



UNIVERSITY COMMITTEE ON EDUCATIONAL POLICY (UCEP)  
Jose Wudka, Chair  
Jose.wudka@UCR.EDU

Assembly of the Academic Senate  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200  
Phone: (510) 987-9466  
Fax: (510) 763-0309

November 10, 2011

Jim Phillips  
Director, Learning Technologies  
UC Santa Cruz

**RE: ETLG COPYRIGHT RECOMMENDATIONS**


Dear Jim,

UCEP discussed the ETLG's UC copyright recommendations during its October 3<sup>rd</sup> meeting. I believe the document would improve in clarity and usefulness if it included background material on both fair use and copyright, including some of the definitions being used at other institutions (if available). As it is the UCEP based its deliberations on what individual members understand fair use and copyright to mean. With that caveat the Committee offers the following suggestions:

- There should be a notification process to inform faculty about changes on the Copyright and Fair Use website.
- A standard training system should be user-friendly. It would be good to have a system that can adapt to changes in the laws.
- A uniform risk management system that everyone buys into may be desirable to eliminate the variation across the campuses.
- The ETLG should provide help to UC faculty so they can retain and protect their copyright. It would be helpful to have guidance for faculty to gain knowledge and have support
- Fair use is being eroded so UC should defend and advocate for it. The recommendation about establishing guidelines could be modified to state that UC should protect fair use.

Finally, it would be prudent to insure that there are no unintended consequences in adopting a unified definition and interpretation of fair use. Providing a sharp definition could exclude material central to some academic activities in the university. I believe the Senate should be again consulted before any new such policy is adopted or the proposed web page deployed.

Sincerely,



Jose Wudka, Chair  
UCEP