

COPYRIGHT POLICY

Copyright is a form of protection provided by the laws of the United States to the authors of "original works of authorship," including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works.

It is the policy of Kentucky Wesleyan College to comply with the provisions of United States copyright law (*Title 17, United States Code*). All Kentucky Wesleyan College faculty, staff and students are expected to refrain from using copyrighted works in any way not authorized by (a) fair-use guidelines, including those specifically granted to educators in classroom settings, (b) specific exemptions in the copyright law, or (c) licenses or written permission from the copyright owner. Individuals who willfully disregard copyright law place themselves at risk of civil and criminal legal action.

Fair Use Guidelines

"Fair use" is a copyright law doctrine that permits the reproduction or other use of a copyrighted work, without the copyright owner's permission, for purposes such as criticism, commentary, news reporting, teaching and research. Rather than specifying which uses are fair, copyright law establishes a four-factor balancing test for courts to employ on a case-by-case basis. These fair use standards, embodied in section 107 of the Copyright Act, are:

- The purpose and the character of the use, including whether it is for commercial or non-profit educational purposes
- The nature or type of the copyrighted material (i.e., periodical, film, book, etc.)
- The amount and substantiality of the portion used in relation to the whole
- The effect of the use on the potential market for or value of the copyrighted material

Public Domain Materials

Many materials, such as government documents and older publications, are in the public domain and not protected by copyright. Items in both of these categories may be photocopied for reserve without permission.

Library Collections

The collections of Howard Greenwell Library are purchased for the nonprofit educational use of Kentucky Wesleyan College students, faculty and staff. All library materials are acquired with the understanding that there will be multiple uses of a limited number of purchased copies.

Library Reserves

- Materials placed on print or electronic reserve must comply with copyright regulations and conform to the guidelines for fair use according to Title 17, United States Code.
- All materials placed on print or electronic reserve will be at the initiative of faculty for the non-commercial, educational usage of students.
- Users may make one copy of reserve materials for private study, personal reading, research, or scholarship.