

UNIVERSITY OF CALIFORNIA

BERKLEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

OFFICE OF THE PROVOST AND SENIOR VICE PRESIDENT
ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

January 10, 2005

CHANCELLORS
LABORATORY DIRECTORS
ACADEMIC COUNCIL CHAIR BLUMENTHAL

Dear Colleagues:

I am enclosing for formal Universitywide review the proposed Policy on Use of Recordings of Course Presentations. This policy was prepared by the University's Standing Committee on Copyright (<http://www.ucop.edu/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.

An earlier version of this proposed policy was distributed to campuses and the Academic Senate for informal review in May 2001. The Standing Committee carefully considered the comments received in that review in preparing the enclosed revision.

This is a formal review of a proposed revised policy, and employees should be afforded the opportunity to review and comment. The draft policy and the Standing Committee's background paper may also be found on the Web at <http://www.ucop.edu/copyright/recordingsdraft.html>. Comments on the proposed Policy on Ownership of Course Materials should be directed to Vice Provost Julius Zelmanowitz, Office of Academic Initiatives, by March 2, 2005. If you prefer, you may send comments via email to: gary.lawrence@ucop.edu. Questions or requests for information may be directed to Gary Lawrence at (510) 987-9461 or gary.lawrence@ucop.edu.

Sincerely,

A handwritten signature in cursive script, appearing to read "M.R.C.", written in dark ink.

M.R.C. Greenwood
Provost and Senior Vice President
Academic Affairs

Enclosure

cc: President Dynes
Members, President's Cabinet
Vice Provost Zelmanowitz
Associate Vice President Boyette
Assistant Vice President Switkes
Members, Standing Committee on Copyright

bcc: Executive Director Bertero-Barcelo
Executive Director Pripas

Policy on Use of Recordings of Course Presentations

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