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Appendix A Course Outline Guidelines

Format for Writing Course Outlines

(Font: Times New Roman; Top/bottom margins and L/R margins .5; # in parentheses is font size)

(18) COURSE OUTLINE

(14) Course Number

(14) Course Title

(12) # Semester Hours

HOWARD COMMUNITY COLLEGE

(12 point for remainder of document)

Description

Identical to catalog description; includes listing of prerequisites.

Overall Course Objectives (List only requirements that will be included in all sections of the course)

Upon completion of this course the student will be able to:

Behaviorally stated
10-20 specific to course

Major Topics

Listed in outline form.

Course Requirements (List only objectives that will be included in all sections of course)

Grading/exams: Grading procedures will be determined by the individual faculty member but will include the following:

Writing: Specific writing assignments will be determined by the individual faculty member.

Other Course Information

Meets college definition for: Oral communication, Cultural Diversity, Fine Arts. This course is a ___ course and a ___ elective.

Footer: Updated on date/faculty initials.

Statement to be Included with Course Outline:

Howard Community College is committed to providing a high-quality learning experience that results in a growth in knowledge, attitudes and skills necessary to function successfully as a transfer student, in a career and as a citizen. To accomplish this goal, we maintain high academic standards and expect students to accept responsibility for their individual growth by attending class, completing all homework and other assignments, participating in class activities and preparing for tests.

We take seriously our responsibility to maintain high-quality programs and will periodically ask you to participate in assessment activities to determine whether our students are attaining the knowledge, attitudes and skills appropriate to various courses and programs. The assessment activities may take many different forms such as surveys, standardized or faculty-developed tests, discussion groups or portfolio evaluations. We ask that you take these activities seriously so that we can obtain valid data to use for the continuous improvement of HCC's courses and programs.

Statement to be Included with Course Outlines for Developmental Classes

Any student who repeats a developmental education course for the third (or more) time(s) will be required to participate in free one-on-one tutoring through the Learning Assistance Center for a minimum of one hour per week. **Failure to attend the weekly tutoring sessions will result in the student receiving a failing grade in the course.**

Appendix B Course Syllabus Guidelines

COURSE OUTLINE

ENGL-121

College Composition I: Expository Writing

3 Semester Hours

HOWARD COMMUNITY COLLEGE

Description

ENGL-121 is the first of a two-semester sequence of college-level composition courses. (ENGL-122 is the second course in the sequence for most HCC degree programs. ENGL-121 transfers as university-parallel freshman English.) ENGL-121 guides students through the expository writing process through close reading of contemporary critical discourse and teaches the rhetorical arts of argument and persuasion through critical thinking, reading and research. Students will develop an understanding of themselves as readers and writers of culture as they participate in public discourse about writing; examine the relationship among writer, audience, and purpose; and practice writing prose through a recursive process. Students completing this course should be able to write persuasive, researched and documented essays (of at least 1,000 words) demonstrating the conventions of standard written English and manuscript presentation. Prerequisite: Eligibility to enroll in ENGL-121 is based on English placement test scores or the successful completion of required developmental English course work. (3 hours weekly).

Overall Course Objectives

Upon completion of this course the student will be able to:

1. Demonstrate an understanding of various writing invention strategies for generating ideas and gathering information;
2. Demonstrate an understanding of the relationships among writer, audience, and purpose;
3. Formulate clear thesis statements;
4. Organize ideas logically and appropriately to support the thesis statement;
5. Demonstrate the primary principles of scholarly inquiry and research;
6. Perform basic research in the library and in electronic media;
7. Correctly incorporate source materials into essays;

8. Document sources using content-appropriate format (APA and MLA);
9. Edit, revise, and proofread to achieve more effective communication of ideas;
10. Provide constructive feedback to another student's writing in a workshop setting;
11. Use study skills and techniques for answering in-class essay exam questions;
12. Employ critical thinking skills as a writer;
13. Demonstrate the ability to use word-processing and appropriate software programs for writing.

Major Topics

1. Writing as a Recursive Process
2. Creating the Expository and Persuasive Essay
3. Employing Effective Library and Electronic Research Techniques
4. Documenting Sources
5. Writing the Effective Research Paper
6. Writing with Authority and Integrity

Course Requirements

Specific assignments and procedures for evaluating student performance in the class (i.e., grading) will be described in the individual class syllabus, but all sections will include the following:

1. Students will produce 15-20 pages of formal writing in at least four discrete essays, including one researched, documented essay of at least 1,000 words.
2. Students will write 1-2 in-class essays in response to an exam prompt or question.
3. At least 80% of the final grade will be based upon writing, both formal and informal.
4. ENGL-121 approaches writing as a continual process of learning in which assignments are interdependent; therefore, students must complete all formal assignments to successfully complete the course.
5. Students will have in-class (as well as out-of-class) writing assignments.

Other Course Information

ENGL-121 is a Composition Core course and meets the university freshman composition requirement.

On HCC's main campus, this course is taught in a networked, computerized environment.

Common Course Outline and Syllabus Guideline

Every course taught at Howard Community College has a "common course outline" listing the course description, major topics and objectives, and other information common to every section. It is very important for your course syllabus to correspond to the description, topics and objectives listed in the common course outline. We suggest that the common course outline become the first page(s) of your course syllabus and that it include other information specific to your requirements for the course, or integrate common course outline elements into the syllabus to ensure the course closely parallels the common course outline.

Instructor Information

- Instructor's Name
- Division Office Name and Number
- Hours Available to Meet with Students
- Phone Number - Off campus number is optional but encouraged

Course Information

- Course Number/Section
- Course Title
- Credits: Lecture and Laboratory
- Prerequisites: Required and Suggested
- Required Text/Supplementary Materials

Additional Course Objectives

- Behavioral Objectives - Summarize what a student should learn to complete the course successfully

Class Policies

- Course Requirements
- Evaluation - Grades
- Attendance Policy
- Due Dates
- Make-up Work
- Final Exam Date - If any, refer to final exam schedule available in the division office
- Other

Institutional Policies

- Withdrawal Date, Add/Drop
- Academic Honesty and Plagiarism Guidelines

COURSE OUTLINE

ENGL-121

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3 Semester Hours

HOWARD COMMUNITY COLLEGE

Description

ENGL-121 is the first of a two-semester sequence of college-level composition courses. (ENGL-122 is the second course in the sequence for most HCC degree programs. ENGL-121 transfers as university-parallel freshman English.) ENGL-121 guides students through the expository writing process through close reading of contemporary critical discourse and teaches the rhetorical arts of argument and persuasion through critical thinking, reading and research. Students will develop an understanding of themselves as readers and writers of culture as they participate in public discourse about writing; examine the relationship among writer, audience, and purpose; and practice writing prose through a recursive process. Students completing this course should be able to write persuasive, researched and documented essays (of at least 1,000 words) demonstrating the conventions of standard written English and manuscript presentation. Prerequisite: Eligibility to enroll in ENGL-121 is based on English placement test scores or the successful completion of required developmental English course work. (3 hours weekly).

Overall Course Objectives

Upon completion of this course the student will be able to:

1. Demonstrate an understanding of various writing invention strategies for generating ideas and gathering information;
2. Demonstrate an understanding of the relationships among writer, audience, and purpose;
3. Formulate clear thesis statements;
4. Organize ideas logically and appropriately to support the thesis statement;
5. Demonstrate the primary principles of scholarly inquiry and research;
6. Perform basic research in the library and in electronic media;
7. Correctly incorporate source materials into essays;
8. Document sources using content-appropriate format (APA and MLA);
9. Edit, revise, and proofread to achieve more effective communication of ideas;
10. Provide constructive feedback to another student's writing in a workshop setting;

11. Use study skills and techniques for answering in-class essay exam questions;
12. Employ critical thinking skills as a writer;
14. Demonstrate the ability to use word-processing and appropriate software programs for writing.

Major Topics

1. Writing as a Recursive Process
2. Creating the Expository and Persuasive Essay
3. Employing Effective Library and Electronic Research Techniques
4. Documenting Sources
7. Writing the Effective Research Paper
8. Writing with Authority and Integrity

Course Requirements

Specific assignments and procedures for evaluating student performance in the class (i.e., grading) will be described in the individual class syllabus, but all sections will include the following:

1. Students will produce 15-20 pages of formal writing in at least four discrete essays, including one researched, documented essay of at least 1,000 words.
2. Students will write 1-2 in-class essays in response to an exam prompt or question.
3. At least 80% of the final grade will be based upon writing, both formal and informal.
4. ENGL-121 approaches writing as a continual process of learning in which assignments are interdependent; therefore, students must complete all formal assignments to successfully complete the course.
5. Students will have in-class (as well as out-of-class) writing assignments.

Other Course Information

ENGL-121 is a Composition Core course and meets the university freshman composition requirement.

On HCC's main campus, this course is taught in a networked, computerized environment.

Common Course Outline and Syllabus Guideline

Every course taught at Howard Community College has a "common course outline" listing the course description, major topics and objectives, and other information common to every section. It is very important for your course syllabus to correspond to the description, topics and objectives listed in the common course outline. We suggest that the common course outline become the first page(s) of your course syllabus and that it include other information specific to your requirements for the course, or integrate common course outline elements into the syllabus to ensure the course closely parallels the common course outline.

Instructor Information

- Instructor's Name
- Division Office Name and Number
- Hours Available to Meet with Students
- Phone Number - Off campus number is optional but encouraged

Course Information

- Course Number/Section
- Course Title
- Credits: Lecture and Laboratory
- Prerequisites: Required and Suggested
- Required Text/Supplementary Materials

Additional Course Objectives

- Behavioral Objectives - Summarize what a student should learn to complete the course successfully

Class Policies

- Course Requirements
- Evaluation - Grades
- Attendance Policy
- Due Dates
- Make-up Work
- Final Exam Date - If any, refer to final exam schedule available in the division office
- Other

Institutional Policies

- Withdrawal Date, Add/Drop
- Academic Honesty and Plagiarism Guidelines

Appendix C Curriculum and Instruction Committee Handbook including Program and Course Development Guidelines

HCC's Curriculum

1. Student Goals
 - A. Students come to HCC with different goals. Most are not seeking a degree, but rather are hoping to transfer to a four-year institution.
 - B. Only a small percentage of our students actually earn a degree.
 - C. When creating a transfer program, try to keep the students goals in mind.
 - i. Be aware that students can transfer only 60 credits.
 - ii. Make programs transfer-friendly.
 - iii. While creating a transfer program, check with the transfer program coordinator.
2. Transfer
 - A. Transferability is a major issue in the state.
 - B. There is an agreed upon policy for colleges (see "Student Transfer Policies" in the Student Handbook).
 - C. Each college can further define their general education requirements within the statewide framework to best serve their students.
 - D. HCC would like to see more students attain a degree.
3. Course Outline vs. Course Syllabus
 - A. A course outline is submitted to the Curriculum and Instruction Committee when a new course is proposed. The course outline contains course objectives, major topics, and major policies. The course outline is agreed upon by the division that is proposing the course. All sections of this particular course follow the course outline.
 - B. A course syllabus is "section specific". The teacher explains the policies for that specific section of the course. Different sections of a course may have different syllabi.
4. Curriculum Design and Learning Outcomes Assessment
 - A. These two ideas are interconnected. The college is dedicated to Learning Outcomes Assessment. Designing curriculum with this in mind makes the assessment process easier.
 - B. When designing a curriculum, describe specific measurable objectives (called behavioral objectives.) For example: Instead of "The student will know the difference between a noun and a verb", a behavioral objective might say "The student will be able to identify the nouns and verbs within a paragraph".
 - C. Attend workshops on writing behavioral objectives.
5. Non-Credit Courses
 - A. Continuing Education is an alternate way of offering courses.
 - B. This is a great way to offer refresher courses or courses in remedial material.

General Information about C&I

1. Mission Statement

The Curriculum and Instruction Committee (C&I) has a primary responsibility for developing policies which facilitate the learning programs leading to the awarding of formal degrees or formal certificates.

2. Members of the Committee

- A. Chairperson
- B. Seven faculty, one representative from each division
- C. One student
- D. One support staff
- E. One administrator from the Student Services area

3. Exofficio Members

- A. Vice President of Academic Affairs
- B. Executive Associate to the Vice President of Academic Affairs
- C. Division Chair in charge of catalogue
- D. Representative from the Information Technology area

4. Role of the Committee

- A. The committee oversees the instructional area of the college. Changes to or new courses, programs (career and transfer), certificates of proficiency and letters of recognition need to be approved by the committee.
- B. It is not the intention of this procedure to require that the Curriculum and Instruction Committee become involved in minor course changes which affect the internal operation of only a single division.
- C. The following types of course and program changes must be submitted to the Curriculum and Instruction Committee for approval:
 - i. Substantive changes in existing courses which result in significant changes in the content of the course. Changes to the course description or course outline which are editorial in nature and do not result in a significantly different course do not need to be presented to the Curriculum and Instruction Committee for approval.
 - ii. New Courses
 - iii. New Career Programs (AAS Degrees) or Transfer Programs (AA Degrees)
 - iv. Changes in existing career or transfer programs
 - v. Change from special topics to permanent status
 - vi. Addition or deletion of prerequisites or co-requisites
 - vii. Course deletions

- viii. Career or Transfer Program deletions
- ix. Change in course prefix
- x. Changes in academic policies related to curriculum

5. The C&I Process

- A. Find and complete the appropriate proposal form in the Curriculum and Instruction folder on the S:drive.
- B. Proposal is sent electronically to the chair of the committee two weeks prior to the next meeting. Each proposal form explains what materials need to be sent.
- C. An agenda and the proposals are sent electronically to the committee members one week prior to the meeting so that the proposals can be reviewed.
- D. **Proposals will be discussed and debated during formally scheduled meetings. It is expected that the individual initiating the proposal will be present to answer questions. If the individual initiating the proposal cannot attend, it is expected that a representative from the division who can answer questions concerning the proposal will attend the meeting. In instances where no such individual is in attendance, proposals will be tabled until such time as an informed representative can be in attendance.**
- E. If there are problems with the proposal, changes will need to be made before the proposal continues through the process. **When revising and resubmitting a proposal, please update the footer and return the proposal to the chair of the committee in the same file (same name) as the original file. This helps with the clerical work.**
- F. When all questions are answered and the proposal is in its complete and correct form, the committee members will take it back to their constituencies. Each area will then discuss and vote on the proposal.
- G. At the next C&I meeting, the committee members will discuss any issues that came from their area meetings and vote on the proposal. Again, it would be helpful if someone is there to answer any new questions.
- H. **In order for new courses/programs/certificates of proficiency/letters of recognition to be included in the next year's catalogue, the proposals need to be approved by the end of February.** Although there are two meetings in February, it is suggested that proposals be submitted as early as possible since getting them approved is not always straight forward.

6. The General Education committee is a subcommittee of C&I whose membership is established through the Curriculum and Instruction Committee. In certain situations, an alternate representative could serve with the approval of the full C&I committee.

Submitting a Proposal

- 1. Each proposal must be accompanied by an appropriate proposal form. These forms can be found in the Curriculum and Instruction file folder on the S: drive.

There are ten proposal forms:

Change in Course	New Course
Change in Career Program (AAS Degree)	New Career Program
Change in Transfer Program (AA Degree)	New Transfer Program
Change in Certificate of Proficiency	New Certificate of Proficiency
Change in Letter of Recognition	New Letter of Recognition

2. Please submit only one proposal per form. (Multiple changes to a single course, program, etc., should be submitted on a single proposal form.)
3. All proposals must be submitted electronically to the chair of the committee two weeks prior to the next meeting.
4. Before submitting a proposal, please make sure the following steps have been completed:
 - A. Fill out the appropriate proposal form.
 - B. Include the appropriate materials. (Each form explains what additional information must be submitted.)
 - C. Please use a footer to date the file. To do this click:
Insert; Date/Time; Deselect "update automatically" so that you can change the date only when you actually make changes to the document; enter the current date
 - D. Division Chair must sign the proposal form electronically.
 - E. Name the file as "Type of Proposal: Name of program or course". For example:

Change in Course: MATH-070
or
New Career Program: Health Care for the Professional
5. When resubmitting a proposal, please use the original file name and update the date in the footer.

Information about Specific Proposal Forms

1. Change in Course Proposal Form
 - A. This form is used when a current course is being altered, such as: change in name, change in number, change in number of credits, change in pre-requisites, etc.
 - B. If the number of hours weekly is changing, but not the number of credits, this course change does not have to be presented to the Curriculum and Instruction Committee.
 - C. The current course outline, along with the revised course outline, must be submitted with the proposal form.
2. New Course Proposal Form
 - A. Name and Number
 - i. When choosing a number for the new course, make sure that the number has not been used before.

- ii. Developmental courses should use numbers below the 100 level.
 - iii. When creating a new course, consider whether the course should have a dual designator. If it will have a dual designator, the number must be the same.
- B. Special Topics Courses
- i. If the course is a Special Topics course, it must have a 900 level number. It must be presented to the Curriculum and Instruction Committee, but it does not have to be approved. The presentation is for information only.
 - ii. If a Special Topics course is being converted to a permanent course, it must be submitted as a New Course since it has never been approved.
 - iii. Special Topics courses must be changed to permanent status or not be offered after two semesters.
- C. A course outline must be attached to the proposal form. It should be no longer than one page, both sides.
- a. The course outline is generic and not time specific. This course outline is used for all sections of the course and does not change significantly from semester to semester. There needs to be consensus among all full and part-time faculty teaching different sections of the course concerning the catalog description, general course objectives, and course outline.
 - b. It is the responsibility of the faculty to review and update course outlines and submit to the division chair, or their designee, as necessary on a yearly basis or each time the course is offered.
 - c. Behavioral objectives identify the student learning for the course.
- D. General Education Core Courses
- i. After a course is approved by the Curriculum and Instruction Committee, it will also need to be approved by the General Education committee in order for the course to satisfy one or more of the general education requirements.
 - ii. Definition of General Education

General education is that foundation of the higher education curriculum providing a coherent intellectual experience for all students. The General Education Program is designed to introduce undergraduates to the fundamental knowledge, skills, and values which are essential to the study of academic disciplines, to encourage the pursuit of life-long learning, and to foster the development of educated members of the community and the world.
 - iii. General education courses must connect with one or more of these goals:

- a. Introduce students to the fundamental principles, concepts, and methods essential for the acquisition of knowledge basic to mathematics, the physical and natural sciences, the social sciences, the arts and the humanities, and composition.
 - b. Develop in students an ability to connect knowledge across disciplines.
 - c. Foster in students qualities of open-mindedness, inquiry, and rational assessment of data.
 - d. Develop in students the ability to think and express themselves analytically, critically and creatively, and to read with comprehension.
 - e. Provide the opportunity for students to apply their knowledge and skills in solving complex problems.
 - f. Provide the knowledge needed to apply ethical principles to inquiry.
 - g. Prepare students to adapt to the increasing integration of information technology in all fields of knowledge.
 - h. Develop in students the ability to communicate effectively in oral and written English and to perform numerical analyses at a college level.
 - i. Provide students with an understanding of themselves as well as their social, aesthetic, political and physical environment.
 - j. Foster in students an understanding of and respect for diverse human cultures.
- iv. Criteria for determining which courses should be included in the core:
- a. Courses should present overviews of broad topics rather than interpretations of very specific topics.
 - b. Courses should be of general value to the education of a student at HCC.
 - c. The General Education core list should not be so long as to include virtually every course offering.
 - d. All General Education core history courses have a significant cultural diversity component.
 - e. The oral communications requirement can be met by enrolling in a speech course or by taking a course (or courses) with a significant oral component.
- v. Choose among the following categories:
- a. Arts and Humanities: The arts examine aesthetics and the development of the aesthetic form. Courses in this area may include, but are not limited to fine, performing and studio art,

appreciation of the arts, and history of the arts. All courses, including fine, performing and studio arts, should explore the relationship between theory and practice. The humanities examine the values and cultural heritage that establish the framework for inquiry into the meaning of life. Courses in the humanities may include, but are not limited to, the language, history, literature, and philosophy of Western and other cultures. "Composition and Literature" courses may be placed with Arts and Humanities if literature is included as part of the content of the course.

- b. English Composition: English composition courses provide students with communication knowledge and skills appropriate to various writing situations, including intellectual inquiry and academic research.
- c. Social and Behavioral Sciences: The social and behavioral sciences examine the psychology of individuals and the ways in which individuals, groups, or segments of society behave, function, and influence one another. They include, but are not limited to, subjects which focus on history and cultural diversity; on the concepts of groups, work, and political systems; on the applications of qualitative and quantitative data to social issues; and on the interdependence of individuals, society, and the physical environment.
- d. Mathematics: Mathematics courses provide students with numerical, analytical, statistical and problem-solving skills.
- e. Biological and Physical Sciences: The biological and physical sciences examine living systems and the physical universe. They introduce students to the variety of methods used to collect, interpret, and apply scientific data, and to an understanding of the relationship between scientific theory and application.
- f. Interdisciplinary and Emerging Issues: Courses that are considered interdisciplinary must have at least one-third of the course material/content from a discipline other than the course designator discipline. An example of such a course is ENGL-211 (Science through Science Fiction) where the course is taught by an English faculty member with guest lectures by science faculty. Emerging Issues courses are characterized by being from a new "hotbed" of knowledge, covering current, significant issues that are not typically included in the traditional five areas of General Education. Such courses will be subject to periodic review as to their continued inclusion in this category

3. Change in Career Program (AAS Degree) Proposal Form

Along with the proposal form, a catalogue-ready revised program sheet must be submitted.

4. New Career Program (AAS Degree) Proposal Form

- A. The minimum number of credits in an AAS Degree is 60.

- B. Students enrolled in career programs must take a minimum of 20 credits in General Education.
- C. A minimum of one course is required by the state in each of the five General Education areas.
- D. A typical AAS Degree Program at HCC must have the following General Education core requirements:
 - i. ENGL-121 (3 credits)
 - ii. Arts and Humanities Core (3 credits)
 - iii. Speech (3 credits)
 - iv. Social Science Core (3 credits)
 - v. Science Core (4 credits)
 - vi. Mathematics Core (3-4 credits)
- E. If 20 credits are not reached above, a course from the Interdisciplinary Core category may be added.
- F. Required courses related to the major complete the program.

5. Change in Transfer Program (AA Degree) Proposal Form

Along with the proposal form, a catalogue-ready revised program sheet must be submitted.

6. New Transfer Program (AA Degree) Proposal Form

- A. The minimum total number of credits in an AA Degree is 60.
- B. Students enrolled in transfer programs must take a minimum of 36 credits in General Education.
- C. Minimum State requirements:

<u>Core Category</u>	<u>Minimum Requirement</u>
Arts and Humanities	6 credits
English Composition	3 credits
Social and Behavioral Sciences	6 credits
Mathematics	3 credits
Biological and Physical Sciences	6 credits
Interdisciplinary and Emerging Issues (Optional)	6 credits maximum

D. A typical AA Degree Program at HCC must have the following General Education core requirements:

- i. ENGL-121 (3 credits)
- ii. ENGL-122 (3 credits)
- iii. Literature Core (3 credits)
- iv. Fine Arts Core (3 credits)
- v. Humanities Core (3 credits)
- vi. History Core (3 credits)
- vii. Social Science Core (6 credits, only 3 of which may be an additional history course)
- viii. Science Core (7-8 credits, one of these credits must be a lab credit.)
- ix. Mathematics Core (3-5 credits)
- x. Interdisciplinary/Emerging Issues Core (1-3 credits)

E. Required courses related to the major complete the program

7. Change in Certificate of Proficiency Proposal Form

Along with the proposal form, a catalogue-ready revised Certificate of Proficiency course list must be submitted.

8. New Certificate of Proficiency Proposal Form

Certificates of Proficiency have between 12 and 59 credits. Financial Aid recommends that certificates have at least 17 credits, but preferably 24 credits.

9. Change in Letter of Recognition Form

Along with the proposal form, a catalogue-ready revised Letter of Recognition course list must be submitted.

10. New Letter of Recognition Proposal Form

Letters of Recognition can contain no more than 11 credits.

Copies of Proposal Forms/Samples of Attachments

Curriculum and Instruction Committee

Proposal - **Change in Course**

(Use a [separate](#) proposal form for [each](#) change in course.)

NAME AND NUMBER OF THE COURSE BEING CHANGED:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: [MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR](#)

DATE:

COMMENTS FROM DIVISION CHAIR(S)

**Submit (as appropriate) a complete standard HCC Course Description for the original course and one for the proposed revised course with this proposal.
(Please highlight the changes on both copies)**

What change is being proposed? (Delete the answers that don't apply.)

Delete the course

(For the following, please be specific about what changes are being made.)

Change the course name

Change the course number

Change the pre-requisites or co-requisites

Change the course content substantially

Other (Please specify)

NOTE: If the number of hours weekly is changing, but not the number of credits, the course does not have to go through C&I.

Why is this change needed?

What effect will this change have on other courses, transfer patterns, and/or programs?

Curriculum and Instruction Committee

Proposal - New Course

(Use a [separate](#) proposal form for [each](#) new course.)

NAME AND NUMBER OF THE NEW COURSE:

**Is this a SPECIAL TOPICS course?
must have 900 numbers.)**

(All Special Topics courses

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: [MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR](#)

DATE:

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete standard HCC Course Description with this proposal.

NOTE: If you will be requesting a General Education Core designation for this course, you must submit a separate request for Gen Ed designation to the Gen Ed Committee after the course has been approved by C&I.

How do you expect this course to transfer to the UM System schools? (Delete the answers that don't apply.)

- As a General Education Core Requirement
- As an Elective
- Not expected to transfer

Why is this course needed? (If appropriate, include student population, expected enrollment, effects this course will have on other courses/programs, if the course has been a Special Topics course, etc.)

FORMAT for WRITING COURSE OUTLINES

**** (Font is Times New Roman, # in parentheses is point size. Top/bottom margins and L/R margins .5) ****

(18) COURSE OUTLINE
(14) Course Number
(14) Course Title
(12) # Semester Hours

(18) HOWARD COMMUNITY COLLEGE

(12 point for remainder of document)

Description

Identical to catalog description; includes listing of prerequisites. (# of hours weekly)

Overall Course Objectives (List only requirements that will be included in all sections of the course)

Upon completion of this course the student will be able to:

Behaviorally stated
10-20 specific to course

Major Topics

Listed in outline form or a list of major topics.

Course Requirements (List only objectives that will be included in all sections of the course)

Grading/exams: Grading procedures will be determined by the individual faculty member but will include the following:

Writing: Specific writing assignments will be determined by the individual faculty member.

Other Course Information

Meets college definition for: Oral communication, Cultural Diversity, Fine Arts.
This course is a _____core course and a _____elective.

Footer: Updated on date/faculty initials

COURSE OUTLINE
Course Number
Course Title
Semester Hours

HOWARD COMMUNITY COLLEGE

Description

Overall Course Objectives (List only requirements that will be included in all sections of the course)

Upon completion of this course the student will be able to:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

Major Topics

- I.
- II.
- III.
- IV.
- V.

Course Requirements (List only objectives that will be included in all sections of course)

Other Course Information

SAMPLE
COURSE OUTLINE

MATH 121
Finite Mathematics
3 Semester Hours

HOWARD COMMUNITY COLLEGE

Description

In this course students will learn the language of sets and be introduced to counting theory, tree diagrams, probability, the binomial theorem, independence, Bayes' theorem, probability distributions, and random variables. Other topics include approximating data by linear models, graphing and analysis of systems of inequalities, matrix algebra and linear programming, and the mathematics of finance. Prerequisite: MATH 070 or appropriate math placement score. (3 hour weekly)

Overall Course Objectives

Upon completion of this course, the student will have demonstrated the ability to:

1. Calculate a regression equation.
2. Solve a linear system of equations.
3. Perform basic matrix operations.
4. Use matrices to model collections of data and solve application problems
5. Solve linear programming problems graphically.
6. Solve application problems using the simplex method.
7. Calculate present value for compound interest.
8. Calculate values of an annuity.
9. Use Venn diagrams to solve counting and logic problems
10. Find conditional probability

11. Apply the binomial probability theorem.
12. Calculate expected value and apply it to practical situations.

Major Topics

- I. Linear functions
 - A. Graphs
 - B. Applications
 - C. Linear regression
- II. Systems on linear equations and matrices
 - A. Solutions of linear systems
 - B. Addition and subtraction of matrices
 - C. Multiplication of matrices
 - D. Matrix inverses
- III. Linear programming
 - A. Graphing systems of linear inequalities
 - B. Linear programming
 - C. Graphical solution of linear programming problems
 - D. The Simplex method
- IV. Mathematics of finance
 - A. Compound interest
 - B. Annuities
 - C. Amortization
- V. Sets and counting
 - A. Sets and set operations
 - B. Multiplication principle
 - C. Permutations and Combinations
- VI. Probability and statistics
 - A. Rules of Probability
 - B. Counting techniques
 - C. Conditional probability and independence
 - D. Bayes theorem
 - E. Probability Distributions

Course Requirements

Grading procedures will be determined by the individual faculty member but will include the following:

There will be several unit exams, a final exam and written assignments.

Other Course Information

This course may be used as a mathematics core course or as a mathematics elective. Check your transfer institution to guarantee transferability.

Curriculum and Instruction Committee
Proposal - Change in Career Program (AAS Degree)
(Use a **separate** proposal form for **each** change in career program.)

NAME OF THE CAREER PROGRAM BEING CHANGED:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format for this change in career program with this proposal.

What change is being proposed? (Delete the answers that don't apply.)

Delete the career program

Change the name of the career program

Change the requirements in the career program (Please be specific about what changes are being made.)

Other (Please specify.)

Why is this change needed? (What is the rationale?)

What effect will this change have on other courses, transfer programs, and/or career programs?

Curriculum and Instruction Committee
Proposal - New Career Program (AAS Degree)
(Use a **separate** proposal form for **each** new career program.)

NAME OF THE NEW CAREER PROGRAM:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

Signature: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** Date:

COMMENTS FROM DIVISION CHAIR(S)

Submit in catalogue format a complete standard description of the new career program with this proposal.

What is the target population?

What is the expected enrollment per year?

Does this career program meet MHEC requirements?

What is the HEGIS/CIP code for this new career program?

Why is this new career program needed? (What is the rationale?)

What effect will this new career program have on other courses, transfer programs, and/or career programs?

FORMAT FOR NEW CAREER PROGRAM
(Arial, 16, bold) NAME OF CAREER PROGRAM
(Arial, 12, bold) ASSOCIATE OF APPLIED SCIENCE DEGREE

(Times New Roman, 10) A short paragraph should be inserted here that explains the purpose of this particular career program.

(Arial, 10, bold)
GENERAL EDUCATION CORE **Credits** **Suggested Semester**
(Times New Roman, 10)
 List Course Numbers List Course Names

(Arial, 10, bold)
REQUIRED COURSES RELATED TO MAJOR
(Times New Roman, 10)
 List Course Numbers List Course Names

SAMPLE
ELECTRONICS TECHNOLOGY
ASSOCIATE OF APPLIED SCIENCE DEGREE

Wireless Communications Technology

This program is designed to meet the demands of one of the fastest growing high technology fields. This program will prepare students in entry-level positions in the area of mobile and wireless data communications such as cell site technicians, switch technicians, wireless field engineers, networking technicians and wireless customer service representatives. This curriculum will give students a strong background in circuit theory, fundamental concepts of digital circuits and systems, computer systems and networks. Students also will receive theory and hands-on laboratory experience in RF test and measurement techniques, electromagnetic propagation, transmission lines, wireless networks, security related to wireless networking. Students planning to transfer to a four-year technical institution should contact that institution to check transferable courses. In addition, this curriculum prepares students to sit for the COMP TIA's A+ certification, ETA's Fiber Optic Installer certification and Certified Wireless Network Administrator certification.

GENERAL EDUCATION CORE		Credits	Suggested Semester
ENGL-101	Introduction to Composition I	3	1
Arts & Humanities	Arts & Humanities Core Course (see p. 66) (one course from either Literature, Fine Arts, or Humanities)	3	4
	SPCH-105 Fundamentals of Public Speaking OR		
	SPCH-110 Interpersonal Communications	3	4
Social Sciences	Select GEOG-102, HIST-111, HIST-112, HIST-121, HIST-122, HIST-123, POLI-201, SOCI-101, or SOCI-105	3	4
PHYS-101	Technical Physical Science	4	1

MATH-124	Technical Math	4	1
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REQUIRED COURSES RELATED TO MAJOR

CMSY-105	Personal Computer Systems Repair I	3	1
CMSY-219	Microcomputer Operating Systems—DOS	3	1
ELEC-107	Introduction to Electronic Circuits	4	1
CMSY-106	Personal Computer Systems Repair II	3	2
CSCO-270	Cisco Network Technology	3	2
ELEC-117	Linear Electronics	4	2
ELEC-140	Network Cabling Systems	3	2
TELE-100	Introduction to Telecommunications	3	2
ELEC-213	Digital Circuits	4	3
WCOM-110	RF/Wireless Fundamentals	3	3
WCOM-120	Wireless Communications	3	3
WCOM-200	Wireless LANs	3	3
WCOM-220	Advanced Topics in Wireless Communications	3	4

Curriculum and Instruction Committee
Proposal - Change in Transfer Program (AA Degree)
(Use a **separate** proposal form for **each** change in transfer program.)

NAME OF THE TRANSFER PROGRAM BEING CHANGED:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format for this change in transfer program with this proposal.

What change is being proposed? (Delete the answers that don't apply.)

Delete the Transfer Program

Change the name of the Transfer Program

Change the requirements in the Transfer Program **(Please be specific about what changes are being made.)**

Other (Please specify.)

Why is this change needed? (What is the rationale?)

What effect will this change have on other courses, transfer programs, and/or career programs?

Curriculum and Instruction Committee
Proposal - New Transfer Program (AA Degree)
(Use a **separate** proposal form for **each** new transfer program.)

NAME OF THE NEW TRANSFER PROGRAM:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format of this new transfer program with this proposal.

What is the target population?

What is the expected enrollment per year?

How do you expect this transfer program to transfer to the UM System schools?

Why is this transfer program needed? (What is the rationale?)

What effect will this new transfer program have on other courses, transfer programs, and/or career programs?

FORMAT FOR NEW TRANSFER PROGRAM
(Arial, 16, bold) ARTS AND SCIENCES - NAME OF TRANSFER PROGRAM
(Arial, 12, bold) ASSOCIATE OF ARTS DEGREE

(Times New Roman, 10) A short paragraph should be inserted here that explains the purpose of this particular transfer program.

(Arial, 10, bold)

GENERAL EDUCATION CORE

General education core credits in excess of 36 will transfer as general electives or courses related to the major. Each student's total of general education and required courses must equal at least 60 semester hours of credit.)

(Times New Roman, 10)

List Course Numbers List Course Names

**Suggested
Credits Semester**

(Arial, 10, bold)

REQUIRED COURSES RELATED TO MAJOR

(Times New Roman, 10)

List Course Numbers List Course Names

SAMPLE

**ARTS AND SCIENCES – Music
ASSOCIATE OF ARTS DEGREE**

This curriculum is designed as a guide for students planning to transfer to a four-year institution to complete a bachelor's degree in music majoring in performance, musicology, music education, or jazz/commercial music. Students are advised to check the requirements of the institution to which they intend to transfer. The main emphasis in the music program is the creation of an artistic point of view on the part of the student.

GENERAL EDUCATION CORE

(General education core credits in excess of 36 will transfer as general electives or courses related to the major. Each student's total of general education and required courses must equal at least 60 semester hours of credit.)

		Credits	Suggested Semester
ENGL-101	Introduction to Composition I	3	1
ENGL-102	Introduction to Composition II	3	2
Arts & Humanities	Literature Core Course (see p. 66)	3	3
	MUSC-202 Music Literature in Context I	3	3
	MUSC-203 Music Literature in Context II	3	4
History	History Core Course (see p. 67)	3	4
Social Sciences	Social and Behavioral Sciences Core Courses (see p. 67)	6	3-4
Science	Science Core Course (see p. 67; must include one course with lab)	7-8	1-2
Mathematics	MATH-122 or higher	3-5	1
Interdisciplinary	Interdisciplinary and Emerging Issues Core Course (see p. 68)	1-3	2

REQUIRED COURSES RELATED TO MAJOR

MUSC-110	Music Theory I	4	1
MUSC-111	Music Theory II	4	2
MUSC-210	Music Theory III	4	3
MUSC-211	Music Theory IV	4	4
MUSC-117	Applied Music I *	2	1
MUSC-118	Applied Music II *	2	2
MUSC-217	Applied Music III *	2	3
MUSC-218	Applied Music IV *	2	4
MUSC-114	Keyboard Skills I	1	1
MUSC-115	Keyboard Skills II	1	2
MUSC-214	Keyboard Skills III	1	3
MUSC-215	Keyboard Skills IV	1	4
MUSC-130-180	Ensemble (Major)	1(4)	1-4

(Participation in one major ensemble per semester is required and may be taken up to four times for students enrolled in the music curriculum.)

* Students seeking a Jazz/Commercial Music Emphasis should enroll in the jazz sections of Applied Music. Students are also encouraged to take MUSC-109 Techniques of Electronic and Computer Music if time permits.

Curriculum and Instruction Committee
Proposal - Change in Certificate of Proficiency
(Use a **separate** proposal form for **each** change in certificate.)

NAME OF THE CERTIFICATE BEING CHANGED:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format for this change in certificate with this proposal.

What change is being proposed? (Delete the answers that don't apply.)

Delete the certificate

Change the name of the certificate

Change the requirements in the certificate (Please be specific about what changes are being made.)

Other (Please specify.)

Why is this change needed? (What is the rationale?)

What effect will this change have on other certificate, courses, transfer patterns, and/or programs?

Curriculum and Instruction Committee
Proposal - New Certificate of Proficiency
(Use a **separate** proposal form for **each** new certificate.)

NAME OF THE NEW CERTIFICATE:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format of this new certificate with this proposal.

What is the target population?

To how many students do you expect to award this certificate each year?

Why is this new certificate needed? (What is the rationale?)

What effect will this new certificate have on other certificates, courses, transfer patterns, and/or programs?

FORMAT FOR NEW CERTIFICATE OF PROFICIENCY
(Arial, 16, bold) NAME OF CERTIFICATE OF PROFICIENCY
(Arial, 12, bold) CERTIFICATE OF PROFICIENCY

(Times New Roman, 10) A short paragraph should be inserted here that explains the purpose of this particular certificate of proficiency.

Certificates of Proficiency have between 12 and 59 credits. Financial Aid recommends that certificates have at least 17 credits, but preferably 24 credits.

Suggested
(Arial, 10, bold) Credits Semester

(Times New Roman, 10)
 List Course Numbers List Course Names

SAMPLE
NETWORK ADMINISTRATION
Certificate of Proficiency
Network Security Administration

This certificate is designed to meet the increasing needs in the network security field for skilled mid-level administrators. Students with a background in computer operations and networks will gain the knowledge and skills necessary to transit to new areas in the job market. This certificate will prepare graduates to function in public and private agencies in roles requiring assessment, operations, and improvement of network security systems. The courses focus on the CISSP domains and are designed to meet the NSA standards. Students without experience should prepare for MSFT 299 by completing CMSY 219 or CSMY 134, 142, and 143.

		Credits	Suggested Semester
MSFT-299	Fundamentals and Practice for Network + Certification	3	1
CMSY-162	Introduction to Network Security Systems	3	1
CMSY-163	Introduction to Firewalls and Internet Security	3	1
CMSY-164	Introduction to Intrusion Detection Systems	3	1-2
CMSY-262	Introduction to Encryption and VPN Technology	3	2
CMSY-263	Securing and Auditing Network Systems	3	2

Curriculum and Instruction Committee
Proposal - Change in Letter of Recognition
(Use a **separate** proposal form for **each** change in letter of recognition.)

NAME OF THE LETTER OF RECOGNITION BEING CHANGED:

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format for this change in letter of recognition with this proposal.

What change is being proposed? (Delete the answers that don't apply.)

- Delete the letter of recognition
- Change the name of the letter of recognition
- Change the requirements in the letter of recognition (Please be specific about what changes are being made.)
- Other (Please specify.)

Why is this change needed? (What is the rationale?)

What effect will this change have on other letters of recognition, courses, transfer patterns, and/or programs?

Curriculum and Instruction Committee
Proposal - New Letter of Recognition
(Use a **separate** proposal form for **each** new letter of recognition.)

NAME OF THE NEW LETTER OF RECOGNITION :

Date of this Proposal:

Submitted by:

Division(s):

Signature of Division Chair(s) indicates prior Approval of the Division(s):

SIGNATURE: **MUST HAVE ELECTRONIC SIGNATURE FROM THE DIVISION CHAIR** **DATE:**

COMMENTS FROM DIVISION CHAIR(S)

Submit a complete description in catalog format of this new letter of recognition with this proposal.

What is the target population?

To how many students do you expect to award this letter of recognition each year?

Why is this new letter of recognition needed? (What is the rationale?)

What effect will this new letter of recognition have on other courses, transfer patterns, and/or programs?

FORMAT FOR NEW LETTER OF RECOGNITION
(Arial, 16, bold) NAME OF THE LETTER OF RECOGNITION
(Arial, 12, bold) LETTER OF RECOGNITION

(Times New Roman, 10) A short paragraph should be inserted here that explains the purpose of this particular letter of recognition.

Letters of Recognition can contain no more than 11 credits.

Suggested
(Arial, 10, bold) Credits Semester

(Times New Roman, 10)
List Course Numbers List Course Names

SAMPLE
INTERNET SECURITY
LETTER OF RECOGNITION

Check Point Technologies

The courses in this program of study provide training in the area of internet security, specifically in Check Point Software Technologies products. Upon completion of this course of study, the student will be prepared for job placement. The student will also be prepared for successful completion of the Check Point Certified Security Administrator (CCSA) exam and the Check Point Certified Security Expert (CCSE) exam.

		Credits
CKPT-210	Management I of the Virtual Private Network (VPN)-1 and FireWall-1 – NG	3
CKPT-220	Management II of the Virtual Private Network (VPN)-1 and FireWall-1 – NG	3

Appendix D Faculty Copyright Guidelines

Faculty Copyright Quick Guide

The following "quick guide" is a brief summary of the copyright law for the faculty. It cannot substitute for a careful reading of the entire Faculty Copyright Guidelines found in appendix C of this handbook.

I. Classroom Showing of Media Materials:

Films, videos, filmstrips, etc., whether purchased, rented or leased, may be shown in classrooms as part of the established curriculum. They may not be shown for recreational or entertainment without a "non-theatrical-public-performance license."

II. Duplicating Print Materials for Classroom Use:

A. An individual educator may make:

1. Single copies of:

- a. a chapter of a book,
- b. an article from a magazine or newspaper,
- c. a short story, short essay, or short poem, or
- d. a chart, graph, diagram, drawing, cartoon or a picture from a book, magazine or newspaper.

2. Multiple copies for classroom use (not to exceed one copy per student per course):

- a. a complete poem of less than 250 words,
- b. an excerpt, not to exceed 250 words, from a longer poem,
- c. a complete article, story or essay of less than 2,500 words,
- d. an excerpt from a larger printed work not to exceed ten percent of the whole or 1,000 words,
- e. one chart, graph, diagram, cartoon or picture per book or magazine issue if the individual item is not separately copyrighted, or
- f. two pages or ten percent of the words from children's picture books or comic books.

3. All copies must include an appropriate copyright warning notice.

4. Copying must be made by the teacher or at the request of the teacher - not at the direction of higher authority.

B. An individual educator may not:

1. Copy more than one work or two excerpts from a single author during one class term,
2. Copy more than three works from a collective work or periodical volume during one class term,
3. Make multiple copies of more than nine works for distribution to students in one class term,
4. Use photocopies to create, replace, or substitute for an anthology,
5. Copy "consumable" works such as workbooks, standard tests, answer sheets, etc., or

6. Copy or re-use same work from term to term without permission.

III. Library Reserve:

In lieu of classroom distribution, a reasonable number of copies may be placed on reserve for one semester. The number of copies may be placed on reserve for one semester. The number of copies depends on the size of the class, possibly one copy per ten students. **Repeated use of a given material requires written permission.**

IV. Music Copying:

A. Sheet Music

1. An educator may:

- a. make an emergency copy for an imminent student performance, if the original copy was lost and there is not enough time to order a replacement copy. The temporary copy must be destroyed promptly after the performance,
- b. make multiple copies (up to one per student) of excerpts not constituting an entire performance unit or more than ten percent of the total work for academic purposes other than performance,
- c. edit or simplify purchased sheet music provided the character of the work is not distorted or lyrics added or altered, or
- d. duplicate individual parts if they are out of print or unavailable except in complete works and are used for teaching purposes.

2. An educator may not:

- a. copy to substitute for an anthology or collection,
- b. copy from works intended to be "consumable,"
- c. copy for purposes of performance except for emergency copies to replace a lost copy,
- d. copy to substitute for purchase of music, or
- e. copy without including the copyright notice

B. Recordings:

1. An educator may make a single recording of student performances. The recording may be retained by the institution or the teacher for evaluation purposes only.
2. An educator may not reproduce musical recordings or convert them to another format (e.g., record to tape, tape to cassette, etc.) without written permission.

V. Recording Television Programs:

A. Recording Off the Air or Off the Cable:

1. The guidelines only apply to non-profit institutions,
2. Television programs may be recorded from broadcast or simultaneous cable transmissions to the "general public," which excludes premium-pay programs, (e.g., HBO, CineMax, Disney, etc.),

3. Programs may be shown once and repeated once for reinforcement within ten "teaching days" of the broadcast. They may be retained for forty-five calendar days from the date of the broadcast,
4. Recording must be made by the teacher or at the request of the teacher,
5. Programs may not be re-recorded at a later date, regardless of the number of times it is re-broadcast,
6. A limited number of copies may be made to meet the needs of several teachers,
7. Programs need not be used in their entirety but may not be edited or electronically altered or combined,
8. All copies must include the copyright notice as it appears in the program, and
9. Institutions are expected to implement appropriate control procedures.

B. Recording Programs at Home for Classroom Use:

Television programs recorded at home by teachers may be used in the classroom if they meet all the conditions of the Recording Guidelines.

C. Recording Public Broadcasting System Programs:

1. For short-term retention follow the guidelines, in V.A. above.
2. For long-term retention, call the local PBS station for information about extended retention rights for specific programs.

D. Recording from Satellites:

Programs may not be recorded from a television satellite unless the programs are authorized for free reception or the institution obtains a license to copy the programs.

E. Transmission of Audiovisual Works:

Films, videos, etc. may not be transmitted to classrooms by open- or closed-circuit television or via fiber optic technologies without a transmission license or written permission.

F. Home-Use-Only and Rental-Store Videos:

Programs labeled "For Home Use Only" or rented from rental stores may be used in classrooms under the following conditions:

1. The programs are shown to students in a face-to-face setting,
2. The programs are shown only in courses given for credit,
3. The programs must be shown only in classrooms or other locations devoted to instruction,
4. The programs must be legitimately-made copies, and
5. The programs may not be shown for entertainment, recreation, or reward.

VI. Computer Software and Databases:

A. Backup Copies:

One backup copy of computer software may be made for archival purposes in case the original is destroyed.

B. Computer Laboratories:

Except for the back-up exemption above, software may not be duplicated without appropriate licenses or agreements.

C. Multiple Loading:

Loading programs into several computers for simultaneous use is only permitted with permission or a license.

D. Networks:

Computer software may not be used in a network (LAN or WAN) without permission or a license.

E. Database Downloading:

Downloading from a database is an infringement. Short-term, single-use retention is "accepted" by the copyright owners as a fair use, but long-term retention and multiple use of data requires a license.

VII. Duplicating Films, Videotapes, Filmstrips, Slide sets, etc.:

A. An educator may duplicate a "small part" of an item for research or instruction. While no guidelines exists for copying these materials, the congressional reports accompanying the Copyright Revision Act of 1976 suggest that copying ten percent of a program is reasonable, if the ten percent is not the "essence" of the work.

B. An educator may not:

1. Reproduce an audiovisual work in its entirety, or
2. Convert one media format into another, (e.g., film to video, filmstrip to slide, etc.), without permission.

VIII. Microforms:

Microforms may be copied according to the rules applying to the materials reproduced, (e.g., books, periodicals, poetry, etc.). However, microform copies of works in the public domain may be copied freely.

IX. Newsletters:

Only a very small part of a newsletter may be duplicated without permission.

X. Artworks:

Artworks may not be duplicated without written permission except for illustration copied under the "Agreement on Guidelines for Classroom Copying."

XI. Electrocopying (Computer Scanning):

A. Artworks: scanning for the purpose of reproduction or for creating derivative works requires permission.

B. Text:

1. Scanning for research (e.g., textual analysis) is permissible but
2. Reproduction to create a copy or to prepare a derivative work requires permission.

XII. "Free and Benefit" Performances:

Storytelling, poetry readings, and musical performances of non-dramatic works are authorized if (a) admission is free, or (b) the gate receipts, over and above costs, go to a charitable cause, and the performers and managers contribute their services.

XIII. Student Projects:

Students may copy materials as a learning experience. This includes the right to integrate various materials into computer/sound/visual programs if the resultant product remains the property of the student, is not placed into the school's collection and no copies are sold, broadcast, transmitted, or performed outside the classroom.

Faculty Copyright Guidelines

These Faculty Copyright Guidelines are a brief condensation of the law and the related legal documents. It is far too brief to completely encompass the law, but provides a brief summary of the points most likely to impact the faculty.

OVERVIEW

The U.S. Constitution gave Congress the power "To promote the progress of science and useful arts by securing for limited time to authors and inventors the exclusive right to the respective writings and discoveries." The authors of the Constitution recognized that if the works of creators were not protected, it would undermine the incentive to create, and the dissemination of knowledge would greatly be curtailed. Congress passed the first national copyright act in 1790. Over 200 years, the copyright law has been completely revised five times and amended many more times, sometimes annually.

The last total revision of the copyright law passed in 1976 and went into effect on January 1, 1978. It incorporated several major changes (i.e., it extended the duration of copyright protection, expanded the scope of copyright, legislated a fair-use exemption, and addressed newer technologies).

What Can be Copyrighted:

Copyright protection exists for all works created in any medium of expression as long as the words are fixed in a tangible medium of expression so they can be perceived or communicated with or without the aid of equipment. These include:

1. Literary works;
2. Sheet music and musical performances;
3. Dramatic works, including any accompanying music;
4. Pantomimes and choreographic works;
5. Pictorial, graphic, and sculpture works;

- 6. Motion pictures and other audiovisual works;
- 7. Sound recordings; and
- 8. Computer programs

Exclusive Rights:

The copyright law gives the copyright owner the exclusive right to do or to authorize the following:

- 1. "To reproduce the copyrighted work." The copyright owner has the exclusive right to publish or to withhold a work in any media.
- 2. "To prepare derivative works based upon the copyrighted work." Only the copyright owner may change, alter, or translate a work, or convert it to a new medium, or create a new work from an existing work.
- 3. "To distribute copies. . . of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending." This exclusive right of "first publication" terminates with the "publication of the work. Thereafter, the purchaser of a legitimate copy of a work may sell, lend, or dispose of the copy without the copyright owner's permission.
- 4. "In the case of literary, musical, dramatic and choreographic works, pantomimes, and motion pictures... [and] other audiovisual works, the copyright owner has an exclusive right to "perform" (i.e., show) the copyrighted work publicly; and
- 5. "In the case of literary musical, dramatic and choreographic works, pantomimes and pictorial, graphic or sculptural works, including individual images of a motion picture or other audiovisual work, the copyright owner has an exclusive right to display the copyrighted work publicly."

Copyright Registration

A work is automatically protected the moment it is created in a tangible medium of expression. However, this right cannot be enforced until the work is registered at the U.S. Copyright Office. To be eligible for copyright protection, works must be original and represent appreciable creativity. Unpublished works may be registered any time within the term of copyright protection. Copyright notices are not required on works published after March 1, 1989. However if a work is published after that date, one must assume it is copyrighted. Authors, artists, and producers are still urged to place a copyright notice on all creative works, and to register their copyrights promptly to establish a public record of ownership.

Duration of Copyright:

Copyright protection under the 1909 law was twenty-eight years, renewable for another twenty-eight years, for a total of fifty-six years. Works created after January 1, 1978 are protected for the life of the author, plus fifty years. Protection for multi-authored works, extends to the life of the longest-lived author, plus fifty years. Anonymous and pseudonymous works and work made for hire are protected for seventy-five years from first publication. For works in their second term of copyright registration under the 1909 law, the protection extends to seventy-five years from the date of publication or creation. For works in their first term of protection under the 1909 law, the registration is extended to seventy-five years by renewing the registration in the twenty-eight year. All copyrights expire on December thirty-first of the last year of protection.

Figure 1: Copyright Duration Table

Date of Creation or	End of First-Term	End of Protection if Registration
---------------------	-------------------	-----------------------------------

Publication	Protection	was Renewed
	(28 years)	(75 years)
1910	1938	1985
1920	1948	1995
1930	1958	2005
1940	1968	2015
1950	1978	2025

Works Made for Hire:

Works "made for hire" are protected for seventy-five years from the year of creation or publication or one hundred years from the day the work was created, whichever comes first. These include works created by an employee as part of his or her job where the copyright is held by the employer. It also includes works made by independent contractors who transfer the copyright by means of employment contracts. Many universities, colleges and schools have service contracts which specify the assignment of copyright ownership and the division of royalties for works created by the faculty. These contracts frequently apply only to works created using institutional facilities or staff.

Unpublished Works:

Many works are never published but they are protected from the moment of creation. These works include diaries, correspondence, notes, sketches, photographs, recordings, films, videos, etc. They are fully protected without a copyright notice or copyright registration. Unpublished works created prior to January 1, 1978 are protected until December 31, 2002; those created after January 1, 1978 are protected for the life of the creator, plus fifty years. The creator of unpublished works has the same "right of first publication" as published works which gives him or her the control of the use of the work. Unpublished works may not be duplicated except for purposes of preservation, security, or deposit in another library for research.

Public Domain:

Copyrighted materials enter the public domain when copyright protection expires. Works published before January 1, 1978 without a proper copyright notice entered the public domain immediately upon publication. Works remain in the public domain even when re-published in a new copyrighted work. Works which are in the public domain may be used without permission.

Works created by employees of the U.S. government while performing their official duties are in the public domain. However, some government works are protected if:

- (1) The copyright has been transferred to the government as a gift;
- (2) The work was created by a grantee who was permitted to claim a copyright in the work;
- (3) A privately-created copyrighted work is included in a government document.

Performing Rights:

One of the exclusive rights given to the copyright holder is the right to control performances of all copyrighted works. (This includes the right to control showing of audiovisual works.) Section 110(1) of the copyright law provides a limited exemption to that right. Teachers and pupils may perform (show) copyrighted works in the classroom. The exception requires that the performance be carried out by instructors or students in a non-profit institution in a classroom or similar place of instruction (i.e., laboratory, auditorium, gymnasium, or library). The exemption only applies to performances in face-to-

face instruction in a course given for academic credit. It does not cover performances for entertainment or recreational purposes as a part of lunch-hour, recess, or after-school activities. It also does not authorize performing works in common rooms of student housing. "Non-theatrical public performance licenses" are required to perform audiovisual works in those circumstances or locations. Performing dramatic works requires an appropriate license from the playwrights' agent.

Fair Use:

While the copyright law gave authors the exclusive right to their works, the law also provides some limitations to those rights. The theory of fair use was developed by the courts as a "rule of reason" to assist in deciding course cases. This judicial "rule of reason" was incorporated in statutory copyright law by the Copyright Revision Act of 1976. The law offers four broad criteria for applying fair use.

1. The purpose and character of the use, including whether it is for commercial or non-profit education purposes;"

This addresses the issue of how the material is used and by whom. Fair use has some application to reproducing copyrighted works for educational purposes, in non-profit educational institutions.

2. The nature of the copyrighted work;"

Fair-use guidelines have been developed for three groups of materials (i.e., print materials, music, and television). The type of material must be considered and the appropriate fair use guidelines must be applied. Congress specified that certain types of materials should rarely be copied; they are identified later in this manual.

3. The amount and substantiality of the portion used in relation to the work as a whole;"

Fair-use guidelines are available for copying parts of books and sheet music. For other materials the smaller the amount that is copied, the more likely it is that the action is a fair use. Copying up to ten percent of a work is usually considered safe, except when the parts copied are crucial to the whole material, or if they are rare or difficult to create.

4. The effect of the use on the potential market for or value of the work."

Effect can be measured in competing and non-competing uses:

Competing Uses:

Uses that deprive the creator of a sale, lease or rental are probably not a fair use. (These include duplicating print, audio, and video materials instead of purchasing, renting, leasing, or licensing additional copies).

Non-competing Uses:

Non-competing uses do not adversely affect the copyright owner. For example, making two slides from a magazine for classroom use when the slides are not commercially available, duplicating materials which are not available for sale, rental, lease, or licensing, etc. may not affect the copyright owner. Fair use has greater application to non-competing uses, but repeated copying may still be illegal.

Fair Use Guidelines:

Although the four fair-use criteria are written into the law, it is not always clear when they are met. Congress asked the Register of Copyrights to develop specific educational guidelines for interpreting the fair-use criteria. Three groups met to develop fair-use guidelines for duplicating (1) print materials, (2) sheet music, and (3) television programs. The guidelines were ratified by Congress as an expression of

the "intent" of the legislature. The committees that wrote the guidelines included representatives of educators, authors, publishers, studios, and labor unions. While the guidelines were not endorsed by all the groups involved, they have been ratified by Congress and will be considered in court cases involving infringements by educators. For this reason, they must be viewed as valid guidelines. The guidelines may change as the law evolves through court cases, but at present, they seem to offer suitable direction to educators. The fair-use guidelines will be discussed later in the treatment of each type of material.

Copyright Warning Notices:

The law specifies that copyright warning notices shall be posted at the place where copies are made. The text of the following notice is specified by federal regulation.

NOTICE

Warning concerning copyright restrictions. The Copyright Law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries, print shops, and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be used for any purpose other than private study, scholarship, or research. If a user makes a request for, or later uses a photocopy or reproduction for purposes in excess of fair use, that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of the law.

A notice also must be displayed on or near all library, print shop or archival equipment capable of duplicating copyrighted materials and must be visible to anyone using the device. Copying equipment includes photocopying machines, mimeograph machines, transparency makers, audio and video recorders, photographic copy stands, microfilm printers, and computers. It is desirable to place copyright warning notices at places where patrons borrow equipment for removal from the premises. Although the law only requires warning notices on equipment in libraries and archives, it is prudent to include them on or near all copying equipment used by faculty, staff, and students. The following notice is recommended by the American Library Association:

NOTICE: The copyright law of the United States (Title 17, U.S. Code) governs the making of copies of copyrighted materials. The person using this equipment is liable for any infringement.

Libraries and archives also are required to place a copyright warning notice on the first page of copies they make for patrons. The notice recommended by the American Library Association reads:

NOTICE: This material may be protected by copyright law (Title 17, U.S. Code).

Penalties for Infringement:

A copyright infringer can be liable for actual damages and profits, or for statutory damages, as determined by a court. Statutory damages range from \$250 to \$50,000 per infringement, depending upon the extent of the infringement. (An amendment is being considered which will increase penalties.) In addition, the infringer can be assessed for court costs and the plaintiff's attorney's fees. Court costs and attorney's fees frequently exceed the amount of damages and profits. When infringements are made for profit, criminal charges and potential imprisonment may be added.

Innocent Infringers:

An innocent infringer is one who can convince a court that he or she did not know their actions were an infringement of the law. In these cases, the statutory damages can be lowered to not less than \$100. Any faculty member who received this Faculty Copyright Manual would have great difficulty proving he or she was an innocent infringer.

Contributory Infringers:

Contributory infringers are persons who have knowledge of infringing activities, but do nothing about it. A librarian, dean, or media coordinator who knows about an infringement (e.g., television programs videotaped off the air which are retained longer than permitted by the fair-use guidelines), and who does nothing about it, is a contributory infringer. He or she is likely to be named in litigation. When a copyright owner files a formal complaint against an institution for an infringement, those named in the complaint usually include the members of the governing board, the chief executive officer, the infringer(s), and contributory infringers.

Sovereign Immunity:

Under the Eleventh Amendment to the Constitution, tax-supported agencies were not liable for copyright infringements. The issue was tested when B.V. Engineering, a small firm, provided the University of California at Los Angeles with engineering software on a test basis. UCLA made copies and returned the original to B.V. Engineering without purchasing the software. In the resulting case, B.V. Engineering v. the University of California at Los Angeles, the Supreme Court held that the university was not liable because of the protection offered by the Eleventh Amendment. In a more recent case, Anderson v. Radford University, the Supreme Court held the university immune from liability, but Deborah Brown, a university employee, was not immune from liability for copyright infringements or violations of contractual agreements.

Congress closed the sovereign immunity loophole by passing the Copyright Remedy Clarification Act on October 26, 1990. The Act permits tax-supported agencies and their employees to be sued for copyright infringements. The Eleventh Amendment, can no longer be used as a legal defense for copyright infringements by tax-supported agencies.

This chapter provides a brief synopsis of the law as it applies to commonly-used media.

PRINT MATERIALS

"Print materials" include books, periodicals, pamphlets, newspapers and similar items. This discussion is limited to copying by or for the faculty, as student and library photocopying is treated elsewhere. The fair-use section of the copyright law authorizes individuals to copy a small part of a work. The fair-use section of the copyright law is interpreted by the "Agreement on Guidelines for Classroom Copying in Not for Profit Educational Institutions with Respect to Books and Periodicals." It was developed at the request of Congress by representatives of the Authors League of America, the Association of American Publishers, and the Ad Hoc Committee of Educational Institutions and Organizations on Copyright Law Revision. The guidelines apply to teaching and research in nonprofit educational institutions. The full text appears in Appendix A and is summarized as follows:

1. Single Copying by Teachers:

The following are minimum statements of fair use:

A teacher may make a single copy of any of the following for his or her research, lesson preparation, or use in teaching:

- a. A chapter of a book;
- b. An article from a periodical or newspaper;
- c. A short story, short essay or short poem;
- d. A chart, graph, diagram, cartoon or picture from a book, periodical, or newspaper. More than one illustration can be copied if they are included in a chapter or article being copied.

2. Multiple Copies for Classroom Use:

The following are minimum statements of fair use:

One copy can be made for each student in a class when the following conditions are met:

- a. Poetry: a complete poem if it is less than 250 words and printed on not more than two pages, or an excerpt of not more than 250 words.
- b. Prose: (1) a complete article, story or essay if it is less than 2,500 words, or (2) an excerpt not to exceed 1,000 words or ten percent of the work, whichever is less. When ten percent of the work is less than 500 words, a minimum of 500 words may be used.
- c. Charts, graphs, diagrams, drawings, cartoons, and pictures: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue if the individual item is not separately copyrighted. More than one of each may be copied if they are included and meet the criteria in 2(b)(2), above.
- d. Special works: These include children's picture books and comic books which combine illustrations with a limited text. These works usually have less than 2,500 words in their entirety. Copying these works is limited to two pages, on condition that those two pages do not include more than ten percent of the words in the work.
- e. Each copy includes a copyright warning notice, previously described.
- f. The copying must be at the request or inspiration of the individual teacher.

- g. The inspiration to use a material and the time when needed for use does not allow purchasing or seeking permission. This requirement disallows repeated use at a later date.
- h. **The copies are to be used only in one course in the school.** A "course" appears to include multi-section courses taught by the same or different teachers as one course using a uniform text and lesson plan. **In colleges and universities, a course ends at the conclusion of each academic term.**
- i. Not more than one poem, article, story, essay or two excerpts may be copied from one author, or more than three from a work or periodical volume (as opposed to an issue) during one class term.
- j. Not more than nine items from all sources may be multiple copied for one course during one class term. This restriction does not apply to current news periodicals and public domain materials.

3. Prohibitions to 1 and 2, above:

- a. Copying may not be used to create anthologies, compilations or collective works.
- b. "Consumable works" (i.e., workbooks, exercises, test booklets, etc.) may not be copied.
- c. Copying shall not (1) substitute for purchases, (2) be directed by higher authority, or (3) be repeated by the same teacher without permission from the copyright owner.
- d. The copies shall be distributed free, or the copying charges shall be limited to the actual cost of copying.

Library Reserve:

Single or multiple copies of periodical articles and chapters of books may be placed on reserve in a library under the terms of Section 107, on fair use. A single copy may be the faculty member's single, fair-use copy. Multiple copies may be placed on reserve in lieu of distributing multiple copies of the item to students in the class. The amount of copying under this exemption must be restricted to the number of items that may be distributed to a class during a term. **Copies made under this provision only may be used for the semester in which they were placed on reserve. Any further use of the copies requires the permission of the copyright owner.** The number of copies placed on reserve must be limited to a "reasonable" number. This obviously depends upon the size of the class; one copy per ten students may be "reasonable," but the American Library Association (ALA) and American Association of Law Librarians (AALL) suggest a limit of six copies, regardless of the number enrolled.

In summary, copying material for reserve purposes should meet the following conditions:

1. The faculty member's single, fair-use copy, or
2. Multiple copies placed on reserve which conform to the limits in the "Agreement on Guidelines for Classroom Copying . . ." The quantity placed on reserve shall be "reasonable" in relation to the number of students in the class.
3. The copy(s) on reserve shall be identified as belonging to a faculty member and include a copyright notice or a copyright warning notice, or both.
4. Copying the material shall not adversely effect the market for the work.
5. Photocopied material may not be revised in subsequent semesters without the copyright owner's permission.

MUSIC

Separate copyrights usually exist for sheet music and recorded musical performance. Additional copyrights may exist in the lyrics. Composers, lyricists, arrangers,, performers, etc. receive royalties from the sale of their creative works. Music dealers usually sell sheet music in sets (e.g., band sets, chorus sets, etc.). Single copies may not be available from dealers but can be ordered directly from the publisher. Copying sheet music without permission deprives the composers of royalties. Copying recordings deprives composers, arrangers, performers, etc. of their royalties. Fair-use guidelines for music were developed by the Music Publishers' Association, the National Music Publishers' Association, the Music Educators' National Conference, the National Association of Schools of Music, and the Ad Hoc Committee on Copyright Law Revision. The guidelines authorize limited copying and altering of sheet music. They also authorize recording student performances. The guidelines appear in Appendix B and are summarized here:

Fair-Use Guidelines for Music:

1. Copying Sheet Music:

- A. Emergency copies may be made to replace lost music when times does not permit purchasing replacement music before a performance. The emergency copies must be destroyed at the end of the performance and replaced with purchased copies.
- B. For teaching purposes, not performance, multiple copies of excerpts may be made provided that the excerpts do not constitute a performable unit such as a section, movement, or aria. The excerpt may not be larger than ten percent of the whole work and not more than one copy per pupil may be made.
- C. For teaching purposes, not for a performance, a single copy of an entire performable unit (section, movement, aria, etc.) that is confirmed by the copyright proprietor to be out of print or unavailable except in a larger work, may be made for a teacher for his or her scholarly research or preparation to teach a class.
- D. Purchased sheet music may be edited or simplified in the fundamental character of the work is not distorted. Lyrics may not be altered or added if none exist.

2. Musical Recordings:

- A. Student performances may be recorded for evaluation purposes only. The recording may be retained by the institution or the teacher.
- B. At one point, the committee included a provision authorizing educators to reproduce sound recordings owned by an education institution or an individual teacher for the purpose of constructing aural learning exercises or examinations. This provision was withdrawn just before the guidelines were approved by Congress. Transfers from disk to tape or disk to cassette always require permission.

3. Performances:

- A. As discussed above, the fair-use guidelines allow student performance to be recorded if the recordings are made only for critique or evaluation. That same privilege does not extend to recording performances by professional musicians from outside the institution without the permission of the performer and the copyright owner of the music. Licenses must be obtained for all public performances, unless they fall under the "free and benefit" provisions discussed below.

- B. Live public performances of non-theatrical musical works are authorized under the "free and benefit" performance provision in Section 110(4) of the copyright law. The performance must be given without charge to the audience, or the income from admission fees in excess of costs must be applied to a charitable cause. In either case, the managers and performers must contribute their services or their contribution to the performance must be part of their overall duties as faculty members or staff members.
 - C. Recorded music may not be performed at social occasions without a license from a licensing agency.
4. Copying Records:
- Copyrighted musical recordings may not be copied without permission. Such permission is rarely granted, so educators have little choice except to purchase additional quantities of the recordings.
5. Musical Transmissions and Broadcasts:
- Live or recorded music may not be transmitted through a multi-room public-address system or cable system without a license. Live or recorded music may not be broadcast unless the station holds licenses from a music licensing service.

Television Programs

1. Off-air and Cable Receptions:
- Television broadcasts and cable transmissions may be received and simultaneously shown to classes.
2. Recording Commercial Television Programs at School:
- Commercial television programs for classroom use fall under the terms of guidelines. Guidelines were developed by representatives of educational organizations, copyright proprietors and creative guilds (unions). While some proprietors disagree with the guidelines, the guidelines will impact any litigation involving videotaping off the air for classroom use. The text of the guidelines appears in appendix C and summarized here:
- A. The guidelines only apply to off-air recording by non-profit educational organizations.
 - B. Programs may be recorded from broadcast transmissions or from a simultaneous retransmission by cable distribution systems.
 - C. Programs must be transmitted to the general public without charge. This eliminates "pay" programming, (i.e., HBO, CineMax, Disney Channel, etc.).
 - D. **Programs may be retained for forty-five calendar days from date of recording. After forty-five days they must be erased or permission must be obtained for continued retention and use.**
 - E. **Programs may be shown to a class once, and repeated once for reinforcement, during the first ten "teaching days" following a broadcast. A "teaching day" is a day on which pupils receive instruction. It excludes holidays, weekends, examination periods and other non-teaching days.**
 - F. Off-air recordings may be made by the teacher or by a media specialist or librarian at the request of a teacher. Programs may not be re-recorded by or for the same teacher when they are rebroadcast.

- G. Programs may not be recorded in anticipation of teacher requests.
- H. Off-air recordings need not be used in their entirety but they may not be altered from their original content, or electronically combined or merged.
- I. All copies of off-air recordings must include the copyright notice, if one appeared in the program.
- J. Educational institutions are expected to establish appropriate control procedures.

3. Recording Commercial Television Programs at Home for Classroom Use

There has been some concern about recording programs in the teachers' homes and using the recordings in classrooms. The Sony Betamax case established that recording in the home for the use of family and its friends was permissible. It did not address the issue of teachers or students bringing the recorded programs to school for classroom viewing. There is a general consensus that bringing programs recorded at home to school for classroom viewing is permissible if the recording and performances comply with the "Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes." It also should be emphasized that using programs beyond the ten "teaching day" limit is a copyright infringement.

4. Recording Television Programs Off the Satellite:

Satellite programming is protected by the Federal Communications Act. Basically, programming may not be received without a license or written permission. The fair-use exemptions in the copyright law do not apply as satellite transmissions are private communications protected by the Federal Communications Act. A recent amendment to the Federal Communications Act authorizes "private viewing" in the home, if:

- A. The programming is listed as "free" in a reputable satellite programming directory.
- B. The programs are not scrambled or a subscription service has not been established.

This exemption applies only to viewing in the home and does not apply to educational receptions. An increasing number of educational satellite programs are not available, (i.e., the Learning Channel, International University Consortium, National Technological University, PBS Adult Learning Satellite Service, etc.). These programs are offered through membership or by contract. Reception without license or membership is illegal.

5. Recording Public Broadcasting Service (PBS) Programs:

Most PBS series are produced by a consortium of stations that underwrite the series and a producer who produces and distributes the series. The agreement between the stations and the producer frequently includes a provision authorizing the viewers of the underwriting stations to record and reuse the programs. The terms of these agreements vary widely and many European producers and distributors do not grant educational duplication rights. Since these rights vary from station to station, contact our local PBS station(s) for duplication rights.

6. Cable Transmission of Audiovisual Works:

Cable "transmission" of copyrighted works is limited to non-dramatic literary works. Because audiovisual works are excluded from the definition of literary works, audiovisual works may not be transmitted without a license. Many video distributors give free, in-building transmission licenses, but sell license for multi-building transmissions. Licenses are available from most educational video distributors and the prices are often negotiable. Cable transmission rights can and should be specified in institutional purchase orders for audiovisual materials so the transmission right is acquired simultaneously with the purchase of the programs.

7. Home-Use-Only and Rental-Store Videos:

Questions have been raised about the legality of classroom showings of videos labeled "For Home Use Only." Videos are sold with and without "non-theatrical-public-performance rights." Those sold with the rights usually cost more because of the additional value conveyed in the sale. Videos rented or sold at neighborhood video stores or sold through mail-order catalogs are offered without performance rights, so they are labeled "For Home Use Only," or something similar. Since they are sold without a performance license they are intended for private viewing in homes limited to family and friends. These videos are usually much cheaper than videos sold with a performance license. Some educational media distributors sell their products with or without "nontheatrical-public-performance rights." Other firms only sell films and videos without licenses.

One trade association operates a public relations campaign to persuade educators that it is illegal to show "For Home Use Only" videos in classrooms. However, Section 110(1) of the copyright law states explicitly that any legitimately-made, copyrighted work may be performed or displayed by "instructors or pupils," in "face to face teaching activities," in "non-profit educational institutions," in "classrooms or similar places devoted to teaching." Outside of that trade association, there is a general consensus that Section 110(1) allows showing videocassettes labeled "For Home Use Only" in classrooms when the following conditions are met:

- A. They must be shown only to teachers and students in face-to-face instruction,
- B. They must be shown only in courses given for academic credit,
- C. They must be shown only in classrooms or other locations devoted to instruction (e.g., laboratories, gymnasiums, libraries, etc.), and
- D. They must be legitimately-made copies.

Videocassettes labeled "For Home Use Only" may not be shown under the following circumstances:

- A. Showings during entertainment or recreation activities.
- B. Showing to an audience which is not confined to the students and faculty assigned to a specific course and
- C. Showings from illegally-made copies.

Computer Software

The 1976 copyright law was deliberately vague about copyright protection for computer software until a congressional committee could complete a study. The law was amended on December 12, 1980, following the receipt of the committee report. The amendment defines computer software as a literary work, which gives software copyright protection immediately upon creation. The amendment also permitted making one archival or back-up copy of each program. The International Council for Computers in Education (ICCE) issues a "Suggested Policy Statement on Duplicating and Using Computer Software in Academic Settings." It is summarized here:

Back-up Copy:

The Copyright Act allows the purchaser of software to:

1. Make one copy of software for archival purposes in case the original is destroyed or damaged through mechanical failure of a computer. However, if the original is sold or given away, the archival copy must be destroyed.

2. Make necessary adaptations to use the program.

Networks:

Many educational institutions have local-area networks (LAN) or wide-area networks (WAN) which enable large computers to serve many smaller computers or terminals within the institution. Licenses are required to use software on networks.

Database Downloading:

Downloading involves copying a data transmission from database utility to a user's computer. This shortens the "connect time," which is the basis for most user fees. It also enables the searcher to clean up the data before printing a copy. Databases are copyrightable and copying from a database to a computer appears to be a copyright infringement. The copyright owners generally accept temporary downloading as a fair use as long as only one report is printed and data is erased after printing the report. The problem centers on long-term retention of data to reuse or to combine to create a local database. Long-term retention for any purpose requires a downloading license. These licenses are offered by most database utilities.

Other Issues

Films and Videotapes:

Films and videotapes may not be copied or altered unless the copying meets the four tests for fair use. While no guidelines have been developed, copying a small part of a film or videotape may be permissible, if the four fair-use criteria are met. Producers argue that some parts of a program are critical to the total program and copying even a small part violates the "substantiality" test in the second fair-use criterion. The courts have not established the validity of that argument or the amount of copying required to be "substantial," so caution is recommended.

Copying or altering an entire film or video without written permission is clearly an infringement, unless it can be documented that the copy was made to preserve an old program that is no longer available. Copying "preview" prints for any reason is a conspicuous copyright infringement.

Filmstrips and Slide Sets:

Copying filmstrips and slide sets in their entirety, or altering a program, requires written permission. Transferring a program to another format, (i.e., filmstrip to video, or filmstrip to slides) also requires permission. Copying a few frames or slides may be a fair use, if the four fair-use criteria are met.

Microforms:

Microforms (microfilms, microfiche, etc.) are protected under the copyright act. The rules governing microforms are determined by the nature of the work contained therein, (i.e., a literary work graphic work, etc.). Microform copies of old books, periodicals, and manuscripts may be copied freely if the original works are in the public domain. If the original publication is copyrighted, copies may be made using the rules that apply to books and periodicals.

Newsletters:

Newsletters are unique because they are very brief and have a small circulation. Therefore, almost any copying deprives the publisher of a sale or subscription. Limited copying is possible under the "small part" exemption in the library photocopying or fair-use sections of the law. However, a small part of a four-page newsletter may consist of only a few lines of text. Copying newsletters must be approached with great caution.

Artwork:

Artworks are copyrightable. The duplication of such works, in their entirety by photography, sketching, rendering, casting, or printing are violations of the copyright law. The only exception is for copying illustrations in a book or periodical under the terms of "Agreement on Guidelines for Classroom Copying" or the library photocopying section of the law.

Electrocopying (Computer Scanning):

Electrocopying is the process of entering books, periodicals, artworks, etc. into a computer by means of an optical scanner. Once a work is entered into the computer, it can be edited, manipulated, and reproduced. Electrocopying a text may be a fair use if it is used only for research, (e.g., for textual analysis). **Any other electrocopying of copyrighted texts requires the permission of the copyright owner. Artworks should not be electrocopied without permission unless they are in the public domain.** Electrocopying by students as a "learning exercise" may be permissible but the copies should be promptly erased.

Dramatic Works:

The right of the copyright owner to perform a dramatic work publicly, precludes all public performance of a play, opera, operetta, or musical comedy without a license. Dramatic works may be performed in the classroom under the Section 110(1) exception, but all the requirements of that exception must be met, including the requirement that attendance be limited to the teacher and the pupils enrolled in the course.

Student Projects:

While the law does not specifically address student uses of copyrighted works, the Senate Report accompanying the Copyright Revision Act of 1976 identifies "special uses" by students:

There are certain classroom uses which, because of their special nature, would not be considered an infringement in the ordinary case. For example, copying of extracts by pupils as exercises in a shorthand or typing class or for foreign language study. . . Likewise, a single reproduction of excerpts from a copyrighted work by a student calligrapher . . . in a learning situation would be fair use of the copyrighted work.

Based upon that statement, a consensus has students may copy copyrighted works as a learning exercise. This suggests that students can integrate all types of materials into sound/slide, film, or television productions. Programs made under this exemption may be submitted to the teacher for a grade, and may be shown to the other students in the class. However, the paper or product must remain the property of the student. Copies may not be retained by the teacher or the institution, it may not be shown, transmitted, or broadcast outside the classroom, and no copies may be sold or given away. Students who wish to make copies beyond these narrow restraints, or who wish to make additional uses of their student projects must use the permission procedures identified in the section entitled "Obtaining Permission."

Copyright Management

If a copyright policy is to be effective, someone must manage the details and provide staff training. This is the duty of the Copyright Officer.

Copyright Officer:

The copyright officer is not a police officer, but is an information provider and a coordinator of copyright transactions. He or she should be a helper, not a threat. The faculty and staff should be encouraged to consult the copyright officer about all copyright matters.

The copyright officer's responsibilities are:

1. Implement the Board Copyright Policy,

2. Establish and implement procedures to assure the institution and its employees comply with the copyright law,
3. Prepare and distribute a Faculty Copyright Manual,
4. Conduct training programs to inform the faculty about the copyright law and the institution's copyright policy,
5. Answer employees' questions about the copyright law,
6. Post appropriate copyright warning notices on copying equipment,
7. Stay abreast of new developments in the copyright law,
8. Negotiate licenses to copy, perform, or modify copyrighted works, and
9. Maintain records of permissions, licenses, etc.

Copyright Supervisors:

While compliance with the copyright institutional policy requires the cooperation of all employees, the copyright officer must be assisted by knowledgeable people in key positions. They include the directors of the media center, computer center, reprographics center, print shop, and media production facilities. These people frequently deal with requests for services and materials that involve copyrighted materials. These directors are expected to make copyright decisions on a daily basis. For this reason, they must learn about the areas of the copyright law that pertain to their responsibilities. They must work closely with the copyright officer to be sure the copyright law and the institution's Copyright Policy are observed.

Obtaining Permission

It is not difficult to request permission to duplicate or adopt copyrighted materials. Well-established procedures are available. For most materials, complete two copies of the request form (attached) and send it to the copyright owner. Complete information must be supplied before permission can be given. **It is important to maintain orderly records of permissions sought, denied, or granted. One copy of each must be on file in the Library office.**

Permission to perform, broadcast, or transmit music is obtained from ASCAP, BMI, or SESAC. Their addresses appear on page 22.

Permission to retain programs recorded off the air is obtained from individual television networks, listed on page 21. If the network cannot supply permission, permission must be obtained from the firm that produced the program, not the network.

Licenses to perform films and videos outside courses for credit are offered by Films, Inc., Swank Audio-Visuals, and the Motion Picture Licensing Corporation. The addresses are on page 22.

Permission to copy computer software or use it on a network is obtained from the software publisher. Many software publishers sell a "site License" or "lab kit" to authorize making multiple copies of software or to authorize multiple loading.

Appendix E Sexual Harassment Awareness and Avoidance Policies

Summary Of Research Of The Incidence Of Sexual Harassment In College/University Settings

Dziech and Weiner (1984)

30% of all undergraduate women suffer sexual harassment from at least one of their instructors during their college careers.

Adams, Kottke, and Padgitt (1983)

13% of women students surveyed reported they had avoided taking a class or working with certain professors because of the risk of being subjected to sexual advances; 17% received verbal sexual advances; 13.6% received sexual invitations; 6.4% had been subjected to physical advances; 2% received direct sexual assault.

Chronicle of Higher Education Report of Harvard University (1983)

15% of the graduate students and 12% of the undergraduate students who had been sexually harassed by their professors changed their major or educational program because of the harassment.

Wilson and Kraus (1983)

8.9% of the female undergraduates in their study had been pinched, touched, or patted to the point of personal discomfort.

Bailey and Richards (1985)

12.7% of 246 graduate women surveyed reported that they had been sexually harassed; 21% had not enrolled in a course to avoid such behavior; 11.3% tried to report the behavior; 2.6% dropped a course because of it; 15.9% reported being directly assaulted.

Bond (1988)

75% of 2290 faculty experienced jokes with sexual themes during their graduate training; 68.9% were subjected to sexist comments demeaning to women; 57.8% of the women reported experiencing sexist remarks about their clothing, body, or sexual activities; 12.2% had unwanted intercourse, breast or genital stimulation.

Michele A. Paludi and Richard B. Barickman, *Academic and Workplace Sexual Harassment: A Resource Manual*, (Albany, NY: State University of New York Press), pp. 9-11.

What is Sexual Harassment?

The Civil Rights Act of 1964 makes it illegal for an employer to discriminate against a person with respect to terms, conditions or privileges of employment or academic standing because of his/her sex, as well as race, color, religion and national origin. In 1980, the Equal Employment Opportunity Commission (EEOC) published guidelines which identified sexual harassment to be a violation of Title VII. The EEOC describes behavior that constitutes sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when...

- **quid pro quo**-the person engaging in such behavior explicitly or implicitly makes submission to or rejection of such conduct a term or condition of employment or academic standing. In plain language, this means a person has to put up with sexual conduct to be hired or to avoid being fired);
- **quid pro quo**-the person engaging in such behavior explicitly or implicitly makes submission to or rejection of such conduct a basis for decisions affecting employment or academic life. (An example is that you must date the boss to get a promotion or transfer); or
- **hostile work environment**-the person's behavior is an attempt to interfere, or has the effect of interfering, with one's work or academic performance, or creates an intimidating, hostile, or offensive working or learning environment.

quid pro quo

When submitting to sexual conduct is a condition of employment or academic standing, it is illegal regardless of whether the request was made outright or implied. Where implied, courts will look at how the victim was treated before and after the request.

In the case of an employment decision affecting the individual, the decision doesn't have to cost the employee his/her job nor does there actually have to be a request for sex. The supervisor who bends the rules for those people who go along with his or her sexual comments is making employment decisions based on willingness to submit to sexual conduct.

The EEOC is not interested in what two consenting adults do, provided it is not offensive to others in the work place. Romance does occur at work. The EEOC is interested when sexual conduct becomes a condition of doing business. For instructors, a request for a date with a student could be construed as a condition of academic standing since that person is in a more powerful position than the student. The same holds true for a supervisory/subordinate relationship.

The same rules apply to clients, vendors and others who are not employed by the organization. There is an obligation to maintain a work environment which is free from harassment of any kind, regardless of whether the offender is employed by the company.

Hostile Environment

Courts have ruled that a hostile environment exists where there is no economic consequence or benefit from the harassment but it has the purpose or effect of creating an atmosphere so negative it interferes with another person's performance. Comments and actions by supervisors, coworkers or clients fall into this category. For co-workers, a request for a date once or twice isn't against the law. When the request becomes repeated after the other party has said no or other kind of pressure is applied, the behavior can create a hostile environment that interferes with the work of others.

The Institution's Obligation

The EEOC Guidelines further state that as an employer:

- you are responsible for harassment by your supervisory personnel whether or not you know about the actions or whether or not you approve or disapprove of the actions.
- you are responsible for harassment by coworkers if you know or should know about the actions and you do not take immediate and appropriate action to correct the situation.
- you may be responsible for harassment of your employees by people who are not your employees when the harassment occurs in the line of work and the employer knows or should know about it and fails to take immediate and appropriate action.
- you should take all necessary steps to prevent sexual harassment from occurring in the first place.
- you may be sued for sex discrimination by employees if they can prove that an employee who submitted to sexual requests gained from that action at the expense of other employees who were equally qualified and denied those benefits.

Who is Harassing Others at Work or in the Classroom?

We often think of sexual harassment occurring only between supervisor and subordinate or teacher and student, however in recent years, studies have shown a significant rise in peer to peer harassment. There is not just one type of person who can be expected to harass others. We identify three types:

- People who are unaware they do or say things that embarrass others and make people uncomfortable. Since they have no intention of causing harm, they will stop once they're told what effect their behavior has on others.
- People who are insensitive they know what they are doing is wrong, but they don't care and won't stop until management requires them to do so and they understand the consequences for not doing so.
- People who are hard core they are usually angry people who degrade, intimidate and abuse others. These individuals will be terminated at some point. The institution can't afford the liability.

Degrees Of Sexual Harassment

The range of behaviors which can result in a complaint of sexual harassment is very broad and doesn't necessarily mean that the harasser is intent on having sex.

Potentially harassing behavior is often seen as socially acceptable, but becomes a corporate liability when it is repeated enough times to make it offensive to the recipient. Examples include

mild flirting, compliments or comments that may be construed as sexual in nature- "I like your new dress-it's a perfect fit."

Subtle sexual behavior is sometimes socially acceptable, but more often, is found to be as offensive by reasonable men and women. This is bothersome, worth mentioning, but generally doesn't warrant a formal complaint. Examples include: jokes, innuendos, flirting, asking someone for a date.

Moderate sexual behavior isn't socially acceptable and is offensive to reasonable men and women. Action must be taken to stop the offender immediately. Examples include sexually explicit jokes, sexually explicit language, pornographic pictures, and sexually offensive language.

Severe sexual behavior is never socially acceptable and calls for serious disciplinary action. This behavior includes physical behavior such as attempted or actual rape, sexual assault or serious sexual slurs.

Examples Of Potentially Harassing Behavior

Sex-based behavior occurs on account of sex or gender. Following are examples of conduct or communication that can be elements of harassing behavior. When comments like these are made or actions taken, they are directed at one sex or someone's sexual preference. It is unlikely that the same comments would be made by men about men or by women about women. If a verbal battle of the sexes is occurring, then a hostile environment is being created in the classroom or for that work group.

Verbal Communication:

- "We can't assign a woman to this job since its in a plant."
- "We're not hiring any gays in this department."
- "The men around here just want women to smile, look pretty, and keep quiet."
- "This is a male bonding meeting no women allowed."
- referring to a female as a girl, or as "babe", "honey", "doll" or other dehumanizing terms
- referring to a male as a "hunk", "stud" or other dehumanizing terms
- making comments about an individual's body
- making comments about an individual's clothing
- any sexual comments or innuendo
- turning work discussions to sexual topics
- telling sexual jokes or stories
- asking about sexual fantasies, preferences, or sexual history
- asking personal questions, particularly questions about an individual's social or sexual life
- repeated requests for dates
- repeated stories, spreading rumors, or lies about an individual's personal life
- whistling, cat--calls or other suggestive sounds

Non--Verbal Communication:

- staring at an individual
- looking a person up and down
- pointedly glancing at breasts, buttocks or genitalia

- giving unsolicited gifts
- displaying sexually suggestive visual material, posters, etc.
- suggestive facial expressions (winking, throwing kisses, etc.)
- suggestive gestures with hands or through body movements

Physical Acts

- touching an individual's clothing, jewelry, hair or body (imaginary "lint pickers")
- massaging or rubbing around the neck or shoulders
- standing close to or brushing against an individual
- touching or rubbing oneself in a suggestive or sexual manner in the presence of others
- hugging, kissing, patting or stroking (including, friendly corporate kissing)
- hanging around an individual's desk
- following an individual around
- blocking an individual's path
- holding unnecessarily private conversations
-

Two Key Principles

1. The more severe the behavior is, the fewer times it needs to be repeated before reasonable people define it as harassment. The less severe it is, the more times it needs to be repeated.

One light joke is not sexual harassment, however, the same joke told over and over could be.

2. The less severe the behavior is, the more responsibility the receiver has to speak up. The more severe the behavior is, the less responsibility the receiver has.

The quickest way to stop sexual harassment in the work place is for each employee to say immediately that conduct or communication is offensive and it should stop.

In the case of less severe behavior, some people aren't offended so unless the harasser is confronted, he or she may feel it's OK to continue. Studies show that it tends to get worse and become severe if it is not stopped quickly.

In the case of the more serious behavior, the harasser should know that this behavior is totally inappropriate.

COMMON REACTIONS TO BEING SEXUALLY HARASSED

- Confused, embarrassed
 - Am I overreacting?
 - Have I misinterpreted the situation?
 - Have I done something to lead him/her on?
- Helpless
 - No one is going to believe me!
 - It's his/her word against mine.
 - If I complain, it will make matters worse.
- Angry, insulted
 - I'm being cheated.
 - Why isn't anyone doing something about his/her behavior?

- Worried
 - I'll never get a good recommendation from him/her if I don't go along.
 - All the other managers/employees will know if I file a complaint.
 - Everyone will say I'm too sensitive.

Common Coping Styles

- I'll ignore the situation. If I don't respond, nothing will happen.
- Next time, I'll laugh it off.
- Next time, I'll tell him/her off.
- I'll drop the course and/or change my major.
- It's my fault - I'm naive.
- I'll write a letter to let him/her know I don't want the behavior to continue.

SEXUAL HARASSMENT TRAUMA

Emotional Reactions

- Anxiety, shock, denial
- Anger, fear, frustration
- Insecurity, betrayal, embarrassment
- Confusion, self--consciousness
- Shame, powerlessness
- Guilt, isolation

Physical Reactions

- Headaches
- Sleep disturbances
- Lethargy
- Gastrointestinal distress
- Hypervigilance
- Dermatological reactions
- Weight fluctuations
- Nightmares
- Phobia, panic reactions
- Genitourinary distress
- Respiratory problems
- Substance abuse

Changes in Self-Perception

- Negative self--concept
- Lack of competency
- Lack of control
- Isolation
- Hopelessness
- Powerlessness

Social, Interpersonal Relatedness, And Sexual Effects

- Withdrawal
- Fear of new people, situations
- Lack of trust
- Lack of focus
- Self--preoccupation
- Changes in social network patterns
- Changing attitudes, behaviors toward sexual relationships and potentially sexual disorders associated with stress and trauma

Academic Effects

- Changes in study and work habits
- Educational difficulties
- Absenteeism
- Withdrawal from school or class
- Changes in academic goals

A Reasonable Woman

Until 1991, the standard by which behavior was measured was how a "reasonable man" and later "reasonable person" would respond to sexually oriented conduct. In a 1991 case, the Ninth Circuit Court established the reasonable woman standard, in recognition that most harassment takes place with male harassers and female victims. While this is not a universal standard (the most recent Supreme Court decision mentions a reasonable person), it is worthy of examination. But what is meant by a reasonable woman?

The Ninth Circuit Court said that harassment must be taken from the victim's perspective and that requires an analysis of the different perspectives of men and women. The consequences of sexually oriented behaviors are greater for women than for men- most victims of sexual attack are women. Even more moderate sexually oriented behavior, such as asking for a date or flirting, can be viewed as more threatening to women, as many women perceive themselves to be in less powerful positions than men. In other words, what may not be offensive to a reasonable man may be offensive to a reasonable woman.

When the same situation is described to men and women, the disagreement is not about what happened, but rather with what the behavior means. Men often try to justify their behavior on the grounds that they are just friendly and trying to make an employee feel welcome. In a recent survey by the American Bar Association, 67% of men said they would be flattered by sexual advances at work while only 15% of women survey said they would be flattered by the same action. Another recent study by Northwest Missouri State University reported that 46% of the men said they thought women should be flattered by behaviors defined as sexual harassment by both sexes.

The Court further said that a female employees may state a prima facie case of hostile environment sexual harassment by alleging conduct that a reasonable woman would have considered sufficiently severe, however the employer does not have to accommodate the rare hypersensitive employee. The reasonable person or woman standard is not static, but will change as the values and views of women and society as a whole change.

Roles And Responsibilities

All employees have a responsibility to do what is necessary to maintain an educational and work environment that is free from sexual harassment. To accomplish this goal, employees must be able to react effectively to sexual harassment when it happens and to act to prevent other such incidents. Some responsibilities include:

- Recognizing sexual harassment when it happens.
- Observing your educational and work environment and being conscious of what goes on around you.
- Being aware of your own actions.
- If harassed, confronting your harasser.
- Seeking assistance and counsel.
- Reporting any incidents of harassment to the appropriate individuals.
- When you notice someone being harassed, talking to the harasser to try to get him/her to stop harassing the victim.
- Supporting the recipient of the harassing behavior.

College Procedure

Title: **63.01D-SEXUAL HARASSMENT**

College Procedure Title/Number: Discrimination Complaint Procedures, 63.01.01
Diversity, 63.01.02

Howard Community College concurs in the action of the Maryland Higher Education Commission in recognizing that sexual harassment seriously damages the integrity of the educational institution, destroys the institution's positive work and educational atmosphere, and causes psychological and physiological damage to the victim. The college condemns such illegal activity and is strongly committed to promoting an educational and work environment free from sexual harassment of any form. For the purpose of these guidelines, the college adopts the sexual harassment definition promulgated by the United States Equal Employment Opportunity Commission.

It is a violation of this policy for any member of the college staff to harass a student or employee through conduct or communications of a sexual nature as defined below. It is also a violation of this policy for students to harass other students through conduct or communications of a sexual nature as defined below or for students to harass staff.

Definitions

Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the college staff to a student or another employee or when made by a student to another student constitute sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education or employment;
2. submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or

3. such conduct has the purpose or effect of substantially interfering with an individual's academic, professional or employment performance or creating an intimidating, hostile or offensive academic or employment environment.

Sexual harassment, as defined above, may include but is not limited to the following:

1. verbal harassment or abuse;
2. pressure for sexual activity;
3. repeated remarks to a person, with sexual or demeaning implications;
4. unwelcome touching;
5. suggesting or demeaning sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

The president of the college will implement this policy and will establish procedures to handle complaints made under the provisions of this policy. The procedures will provide: 1) that the right to confidentiality, both of the complainant and of the accused, will be respected consistent with the college's legal obligations, and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred; 2) that persons filing complaints of sexual harassment will be protected against reprisals, but that the deliberate filing of false accusations of sexual harassment will be condemned and may lead to possible disciplinary action.

A substantiated charge against an employee of the college will subject that employee to disciplinary action, which may include dismissal.

A substantiated charge against a student of the college will subject that student to disciplinary action including suspension or expulsion.

College Procedure

Title: **63.01.01-DISCRIMINATION COMPLAINT PROCEDURES**

College Procedure Title/Number: Non-discrimination, 63.01
 Equal Employment Opportunity, 63.01A
 Equal Educational Opportunity, 63.01B
 Affirmative Action, 63.01C
 Sexual Harassment, 63.01D

The following procedures are adopted to process complaints alleging violations of the college's policies on non-discrimination, equal employment opportunity, equal educational opportunity, affirmative action, or sexual harassment, and will be in addition to any complaint or charges an employee, applicant or student files with state or federal agencies. These procedures apply to all complaints of discrimination or harassment, including sexual harassment, made against either an employee or a student. Howard Community College will conduct its own investigation and will respond to the complaint, regardless of the reporting party. Complaints or concerns of

discrimination or harassment made by or against a college employee should be reported to the director of human resources. Complaints or concerns of discrimination or harassment made by a student should be reported to the vice president of student services. Complaints of discrimination or sexual harassment made against a student will be processed under the student judicial process.

1. Initiation of Complaint

Any employee, applicant, or student who alleges a violation of college policy on non-discrimination, equal employment opportunity, equal educational opportunity, affirmative action, or sexual harassment by an employee should file a complaint with the director of human resources setting forth the grounds for the complaint. If the complaint is against the director of human resources, the reporting person should file the complaint with the vice president of administration and finance. If the complaint is against a student, the reporting person should file a complaint with the vice president of student services.

2. Fact Finding

The director of human resources or the director's supervisor will initiate the fact-finding process in response to the complaint against an employee and attempt to resolve the issue with the reporting employee, applicant, or student. In cases where a complaint has been made against a student, the vice president of student services will initiate the fact-finding process, which will be in accordance with the student judicial process, as defined in the student code of conduct.

3. Conference with the President

If the complaint against an employee cannot be resolved by the director of human resources, the matter will be forwarded to the president of the college by the director of human resources or the director's supervisor with a recommendation. The president will hold an information conference between the parties and make a decision on the charges.

4. Appeal

The decision of the president may be appealed to the board of trustees.

5. Confidentiality

All parties and staff will keep the complaint, fact-finding process and conference or hearings confidential, except to the extent that it is necessary to investigate and process the complaint. Furthermore, all student records and access to student records shall comply with the Family Educational Rights and Privacy Act of 1974 (FERPA).

6. Reprisals and False Complaints

Persons filing complaints of harassment or discrimination will be protected against reprisals by actions that are appropriate to the circumstances. Those persons filing deliberate false complaints will be subject to disciplinary action, which may include dismissal from the college.

7. Disciplinary Action

Substantiated complaints of violation of the above referred to policies may subject the offending party to disciplinary action (see [“Suspension and Dismissal Policy” 63.12](#)), which may include dismissal from the college.

SUGGESTED READING

- Astin, Helen S. and Leland, Carole. *Women of Influence, Women of Vision*. San Francisco: Jossey-Bass Publishers, 1991.
- Gilligan, Carol. *In a Different Voice*. Cambridge: Harvard University Press, 1982.
- Miller, Casey and Swift, Kate. *The Handbook of Nonsexist Writing*. New York: Harper & Row, 1988.
- Paludi, Michele A., ed. *Ivory Power: Sexual Harassment on Campus*. Albany, NY: State University of New York Press, 1987.
- Paludi, Michele A. and Barickman, Richard B. *Academic and Workplace Sexual Harassment: A Resource Manual*. Albany, NY: State University of New York Press, 1991.
- Powell, Elizabeth, M.S. M.A. *Talking Back to Sexual Harassment Pressure*. Minneapolis, MN: CompCare Publishers, 1991.
- Tannen, Deborah, Ph.D. *You Just Don't Understand: Men and Women in Conversation*. New York: William Morrow and Company, 1990.
- Wagner, Ellen J. *Sexual Harassment in the Workplace: How to Prevent, Investigate, and Resolve Problems in Your Organization*. New York: Amacom, 1992.
- Webb, Susan L. *A Step Forward: Sexual Harassment in the Workplace, What you Need to Know!* USA: MasterMedia Limited, 1991.

College Procedure

Title: **63.01.02-DIVERSITY**

College Procedure Title/Number: Nondiscrimination, 63.01
 Equal Employment Opportunity, 63.01A
 Equal Educational Opportunity, 63.01B
 Affirmative Action, 63.01C
 Sexual Harassment, 63.01D

Howard Community College's diversity program has been designed to ensure equality of opportunity in employment and education as well as to develop and maintain educational programs and services for all of the diverse populations of the community. The college maintains a standing cross-functional Diversity Team. The team's responsibilities are:

1. to promote diversity in the college;

2. to advise the human resources officer on matters pertaining to non-discrimination, equal employment opportunity, and diversity;
3. to review the membership of all search committees to ensure diverse representation;
4. to serve as liaison between students and the college in matters of diversity;
5. to review and recommend changes in the Diversity Plan as such modifications become necessary;
6. to review relevant reports to monitor progress toward college hiring goals and implementation timetables if applicable; and
7. to provide a representative to serve on each college search committee.

Diversity Committee members will be appointed by the college president. Of those appointed, the president will select one to be chairperson and one to be vice-chairperson. Diversity Committee members will serve for a period of at least two years with half of the committee members completing a term at the end of each academic year.

Membership will include at least the following:

1. two faculty members;
2. two support staff employees;
3. one administrative employee;
4. one professional/technical employee;
5. two students;
6. two at-large employees;
7. human resources officer (ex-officio);
8. the coordinator of the institution's compliance with Section 504 of the Rehabilitation Act of 1973 (ex-officio); and
9. other members as needed to carry out the duties of the committee.

Committee membership will also represent the diversity of the college's employee and student population consistent with its affirmative action practices.

Copies of the Diversity Plan and the Affirmative Action Plan are available in the HCC library, the office of human resources, the office of continuing education, the president's and vice-president's offices, the instructional division offices, the student services area and the student activities office.

The college uses the following ethnic categories in order to report employment statistics to the Equal Employment Opportunity Commission, as required by law. The information is derived from voluntary employee self reports on the Employee Data Sheet.

or Black (not of Hispanic origin); Hispanic including all persons of Mexican, Puerto Rican, Cuban, Central or South American; Asian or Pacific Islander and American Indian or Alaskan native.

Freedom of political opinion includes participation in politics or political campaigns and the free expression of ideas; however, it does not include ability to engage in political activity while on the job during working hours, advocacy of the overthrow of the government by unconstitutional and violent means, or obligation to contribute or render political services by employees. For students, it does not include the ability to engage in activity which violates the rights of others or is otherwise unlawful.

Sexual orientation means preferred, consensual, adult sexual behavior.

Appendix F Confidentiality and the “Buckley Amendment”

Buckley Amendment”

(Howard Community College’s Policy on the Release of Student Information is Based on the Family Educational Rights and Privacy Act of 1974.)

Howard Community College, in compliance with The Family Educational Rights and Privacy Act of 1974, has defined the following as Directory Information, which may be given out without a student’s permission:

1. Student’s name
2. Dates of Attendance
3. Major
4. Degree (or lack of a degree) and awards
5. Participation in officially recognized activities and sports
6. The height and weight of members of athletic teams (If appropriate)

Faculty and staff may not divulge any additional information without a student’s written permission. Items such as grades or attendance may not be given out.

Instructors may not post any grades using the student name or the Social Security Number.

Email is not considered to be a secure way to share confidential information with students. Sending information in email form is the electronic equivalent of sending information on a postcard where it might be possible for others to see it. Confidential information such as grades should not be sent over email unless a student signs a waiver. A waiver can be a simple document that states that the student gives you permission to share information concerning grades through email. This applies to college email accounts or with private email accounts.

Phone voicemail or verbal messages given in conversation with someone else answering the student’s phone are not considered to be a secure way to share confidential information with students. Confidential information such as grades may not be left on students’ answering machines because other individuals might have access.

Student phone numbers and email addresses are considered confidential information.

Student phone numbers should not be shared with the class unless volunteered by the student. Class phone trees can be compiled and distributed to the whole class as long as it is made clear to students that they are sharing this information voluntarily and can withhold this information if they wish.

Student email addresses should not be shared with the class unless volunteered by the student. This applies to college email accounts or with private email accounts. When sending an email message to your entire class or to a distribution list, it is recommended that you utilize the Blind Carbon Copy function in your email program. This will allow you to send a message to a distribution list or to several individuals without addresses being visible to all parties.

College ID numbers (also known as Colleague ID numbers) are considered confidential information by the college. Like social security numbers, college ID numbers (also known as Colleague ID numbers) because the college’s administrative database system is a product named

Colleague) should not be shared publicly. Both college ID numbers and social security numbers are both viewed as confidential information by Howard Community College.

In compliance to the FERPA requirement of protecting a student's confidential information, grades should **not** be posted on **any** door or wall. Every student has access to HCC Express and can obtain the status of their grade via this secured method. If posting grades is rooted in the Instructor's desire to show grade distribution, please contact Judi Bulliner in the Registration office to see if there may be other ways to accomplish this.

For more information, or for answers to specific questions, please contact the Office of Records and Registration.