www.ucop.edu/ucophome/uwnews/copyr.html>). Unauthorized use of class notes or recordings may subject an individual to legal proceedings brought by the instructor as well as action by the University.

Use of Lecture Notes or Recordings and Related Material. Lecture notes and, with permission of the instructor, recordings may be taken by students enrolled in a course during lectures or other class presentations. Such notes or recordings are allowable for purposes of individual or group study or for other non-commercial purposes reasonably arising from the student's enrollment in the course.

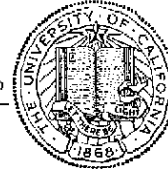
Commercial Use of Class or Lecture Notes or Recordings and Related Material. Except as provided below, notes may not be exchanged or distributed for commercial purposes, for compensation, or for any other purpose other than study either between students or between a student and a third party. Selling or distributing course lecture notes, handouts, readers, or other information provided by an instructor, or using them for any commercial purpose without the express permission of the University and the instructor is a violation of Section III.B.7 of the Berkeley Campus Code of Student Conduct (<http://uga.berkeley.edu/uga/conduct.stm>).

Commercial Activities on UC Campuses. The University of California system-wide Policies Applying to Campus Activities, Organizations, and Students provides in section 42.40, Use of University Property for Commercial Purposes, that campuses may adopt regulations narrowly restricting commercial activity. Section 231 of the Berkeley Campus Regulations Implementing University Policies provides that University facilities may not be used for any commercial purpose without the express approval of the Chancellor or the Chancellor's designee (<http://uga.berkeley.edu/uga/regs.stm>). Section 236 of the Regulations states that, except as provided in such regulations, commercial activity on the Berkeley campus is prohibited. System-wide University of California regulations, Business and Finance Bulletin 43, part 3,

section X.A, also prohibits the use of University premises for non-University purposes (<http://www.ucop.edu/ucophome/policies/bfb/>).

Unless authorized by the University in advance, and explicitly permitted by the instructor, the sale of class notes and/or recordings constitutes an unauthorized commercial activity in violation of the Berkeley Campus Regulations Implementing University Policies and the Code of Student Conduct. Students who violate these policies are subject to University discipline.

Campus Lecture Note Subscription Services. Black Lightning Lecture Notes (BLLN), a campus service provided by the Business and Administrative Services' ASUC-Auxiliary unit, is exclusively authorized by the Chancellor to provide course notes subscription services on the Berkeley campus. No outside entity is authorized to perform this service for UC Berkeley courses. BLLN is available for particular classes when approved in writing by the instructor. For such classes, the instructor shall have the right to approve the designated note taker in advance, negotiate the terms and conditions with BLLN, including, but not limited to, royalties, and review and approve the notes in a timely manner before their distribution. The designated note taker must be a student enrolled in the class, unless otherwise authorized by the instructor. The list of courses with subscriptions to BLLN is available at the Cal Student Store in the Martin Luther King, Jr. Student Union and online at <http://blln.securesites.com>. For more information about this service, please call the BLLN Coordinator at 642-1946.



UC - Gary Lawrence

Office of the Executive Vice Chancellor

509 Administration
Irvine, CA 92697-1000
(949)824-6296
(949)824-2438 Fax

February 9, 2005

Vice Provost Julius Zelmanowitz
Office of Academic Initiatives
University of California
Office of the President
1111 Franklin #11208
Oakland, CA 94607-5200

Dear Vice Provost Zelmanowitz:

Provost and Senior Vice President MRC Greenwood has requested that members of the University community review and comment on the draft (7/6/04) "Policy on Use of Recording of Course Presentations." This draft was widely distributed on the UCI campus; I expect that you or Gary Lawrence may be receiving comments from UCI on this draft.

As chair of the University-wide committee that prepared the latest draft of the policy, I feel it is a good policy that will serve our needs. Nothing since the issuance of the draft has occurred to alter my views of its efficacy.

Thank you for the opportunity to comment on this draft.

A handwritten signature in black ink that reads "mich".

Michael R. Gottfredson
Executive Vice Chancellor



Office of the Chair
Telephone: (510) 987-9303
Fax: (510) 763-0309
Email: george.blumenthal@ucop.edu

Assembly of the Academic Senate, Academic Council
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

April 13, 2005

M.R.C. GREENWOOD
PROVOST AND SENIOR VICE PRESIDENT – ACADEMIC AFFAIRS

Re: Proposed Policy on Use of Recordings of Course Presentations

Dear M.R.C.,

Based on the outcome of the Academic Senate's general review, the Academic Council believes certain changes are necessary before it can support the proposed policy. Clearly there is a need to address the unauthorized distribution of course lectures, particularly by commercial notes enterprises. Moreover, the University's copyright policy should be updated as needed to respond to evolving course formats and technologies used in the presentation and distribution of course content. The Council finds, however, that the proposed policy as written is in some respects insufficient and in others over-reaching. Our recommendations are as follows:

Unnecessary and/or undesirable restrictions

- The term "Chancellor" should be expanded to "Chancellor's designee," both to be consistent with other policies and to make the consent process easier. Berkeley's Committee on Computing and Communication suggests that the approval of the instructor alone should suffice.
- The policy should be revised to facilitate academic discourse among students and to accommodate students with disabilities.
- Students should be given the right not to appear in a recording; however, it should be clarified that a student's choice does not dictate whether the recording should take place at all.

Party privacy

- Would students sharing audio recordings or videos with one another be bound by the same privacy provision?
- How will students and others be informed of the privacy policy and how will permission be obtained?
- The policy should clarify whether a professor must get permission from *each* student if a lecture is posted on the web in audio or video format.

- While UC can protect itself through contract law when it signs an exclusive contract with one entity that excludes any other entity from being involved in the recording of presentations, it is not clear that the amended policy is legally enforceable.
- In Section B.1, the Council recommends eliminating the phrase “or for other non-commercial purposes reasonably arising from participation in the course.” As now worded, Section B.1 would allow students to transfer recordings to non-commercial interests, including groups outside of the University and with agendas extending beyond the educational elements of the course. Any communications to individuals not enrolled in the course should necessitate the appropriate written consents.

Application to inter-institutional courses and new technologies

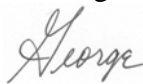
- The policy presumes that courses are taught at a single UC campus. What are the implications for courses that involve multiple campuses?
- Does the policy as written cover live transmission, e.g., through a cell phone, without a recording aspect?
- The policy should address more fully the use of previously copyrighted materials within course presentations.

Other

- To specify current enrollment, section B 1 of the policy should read: “students currently enrolled or approved to audit that course...”
- Specific examples would add clarity in sections B and C.

In light of what we see as significant shortcomings with this draft, the Academic Council urges that these recommendations be used in redrafting the proposed Policy on Use of Recordings of Course Presentations so that it will adequately control unauthorized commercial recordings and address new technologies and innovative means for instruction, while accommodating the legitimate needs of both students and faculty.

Best regards,



George Blumenthal, Chair
Academic Council

Copy: Academic Council

GB/bgf

From: Miller, SVC
Sent: Wednesday, March 02, 2005 1:23 PM
To: 'Julius Zelmanowitz'
Cc: 'chancemail2@ucsd.edu'; 'John A. Woods'; Watson, Joseph W.
Subject: Re: Request for Comment --- Subject Proposed UC Policy on Use of Recordings of Course Presentations

Dear Juli:

We at UCSD have reviewed the proposed UC Policy on the Use of Recordings of Course Presentations and offer the following comments for your consideration:

1. Paragraph A. Purpose and Scope: We recommend the deletion of "relevant" in the first sentence at the third line of that paragraph and revise that part of the sentence to read, "When recordings... compliance with applicable policies as listed herein." We would also recommend the deletion of the last sentence because it's over-broad and vague or, in the alternative, revising it to convey a more focused purpose statement that helps understand why the policy is important and is needed. In this regard, we suggest the following as a possible substitute statement: "This policy is intended to protect the integrity of the course and the copyright and publishing rights of the instructor and the University."

2. Paragraph B. Distribution of Recordings of Course Presentations: We recommend the insertion of "Except as noted herein,..." as the starting phrase of the first sentence so that sentence would read, "Except as noted herein, no business..." This paragraph is also rather broad and ambiguous and may not be enforceable because of its possible infringement on "fair use" and non-commercial use of course materials in expression/speech protected by First Amendment of United States Constitution. For example, the policy as written appears to prohibit the use of a student's notes by the print or electronic media reporting on the course content or the instructor's presentation of the course content.

3. Paragraph C. Special Considerations Pertaining to Recordings that Capture Sounds and Images: This entire paragraph creates more ambiguity than clarification about the applicability of this policy to sounds and images used or generated in a course, because for example the rights of third parties with respect to sounds and images are not defined. The last sentence of this paragraph also adds to the vagueness because the use of the term "may" injects uncertainty about the need to secure permission to record, distribute or publish the images or sounds created by or from participants in the course. Therefore, we suggest that the "third party" rights to be covered under this policy for participants in a course be defined and that this policy specify how it would be applied with respect to those rights. For example, once the third party rights are defined or identified the last sentence of this paragraph could be revised to read, "It shall be necessary to secure the permission of participants in a course ("third parties") to the record, distribute, publish, or use in any communication not directly related to the conduct of the course, of any sound or image created by such third parties in connection with their participation in

the course."

Thank you for the opportunity to comment. Should we receive additional input over the next few days, we will be sure to pass it along to you.

Kind regards,

Dave

=====

David R. Miller
Acting Senior Vice Chancellor - Academic Affairs University of
California, San Diego 9500 Gilman Drive La Jolla, CA 92093-0001
858-534-3130

From: "Condren, Edward" <condren@humnet.ucla.edu>
To: Gary.Lawrence@ucop.edu
Cc: Julius.Zelmanowitz@ucop.edu
Subject: Draft Policy on Copoyright
Date: Fri, 4 Feb 2005 14:30:12 -0800

February 4, 2005

Gary S. Lawrence, DLIS
Staff Director
UC Standing Committee on Copyright

Dear Gary,

Thank you for sending the Draft Policy on Copyright and for inviting suggestions. In my opinion the present version, together with the cover letter from Provost and Senior Vice President Greenwood, raise fatal objections in three places.

1. In the last line of the cover letter's first paragraph, the following language appears, "without authorization from the institution or course instructor." This explicit statement that either the course instructor or the institution can authorize a commercial enterprise to prepare lecture notes for sale undoubtedly violates provisions of The Copyright Act of 1976 (US Code, Title 17, 101, 201(e)), and even the provisions of a recently enacted California law, as I a non-lawyer read these laws. President Atkinson unequivocally acknowledged a couple of years ago what the federal law on copyright seems explicitly to state, that the ownership of the copyrightable material in the lectures an instructor gives in his or her course belongs exclusively to him or her. The "institution," in this case the University, has no legal copyright to this material, unless the instructor, the sole rightful owner, assigns in writing this ownership, or co-ownership, to the University (US Code, Title 17, 204(a)).

2. In paragraph A of the Draft Policy, there is no mention of the controlling legal authorities in this matter, namely, the Federal and State Codes. Surely a reference to these laws should be inserted in line three of this paragraph, after the word "relevant," but certainly prior to the phrase "University policies."

3. In paragraph B, the language "without the written consent of the instructor/presenter and the Chancellor" invites the same objection raised in #1 above. I seriously doubt there is legal authority for including the Chancellor here, either as a private person or acting on behalf of the University. This highest administrative officer certainly has

a right to grant approval, or perhaps withhold approval for anything that takes place on the campus. Nevertheless, to the extent that this Draft Policy focuses primarily on intellectual property, the quoted language assumes, indeed gives a reader authority to infer, that the Chancellor, representing the University, is a rightful co-owner of the "recordings" under discussion. As noted, unless the rightful owner has assigned this ownership in writing, the Draft Policy's assumption has no legal basis.

In the interest of clarity, the Draft Policy could perhaps make a further point. As far as I know, no federal or state law prohibits someone from taking notes of, or recording a lecture for private, non-commercial purposes. Only the subsequent commercial use of the notes or recording is prohibited. Some acknowledgment of this distinction would be a useful inclusion in the Draft Policy.

While we are at it, a clear statement of the need for such a Policy would be useful, especially where federal and state laws already cover most of what the Policy states. After all, the University has probably not declared that larceny and grand theft violate University Policy, nor spelled out the particulars of how they do so. California law already does this very well. The Draft Policy on Copyright could explain, for example, why a particular kind of property, intellectual property, must be given special attention. One small example suffices: the theft of VCR tapes would be handled very differently, depending on whether they were blank or contained copyrighted material. Once this larger context is acknowledged, there would be no objection to the University's role in developing procedures to assure compliance with the laws of this larger context, perhaps even creating a "policy of first impression" where promulgated laws are silent.

Thank you for giving these remarks your attention. I look forward to our meeting in May.

Sincerely,

Edward I. Condren
Professor of English and Medieval Studies
Member, UC Standing Committee on Copyright

From: Pat Sheppard <pat.sheppard@ap.ucsb.edu>
Date: Mon, 7 Mar 2005 15:02:55 -0800
To: Gary.Lawrence@ucop.edu
Subject: Use of Recordings of Course Presentations
Cc: Julius.Zelmanowitz@ucop.edu, Mark Rose
<mark.rose@ap.ucsb.edu>,
Pat Sheppard <pat.sheppard@ap.ucsb.edu>,
Toby Lazarowitz <toby.lazarowitz@evc.ucsb.edu>

TO: Gary Lawrence

FROM: Gene Lucas
Executive Vice Chancellor

The campus has completed a formal review of the proposed Policy on Use of Recordings of Course Presentations.

We strongly support the proposed policy in light of the fact that in addition to the copyright issues and the secondary commercialization of faculty lectures, the copying and unauthorized distribution of lectures facilitates plagiarism and undermines the academic integrity of University courses.

We have two suggestions for strengthening the policy:

- 1) The policy addresses standard formats such as lectures and seminars where the delivery is primarily oral, however it does not address other formats such as web- and tele-based interactive instruction. These formats and others that will soon be on the horizon will involve a different set of issues.
- 2) Section C discusses the rights of third parties, with an example of students enrolled in the course. Other examples, such as the copyright holder of any image that is shown during a lecture, or previously recorded conversations which are part of a lecture, might be added.

Thank you for the opportunity to comment.

Sincerely,

Gene Lucas
Executive Vice Chancellor
University of California
Santa Barbara, CA 93106
gene.lucas@evc.ucsb.edu
(805) 893-2126

UNIVERSITY OF CALIFORNIA, SANTA CRUZ



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OFFICE OF THE CAMPUS PROVOST AND EXECUTIVE VICE CHANCELLOR

296 McHenry Library, Santa Cruz, CA 95064-1078
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March 3, 2005

Julius Zelmanowitz
Vice Provost, Office of Academic Initiatives
Office of the President
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

Dear Vice Provost Zelmanowitz:

RE: Proposed Policy on Use of Recordings of Course Presentations

I am responding to a request for comment on the formal review of the proposed revised Policy on Use of Recordings of Course Presentations.

We invited comment from the campus academic community at large. The majority of the responses I received expressed concerns as to whether Section C of the policy as proposed would require an instructor to get approval from every student in the course before audio or video recordings of a lecture could be made and/or archived on the Web. The use of Web archiving/Web casting, especially of large lectures, is gaining in popularity with both our faculty and students and we would not want this resource to be restricted or unnecessarily complicated (albeit unintentionally) by this proposed policy. This concern was forwarded to Gary Lawrence via email on February 17, 2005; evidently, he is checking with counsel and will respond to us directly. However, I also wanted to relay the concern to your office as this part of the proposal has a potentially substantial impact on current campus practice.

One faculty member suggested the policy would be a better one if the exception in Section B.1 were limited to an enrolled student's own written notes. This faculty member thinks that a student should have the permission of the instructor prior to making any recording of the class, regardless of the intended use of it, since as she sees it the lectures are the property of the faculty member and the university.

Thank you for the opportunity to comment.

Sincerely,

Margaret L. Delaney
Interim Campus Provost and
Executive Vice Chancellor

cc: Administrative Records

From: Stephanie Peterson <speterson@ucmerced.edu>
Reply-To: speterson@ucmerced.edu
To: Gary.Lawrence@ucop.edu
Cc: dashley@ucmerced.edu
Subject: Comment on proposed Policy on Use of Recordings of Course
Presentations
Date: Wed, 2 Mar 2005 15:03:54 -0800

Gary,

Executive Vice Chancellor and Provost David Ashley has asked me to forward the following comment on behalf of UC Merced:

A request for comment on the proposed Policy on Use of Recordings of Course Presentations was sent to the UC Merced school deans. A comment was received that the policy looks reasonable, but there is a question as to the enforceability of restrictions on handwritten notes.

Stephanie

Stephanie Peterson
Assistant to David B. Ashley
Executive Vice Chancellor & Provost
University of California, Merced
P.O. Box 2039
Merced, CA 95344
Ph: (209) 724-4439
Fax: (209) 724-4424

web: www.ucmerced.edu

From: "Cathy Chi" <cathy.chi@ucr.edu>
To: "J. Zelmanowitz" <jzelm@gte.net>
Cc: <Gary.Lawrence@ucop.edu>, <ellen.wartella@ucr.edu>
Subject: RE: FW: Formal review, policy on distribution of course recordings
Date: Mon, 25 Apr 2005 10:08:19 -0700
Organization: cathy.chi@ucr.edu

Dear Provost Zelmanowitz,

Here is the comment from our coordinator for MOP/Copyright/Trademark/VCA, Mike Wicke:

I have read the policy and support it as currently written. In addition to the copyright issues, I m glad to see that the right of privacy for audience members is addressed in Section C. Thank you for providing me with the opportunity to comment. Mike

Thank you for allowing us the extra time.

Cathy

-----Original Message-----

From: J. Zelmanowitz [<mailto:jzelm@gte.net>]

Sent: Friday, April 22, 2005 9:27 PM

To: cathy.chi@ucr.edu

Cc: gary.lawrence@ucop.edu

Subject: Re: FW: Formal review, policy on distribution of course recordings

of course!

Dear Provost Zelmanowitz,

For whatever reason the Chancellor's office and our office had not received this letter mentioned in your email in January. So far I have only received one comment listed below in blue. Mike Wicke who is our campus expert on copyrights is on vacation this week. Would you be so kind to extend the deadline to Monday? I hope I will have more comments to send you. Thanks.

[This policy is one that seems relevant. I encourage its adoption as is - from Interim Dean Mark Matsumoto of College of Engineering.](#)

Cathy