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**DEANS  
VICE PROVOSTS  
DEPARTMENT CHAIRS  
PROGRAM DIRECTORS**

Re: Guidance on Copyright of Course Materials at UC Davis

Dear Colleagues,

As faculty prepare to deliver instruction remotely, I am providing this brief review of copyright to help them understand and protect their rights. Please share with instructors in your units.

Instructors Own the Copyrights to Their Course Materials, Including Recordings of Their Lectures.

Under UC policy, instructors own the copyrights to Course Materials they create. Course Materials are materials prepared for use in teaching, and include, but are not limited to, lectures, recordings of such lectures, lecture notes and materials, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software. As a practical matter, that means that only the instructor, and anyone to whom the instructor has granted permission, may reproduce, distribute or display (post/upload) course materials. See [UC 2003 Policy on Ownership of Course Materials](#). Copyrights to video or audio recordings of lectures made by instructors are owned by instructors.

Courses Taught Remotely Due to COVID-19 Are *Not* Created Using Exceptional University Resources.

If course materials are created using “Exceptional University Resources,” ownership of those materials is governed by a signed agreement between the University and instructor specifying how rights will be owned and controlled. Please be assured that UC Davis considers that courses being taught remotely solely in response to COVID-19 are *not* created using Exceptional University Resources for purposes of this policy.

Your Course Presentations, Including Recordings, May Not Be Distributed, Except in Limited Circumstances.

Under UC policy, nobody, including a student, may give, sell, post or otherwise distribute recordings of course presentations, except in the following cases:

1. Students enrolled or auditing a course may give their own recordings to other enrolled/auditing students;
2. Faculty may use recordings made by them in compliance with University policy; and
3. Course recordings may be provided to students with a disability as an accommodation.

See UC 2005 Policy on [Use of Recordings in Course Presentations](#).

### You Can Take Steps to Protect Your Course Materials.

The following are steps you can take that will help you protect your materials:

1. Post your materials only on a platform *that has been approved by UC Davis* and that is password-protected and accessible only to enrolled or auditing students, for example, Canvas.
2. Advise students that your Course Materials, including recordings of your course presentations, are protected and that students may not share them except as provided by U.S. copyright law and University policy. You can share this information with students in your first class meeting, on your course website, and in your syllabus. Here is some sample language:

*“My lectures and course materials, including PowerPoint presentations, tests, outlines, and similar materials, are protected by U.S. copyright law and by University policy. I am the exclusive owner of the copyright in those materials I create. You may take notes and make copies of course materials for your own use. You may also share those materials with another student who is enrolled in or auditing this course. You may not reproduce, distribute or display (post/upload) lecture notes or recordings or course materials in any other way — whether or not a fee is charged — without my express prior written consent. You also may not allow others to do so. If you do so, you may be subject to student conduct proceedings under the UC Davis [Code of Academic Conduct](#). Similarly, you own the copyright in your original papers and exam essays. If I am interested in posting your answers or papers on the course web site, I will ask for your written permission.”*

3. If applicable, you should advise your students in your first class meeting, on your course website, and in your syllabus that your Zoom sessions, including student comments, are being recorded. This will provide notice to students of the recording in order to protect student privacy in the event that there is an impermissible posting.
4. Indicate on the first or every page of your Course Materials (in a header or footer, on PDFs and in Canvas) that they are protected by copyright: “© Faculty Name 2020”
5. Include your UC Davis email address so that people who want to ask your permission to use your materials will be able to contact you easily.
6. If you are concerned about students posting materials to CourseHero, know that CourseHero has advised UC counsel that its filtering tool will, in nearly all instances, prevent the upload of materials that include this sentence in the header or footer:

“This content is protected and may not be shared, uploaded, or distributed.”

7. If you find that your material has been uploaded to CourseHero, assert your copyrights by sending a DMC takedown notice using the CourseHero [takedown portal](#).

Once a valid takedown notice is submitted (which is why you should use the portal), CourseHero has a duty to act “expeditiously”—usually 2-3 days. Please note that similar websites have not made this explicit commitment, but we do still recommend adding such header or footer to your uploaded content if you are concerned about asserting your copyrights.

8. If you learn that a student has posted material in violation of UC policy, you may report that student to the [Office of Student Support and Judicial Affairs](#).

#### You Also Need to Protect the Copyrights of Others

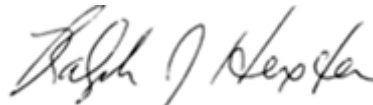
When creating and recording materials for remote instruction, you also need to attend to the copyrights of others. [The UC Davis library](#) provides guidance on Fair Use of files, images, audio, and video.

#### Concluding Remarks

Please note that this is a guidance document, not policy. It does not modify or supersede existing policy or law. We are working on additional guidance to assist the campus community in understanding how copyright laws and University policy apply to remote instruction. Because this information is evolving and subject to change, the library [website](#) will update as needed.

Thank you for your ongoing support and cooperation as we transition to alternative forms of instruction so that our students can continue their studies without interruption. If you have concerns or questions about ownership of course materials, please contact Senior Campus Counsel Sheila O’Rourke at [sorourke@ucdavis.edu](mailto:sorourke@ucdavis.edu).

Sincerely,



Ralph J. Hexter  
Provost and Executive Vice Chancellor  
Distinguished Professor of Classics & Comparative Literature

c: Academic Senate Chair Lagatutta  
University Librarian & Vice Provost – Digital Scholarship Smith  
Senior Campus Counsel O’Rourke