



Ohio Administrative Code Rule 3358:5-11-03 Copyright policy.

Effective: November 15, 2022

(A) Define copyright Copyright is the ownership and control of the intellectual property in original works of authorship that is subject to copyright law. All rights in copyright shall remain with the creator unless the work is a "work for hire." For the purposes of this policy, a work will be considered a "work for hire" if the work is supported by a direct allocation of funds through the college for the pursuit of a specific project, is commissioned by the college, or is otherwise subject to contractual obligations that define it as college work. This policy covers all faculty and staff of the college including adjunct faculty.

(B) Printing/copying

(1) The unauthorized use or copying of any material which is copyrighted and/or licensed is illegal and unethical. The copyright law of the United States (Title XVII United States Code) governs reproducing copyrighted material. Faculty, staff, and students shall abide by the national standards for copyright as reflected in the following guidelines:

(a) Guidelines for classroom copying for not-for-profit educational institutions with respect to books and periodicals

(b) Guidelines for use of audiovisual materials including video tapes, CDs, DVDs, etc.

(c) Guidelines for off-air recording of broadcast programming for educational purposes

(d) Guidelines for educational uses of music

(2) Failure to observe copyright and/or license agreements is a violation of the law and of Clark state policy.

(3) No college-owned/leased copying or computing equipment shall be used for unauthorized



copying or commercial purposes.

(4) Respect for the intellectual work and property of others has traditionally been essential to the mission of Clark state college. Plagiarism is not tolerated nor is the unauthorized copying of software (including programs, applications, data bases, and code), and any other material protected by copyright.

(5) The faculty and staff of Clark state college recognize its obligation to provide continuing guidance as to what constitutes academic honesty and to promote procedures and circumstances which will reinforce this principle.

(6) To ensure compliance with the guidelines, the college shall make the guidelines/copyright notice available to all faculty, staff, and students. Copyright guidelines are included in the faculty, staff and student handbooks and are posted in computer labs and other public areas where there is equipment capable of producing copies. This includes public copiers, fax machines and printers.

(7) Liability for any infringement of this policy rests with the person making the copy or requesting the copy.

(8) The copyright compliance officer at the college is the director of library services. Records of all requests for permissions, replies to such requests, and license agreements shall be filed and maintained in the office of the copyright compliance officer.

(C) Works for hire - Use and ownership of employees personal work products "Work for hire" is a legal term defined as "a work prepared by an employee within the scope of his or her employment." This definition includes works prepared by employees in satisfaction of sponsored agreements between the college and outside agencies. Certain commissioned works also are works for hire if the parties so agree in writing. The employer by law is the "author," and hence the owner, of works for hire for copyright purposes. Ownership in a work for hire may be relinquished to the employee or others only by an official of the college authorized to do so.

(1) Employees may not utilize college personnel, facilities or equipment for purposes not related to the college mission.



(2) For purposes relating to the college mission, the college shall have unlimited use of all employees personal work products created with the assistance of college personnel, facilities or equipment.

(3) For purposes relating to the college mission, materials, processes or work products created with the assistance of college personnel, facilities or equipment or created while under contract with the college for the purpose of the creation of such materials, processes or work products shall be the exclusive property of the college.