

Copyright Policy
Divine Mercy University Catalog
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	unpublished work (paper, article, or chapter)?	Dishonesty Report to the program director and/or dean in which the course resides.
	Did the student submit another student's work for an assignment, with or without that person's knowledge or assent?	The student receives a failing grade in the course and an Academic Dishonesty report is submitted to the program director and/or dean in which the course resides.
	Did the student download or purchase a paper from a website or other source?	
	Did the student reuse or modify a previously submitted paper (e.g. from another course) for a present assignment without obtaining prior approval from the instructors?	The student is expelled from the university. Action is taken at the discretion of the Dean or VPAA.

(Source: Columbia International University)

Copyright Policy

It is the policy of Divine Mercy University that all faculty, staff, students, and other members of the University community adhere to all copyright laws concerning the reproduction of materials and will be responsible for any infringement(s).

The increased use of file sharing (peer-to-peer) software has led to a significant increase in anti-piracy efforts and legislation. Peer-to-peer programs allow sharing of copyrighted music, movies, and software often without the knowledge or consent of the user. Legislation including the Digital Millennium Copyright Act in conjunction with automated scanning software employed by software publishers and music and movie production companies can lead to a significant increase in copyright infringement complaints received by the University.

The University accepts and processes notices received under the Digital Millennium Copyright Act concerning copyright infringement conducted on a peer-to-peer network. The University reserves the right to terminate network privileges for anyone who engages in such copyright infringement.

Copyright is defined by the United States Copyright Office as:

A form of protection provided by the laws of the United States (title 17, U.S. Code) 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is available to both published and unpublished works. Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- To reproduce the work in copies or phonorecords;
- To prepare derivative works based upon the work;
- To distribute copies or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- To perform the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, motion pictures and other audiovisual works;
- To display the copyrighted work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and in the case of sound recordings, to perform the work publicly by means of a digital audio transmission.¹

The United States Copyright Office further states the following:²

One of the rights accorded to the owner of copyright is the right to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 118 of the Copyright Act ([title 17, U. S. Code](#)). One of the more important limitations is the doctrine of “fair use.” Although fair use was not mentioned in the previous copyright law, the doctrine has developed through a substantial number of court decisions over the years. This doctrine has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

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.

The distinction between “fair use” and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken

¹ United States Copyright Office. (2004). *Circular 1 Copyright Basics*. Washington, D.C. [Available online: <http://www.copyright.gov/circs/circ1.html>], p1

² United States Copyright Office (2006), <http://www.copyright.gov/fls/fl102.html>

without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

The 1961 Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law cites examples of activities that courts have regarded as fair use: “quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported.”

Copyright protects the particular way an author has expressed himself; it does not extend to any ideas, systems, or factual information conveyed in the work.

The safest course is always to get permission from the copyright owner before using copyrighted material. The Copyright Office cannot give this permission.

When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of fair use would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered fair nor advise on possible copyright violations. If there is any doubt, it is advisable to consult an attorney. (FL-102, Revised July 2006)

Class Attendance

For students in onsite programs:

All students are required to attend all scheduled classes. All students are required to complete all examinations and other course requirements as stipulated in each syllabus. Students may miss up to 2 classes total in a 15-week semester or 1 class total in a 5-week semester (e.g., for illness, celebration of sacraments, bereavement, and maternity/paternity needs). Students must promptly notify the instructor of their absence and are responsible for making up the in-class work that they will miss (or missed) in a timely manner following the direction of the faculty member. Students who miss more than 2 class sessions in a 15-week semester or 1 class session for a 5-week semester, will be automatically issued a withdrawal fail (WF) from the course.

For students in online programs

The curriculum is delivered online using the Canvas learning management system. Students are expected to attend the online classroom and actively participate in the course. Penalties may be imposed for a student who misses, fails to attend each week, or misses an assignment, unless the absence is due to serious and extenuating circumstances, and the student notifies the instructor in a timely manner.