Copyright and Intellectual Property Policy

POLICY NUMBER:	700.11.01	**CUSTODIAN:**	Student Services Dean
APV'D DATE:	11/16/21		
EFFECTIVE DATE:	8/14/2017	**REVIEW DATE:**	Oct 2021

REFERENCES:
Fair Use Doctrine of Copyright Law

Part 1. Policy Background and Purpose

WETCC expects all students and employees to comply with applicable federal, state, and tribal laws governing copyrighted materials, which grants authors, publishers, and creators'control over the copying, distribution, transmission, and performance of their original works. WETCC recognizes the importance of the Fair Use doctrine and its responsibilityto provide information and guidance in support of teaching and learning. Fair Use DoctrineSection 107 of the copyright law allows fair use of copyrighted materials. There are four criteria all of which must be considered, in determining fair use:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. Amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

Part 2. Definitions

Copyright is a form of protection provided by the laws of the United States to the authors/creators of original works of authorship, including literary, dramatic, musical, artistic, and certain other intellectual works.

Copyright law allows the owner of copyright the exclusive right to do and to authorize others to reproduce, prepare derivative works, distribute, perform, or display works.

Part 3. Responsibility

Librarian is the WETCC Copyright Officer. The Copyright officer will exercise general oversight for WETCC and assure that information and guidelines areavailable via the WETCC website. The Copyright Officer will serve as the final authority for denials of requests to duplicate or transmit copyrighted materials.

The Student Services Dean will impose sanctions appropriate with policies if notified of violations from the Copyright Officer.

Part 4. Policy

It is illegal for anyone to violate any of the rights provided by the copyright law to the owner of the copyright.

To that end, WETCC will:

- Inform its employees about the application of the four factors governing fair use.
- Develop and make available resources related to copyright and fair use.
- Provide notice to students those materials used in connection with courses may besubject to copyright protection.
- Assist employees in obtaining permission to use copyrighted materials. Employees are responsible for maintaining their own records involving written permissions.
- Impose sanctions consistent with WETCC policies on any student or employee where there is a finding of willful infringement of the copyright policy.

Intellectual Property and Ownership

- The ownership of any materials, processes, or inventions developed solely by an employee's individual effort and expense will vest in the employee and be copyrighted or patented, if at all, in his/her name.
- The ownership of materials, processes, or inventions produced solely for WETCC and at WETCC's expense will vest in WETCC and be copyrighted or patented,if at all, in the name of WETCC.
- In those instances where materials, processes, or inventions are produced by an employee with WETCC support, by way of use of significant personnel, time, facilities or other college resources, the ownership of the materials, processes or inventions will vest in (and be copyrighted or patented by, if at all) the person designated by written agreement between the parties entered before the production. In the event there is no such written agreement entered, the ownership will vest in WETCC.

This policy applies to all WETCC employees and students. The policy applies to non-employees who may be authorized to use WETCC resources. The principles of this policy extend to, and include use of WETCC resources, regardless of its location. Access to information resources, the sharing of information, and the security of the intellectual products of the community all require that every user accept responsibilities.