Policy Number: 138
Policy Title: Student Misuse of Course Materials

POLICY:

All instructor-created materials, both physical and electronic, used in this course are copyrighted by the instructor. Student-made video or audio recordings of the instructor are also copyrighted by the instructor. These materials may not be reproduced and/or distributed physically or electronically by any student without the consent of the instructor or the copyright holder. This provision includes, but is not limited to, posting any course materials to the Web or social media. Students who violate these copyright protections will be subject to charges of intellectual property theft that can result in suspension or expulsion from the College.

PROCEDURE:

Overview

When an instructor believes there has been a violation of the policy, the student may accept the instructor’s decision or appeal it to the department chair. If the student chooses, he or she may appeal the decision of the department chair to the campus academic dean. The decision of the dean is final. One or more violations may result in expulsion or suspension or a block on the student’s academic transcript.

Details

The instructor will inform the student of a suspected violation by completing and delivering Form A to the student. The student will sign Form A to acknowledge receipt.

These are the possible courses of action for the student.

A. **The student proves to the instructor that there was no violation.** In this event, the instructor should destroy his or her copies of Form A.

B. **The student admits to the violation.** In this case, the instructor should keep his or her copy of Form A, signed by the student. A copy of Form A will be delivered to the department chair. The department chair will notify the **VPAA** that an expulsion panel needs to be convened.

C. **The student chooses to appeal the instructor’s decision.** The student appeals by completing 2 copies of Form B, one each for the instructor and the department chair. The student must deliver Form B to the department chair and the instructor within five college instructional days of receiving Form A. Otherwise, the department chair will notify the **VPAA** that an expulsion panel needs to be convened.

   1. The department chair will schedule a meeting with the instructor and the student. The meeting will be within five college instructional days of the date by which the department chair received Form B from the student.

Comment [FAPC1]: Replace the word "this" with the word "a".

Comment [ITPC2]: The following reflects the concerns and questions of the ITPC Committee:

1. Is this policy (as written) congruent with policies regarding copyright and "fair use"?
2. May a student not reproduce or use an instructor's materials in any way (unless explicit consent has been granted), including simply sharing lecture notes with another student?
3. Can this policy be enforced?
4. Perhaps this policy should focus more specifically on distribution (for profit) and not so much on simple reproduction.
5. We need much clearer definitions on what is acceptable in terms of student use of instructor materials.
6. The discipline component of this policy seems a bit harsh. The student is presumed "guilty"?
7. Further, if the Department Chair finds the student to be guilty, he / she notifies the **VPAA** who then convenes an expulsion panel? Is there no room for error here? What about a first offense? Can an instructor simply talk to the student about the offense and elect not to impose a penalty?
8. Several members of the committee noted that there is entirely acceptable (legal?) for students to audio tape lectures even without the instructor's consent.
9. Have we looked at other colleges / universities to review their policy on use / misuse of faculty materials?

Comment [FAPC3]: Insert the title "Vice President for Academic Affairs" between the word "the" and the acronym "VPAA". Place the acronym "VPAA" in parenthesis.

Comment [FAPC4]: Under "B" – is this the only decision the instructor makes whether or not a violation occurred? Appears no decision is made as to consequences based upon the severity of the violation or if it was an "honest mistake".

Comment [FAPC5]: Under "C" – again, is it all or nothing? Violation of any type the only choice is expulsion? That is the way it reads . . .
2. The department chair will make a determination and inform the student and the instructor within five college instructional days of the meeting. If it is determined that the student violated the policy, the department chair will notify the VPAA that an expulsion panel needs to be convened.

3. The student may appeal the decision of the department chair. To do so, the student must complete 3 copies of Form C, one each for the campus academic dean, the department chair, and the instructor. The student must deliver these forms within five college instructional days of receiving the department chair’s decision.

4. The academic dean will schedule a meeting with the instructor and the student. The meeting will be within five college instructional days of the date by which the dean received Form C from the student.

5. The academic dean will inform the student of his or her decision within five college instructional days of the meeting. The decision of the dean will be final. This dean may choose to confer with a group of his or her peers while making this decision.

If the student does not appeal to the department chair within the given time frame, or does not appeal to the dean within the given time frame, the department chair will notify the VPAA that an expulsion panel needs to be convened.

When a student is scheduled to appear before an expulsion panel for violating this policy, a hold will be placed on the student’s record to prevent him or her from registering until after the panel has made its recommendation to the vice president.

Records
In the following cases, a record of the incident will be placed on file in the office of the Vice President for Academic Affairs.
1. The student admits to a violation.
2. The student is found guilty by the department chair, and the student does not appeal the decision of the department chair.
3. The student is found guilty by the academic dean.

Records of previous incidents will be taken into consideration by subsequent expulsion panels.

Policy Council Review Date(s):
AAPC: 01/21/14; FAPC: __________; SAPC: __________; ITPC: __________; IAPC: __________

PPAB Approval Date: __________
Form A

Violation of the GPC Policy 138: Misuse of Course Materials

One copy each should be given to the student and the department chair. One copy should be kept by the instructor. The student must sign the instructor’s copy. The instructor must keep this form as long as he or she is required to keep attendance and grade records for the class.

Section 1
Student’s name ________________________________

Student’s ID number ____________________________

Class ________________________________

Instructor ________________________________

Instructor’s signature ________________________________

Date __________________________

Section 2

Course materials in question:

The instructor’s description of the violation:
**Section 3**
Please sign here to acknowledge that you have received a copy of this document and that you understand that you are responsible for checking your GPC student email account for correspondence relating to this issue. Check daily until the matter has been resolved.

Signing is not an admission of guilt.

Signature ___________________________ Date ______________________

Current student phone numbers:

Cell ___________________________

Home ___________________________

GPC email address ___________________________@student.gpc.edu
Section 4
The student has 5 college instructional days to appeal this action by filing Form B with the department chair.

Department chair: ____________________________________________

Email: ______________________________________________________

Office/campus/phone number: ________________________________
Form B
Appealing the Instructor’s Accusation
Violation of the GPC Policy 138: Misuse of Course Materials

To appeal the instructor’s findings, the student completes 2 copies of this form, one each for the instructor and the department chair. The student must deliver these copies of Form B within five college instructional days of receiving Form A from the instructor.

Part 1
Student name ____________________________
Student signature ____________________________
Student ID number ____________________________
GPC email address ____________________________@student.gpc.edu
Class ____________________________
Instructor ____________________________
Date ____________________________

Part 2
Explain what happened and why you believe the instructor’s view of this matter is incorrect. Attach additional pages and documentation if necessary.
Form C
Appealing the Department Chair’s Decision
Violation of the GPC Policy 138: Use of Course Materials

To appeal the department chair’s decision, the student completes 3 copies of this form, one each for the instructor, the department chair, and the campus academic dean. The student must deliver these copies of Form C within five college instructional days of receiving the department chair’s decision.

**Part 1**
Student name ____________________________________________
Student signature ____________________________
Student ID number ________________________________________
GPC email address ____________________________@student.gpc.edu
Class ________________________________________________
Instructor ______________________________________________
Date ________________________________________________
Department Chair ________________________________________

**Part 2**
Explain what happened and why you believe the instructor’s and department chair’s views of this matter are incorrect. Attach additional pages and documentation if necessary.