

Minutes of Meeting May 26<sup>th</sup>, 2011

## Approved Summer 2011

## Final

Committee Attendees: Austin, Jansma, Lew, Loehrer, Lynch, Mamer, Pires, Snyder, Wendrich. Guests: Amy Blum, Martin Brennan, Rob Rodgers,

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## 1. Quick Topics

- a. Minutes from 4/12/11 meeting approved for posting with minor revisions
- b. The May meeting was the last meeting for this academic year. The Chair thanks everyone for an outstanding year of service and wants to recognize in particular the four members of the FCET who have finished their 3 year term:
  - i. Reem Hanna-Harwell
  - ii. Kim Jansma
  - iii. Deb Pires
  - iv. Francis Steen

Members should let Michelle Lew know if they have suggestions of faculty who might be willing to serve on the FCET or if they are willing to renew their commitment.

2. Proposal to indicate copyright status in Course Management Systems (CCLE) file uploads with Martin Brennan, Copyright and Licensing Librarian and Amy Blum Sr. Campus Counsel.

With the pending upgrade by the campus to Moodle 2.0 it will be possible to include metadata regarding copyright status of uploaded documents. The proposal that was distributed to the committee has already been vetted by the CCLE's Standards and Practices Group but this group also felt it would be useful to seek feedback from both the FCET and the ITPB. If the FCET approves of the proposal, Martin Brennan and Amy Blum will then take the proposal to the ITPB.

The basic idea of the proposal is to modify the file upload so that instructors will be asked to choose one of the following categories for each file that is uploaded:

- I own the copyright.
- The UC Regents own the copyright.
- Item is licensed by the UCLA Library.
- Item is in the public domain.
- Item is available for this use via Creative Commons license.
- I have obtained written permission from the copyright holder.
- I am using this item under fair use.
- Upload by faculty designate; copyright status to be determined

The final bullet point was added at the recommendation of the S&PG so that faculty workflow would not be disrupted. In the first phase of implementation instructors with content in this category would receive a weekly email reminding them that they need to assign copyright status to these items. In a subsequent phase, items uploaded by a faculty designate would be invisible to students until faculty assign copyright status. It was also noted that Moodle will be modified so that items in the fair use category will be excluded from Moodle's Backup/Restore. Faculty can reload the items and declare their status as they see fit but the system will not backup and restore them automatically.

The committee remarked that faculty will need help in determining copyright status of some items they use. Martin indicated that he and others in the Library will be available to help. In addition, Moodle will be modified to include definitions of the various copyright terms as well as links to tutorials and contact information. Martin is also working to make copyright education part of the campus Digital Citizen effort.

The committee also noted that there are still some schools and departments not on CCLE and felt it would be desirable for this type of copyright designation to be implemented in those systems as well. The committee felt the campus should have a uniform architecture for this function.

The committee asked for clarification on what the potential penalties are for an individual faculty who a publisher feels is violating fair use. Amy Blum from campus counsel replied that this would fall under the Faculty Code of Conduct. Part of that code states that violation of University Policy is unacceptable conduct. An example would be if someone were intentionally not complying with University Policy. You could be subject to liability and individuals do get named in lawsuits against the University. If however you are acting in the course and scope of employment then you would be represented by University counsel.

The committee also suggested that report data could be used as an incentive. For example, if there was a way for the library to see which items were widely under fair use it could attempt to acquire a broader license for them.

The committee asked what is the best method for faculty to see if something is already licensed by the library and could that ability to check be integrated into the CCLE system? Could someone submit a bibliography and have it flagged for what items are currently licensed?

This library licensing issue also has implications if UC is intending to allow non-UC students access to online UC classes.

### 3. UCOE

The ITPB appreciated the FCET's comments on the UC Online Education proposal and agreed with it. Lawrence Pitts will be on campus on 6/6/11

Although the committee disagrees with the strategy towards online education that OP is taking, it doesn't disagree with the content. The committee is still committed to continuing the conversation on guidelines and items for consideration when reviewing online courses in order to help groups at UCLA like Undergraduate and Graduate Council deal with future local proposals for online courses.