**Committee Name: Academic Policy Committee**

**Meeting Date & Time: September 6, 2019, 1400-1500**

**Meeting Location: Health Sciences Building 211**

**Attendance**:

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| **Members “P” denotes Present, “A” denotes Absent, “R” denotes Regrets** |
| R | Nicole De Clouette (Chair) | P | Bryan Marshall |
| R | Carolyn Denard | P | Wathsala Medawala |
| P | Melanie DeVore | P | Christine Mutiti |
| P | Sarah Handwerker | P | Samuel Mutiti |
| R | Min Kim | P | Gennady Rudkevich |
| P | Julian Knox | P | Christina Smith (Vice Chair) |
| P | Alesa Liles | P | Jessica Wallace (Secretary) |
| R | Catrena Lisse |  |  |
| GuestsJennifer Townes, Scholarly Communication Librarian |
|  | *Italicized text denotes information from a previous meeting.* |  |   |
|  | \*Denotes new discussion on old business. |  |  |

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|  Agenda Topic (Committees should feel free to customize this template to make it as functional for them as possible. Other categories of topics might include Reports, Information Items, Unfinished Business, etc.) | Discussions & Conclusions  | Action or Recommendations | Follow-Up{including dates/responsible person, status (pending, ongoing, completed)} |
| **I. Call to order** |  | The committee was called to order at 2:04 pm by Christina Smith.  |  |
| **II. Approval of Agenda** | The agenda was sent out to committee members prior to the meeting by Christina Smith. Bryan Marshall made a motion to approve the agenda for today’s meeting. Gennady Rudkevich secconded the motion. All committee members present voted unanimously to approve. | Agenda approved.  |  |
| **III. Approval of Minutes** | Not needed as this is the first meeting of the year.  |  |  |
| **IV. Reports** | No reports.  |  |  |
| **V. Old Business/Review of****Actions/Recommendations** |  |  |  |
| 1. **Operating Procedures**
 | The operating procedures addressed in Nicole De Clouette’s August 20 email were briefly discused. Bryan Marshall made a motion to approve the existing operating procedure. Sarah Handwerker seconded the motion. The operating procedures were unanimously approved.  |  |  |
| 1. **Plagiarism Policy Implementation**
 | This follow-up item from last year had already been turned on for courses. There is no need for further follow-up with Kay Anderson.  |  |  |
| 1. **Plagiarism Reporting System**
 | This agenda item will be postponed until the October 4 meeting to enable Dr. Shawn Brooks to attend. He will look into questions raised at governance retreat.  |  |  |
| **VI. New Business**Actions/Recommendations |  |  |  |
| 1. **Fair Use Laws of Online Content**
 | Jennifer Townes, GCSU’s Scholarly Communication Librarian, gave the committee information about copyright and fair use laws as they apply to faculty in the classroom, both in person and online. USG has a [Copyright Policy](https://www.usg.edu/copyright/) and [Fair Use Checklist](https://www.usg.edu/copyright/fair_use_checklist) and has developed these resources in the wake of ongoing (since 2008) litigation against Georgia State University Library. The lawsuit was originally by three publishers against 4 directors and administrators of GSU claiming copyright problems with e-course reserve items. The library cited fair use and the case has been litigated multiple times since. In 2012, a judge ruled that the library had committed 5 copyright violations out of 99 charges and that the university policy had been consistent with fair use. The standard of using percentage (10% of a book is okay/consistent with fair use) came out of this decision. In 2016, that decision was overturned, meaning that guidelines for fair use no longer rely on a low percentage of the work being used as a safe practice. Instead, faculty should use fair use checklists for each article, image, resource, etc. It is each faculty member’s responsibility to fill out the checklist for everything they want to use in a classroom under fair use guidelines and to keep those checklists indefinitely (there is no specific time frame given for how long those records must be retained). There are 4 basic guidelines (which are purposefully unweighted): purpose and character of use; nature of original work; amount and substantiality used; affect on the market for original. It is also crucial to use language telling students they are not to distribute class resources to students or others outside the class. Because D2L requires a password and limits duration of access, these are things that automatically work as “pros” in favor of an item falling under fair use. Because there are no weights to the different criteria, it is more of a “pro vs. con" situation—if you have many checks in the “pro” category and only one in the “con” category, you are probably in good shape. For specifically online resources like D2L and personal websites, the [TEACH Act](https://www.copyright.com/wp-content/uploads/2015/04/CR-Teach-Act.pdf) of 2002 applies. This act codifies specific exceptions to copyright law as they apply to online learning. Criteria include: accredited, not-for-profit universities; the resource is part of mediated instructional activity; use is limited to a specific number of students enrolled in a specific class (D2L meets this criteria); use in either a live or asynchronous class. The TEACH act specifically does not allow for the transmission of textbook materials or works developed for online courses. The institution must also have a copyright notice in place on the online site (in our case, D2L—committee members questioned why this was not already incorporated into the template/automatically placed on all course sites). It also does not allow for interlibrary loan pdfs, e-reserves to be posted. It is permissible to put the link to a resource that Georgia College pays for (I.e., Galileo), but not the pdf. Committee members raised many questions that Jennifer Townes briefly addressed. If you are interested in posting sections of a textbook, you need to take a close look at the textbook licensing to see what they allow. Similarly, do this if you plan on scanning a chapter from a book and posting. Even if you are the author of the work you want to use, you have to check your publishing agreement. If you signed away the right to disseminate your work, you do not have the right to make copies and give them students. Out-of-print books and translations also pose potential problems. For news articles and journalism resources, try to use publications that GCSU has paid for. If not, involve the library to see if they can purchase copies of items you regularly use, or put a copy on course reserves. It is always okay to ask the library to license something and advise on how best to approach a situation. For media fair use, it is fine to use media for education in a limited capacity, like in the classroom. Showing a movie for a student group event that has been widely advisable is not fine and the rights have to be negotiated there. It is also fine to post from publicly available, legitimate (not bootlegged) YouTube channels (ex., a 20 minute “Last Week Tonight” clip published on HBO’s channel).  | The committee agreed there is no need for a GCSU policy on this, as USG already has a policy. However, greater education and awareness needs to happen around these issues—only one committee member was even aware there was a Fair Use Checklist prior to this meeting, and the discussion raised a good deal of concern among faculty members for ensuring compliance with copyright and fair use law. The committee came up with 2 recommendation ideas to discuss further: 1) APC recommends that all course home pages on D2L include a copyright notification per the TEACH Act and USG Copyright Policy. 2) APC recommends that training for staff and faculty in copyright and fair use law be included in the annual training module conducted on D2L to better educate staff and faculty on USG Copyright policy.  | Jessica Wallace will send the recommendation drafts to committee members. APC will revisit recommendations at the October meeting. |
| 1. **Student Behavior, Grievances, and Electronic Submission**
 | Melanie DeVore expressed concern that the existing policy governing academic grievances does not allow or require enough interaction between a student and faculty member before escalating the situation to administration, legal affairs, Title IX, etc. There is a disjunct between the policy laid out in the [University Catalog](http://catalog.gcsu.edu/2018-2019/Undergraduate-Catalog/Academic-Policies/Grievances) (2018-2019 is the most recent catalog posted on the GCSU website) and the policy laid out in the [Student Handbook](https://www.gcsu.edu/studentaffairs/handbook). In the course of discussion, committee members also expressed concerns that the current system for filing both academic and non-academic grievances includes both on the same page, which is problematic because Title IX complaints must be handled completely differently from other types of complaints. It is confusing to students and easy for them to select a Title IX complaint from the drop-down menu when their complaint might more accurately be an academic grievance. It is not clear how these mis-labeled grievances are funneled to the proper channel, or who is in charge of doing this. Committee members agreed: 1) there is concern that policies are not matching across handbooks. 2) have there been changes to the chain of command in handling student academic grievances?3) There should be separation—or at least reordering—in the options for how students can label a grievance. Title IX should either be moved to a separate page or placed further down the drop-down menu list to avoid confusing students. 4) Academic and grade grievances should be discussed with faculty members before taking any other steps in filing an academic grievance.  | Talk to ECUS and see if there are simple changes that can be made? Look into separating Title IX from other types of grievances—separate page for separate process? It’s easy for a student to be confused and pick the wrong thing.  | Christina Smith will talk to ECUS and see about potential recommendations or changes. The committee will revisit this discussion at the October 4 meeting.  |
| VII. Information Items  | No information items.  |  |  |
| VIII. Next Meeting | The next APC meeting will be October 4 @2:00 in Health Sciences 211. No new business.  | Meeting scheduled already.  |  |
| IX. Adjournment | The meeting adjourned at 3:00 pm.  |  |  |

**Distribution (as determined in committee operating procedure – one possibility given):**

First; To Committee Membership for Review

Second: Posted to the Minutes Website

**Approved by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 Committee Chairperson (Including this Approval by chair at committee discretion)

**Guidance**

**Committee Name: Academic Policy Committee**

**Committee Officers: Nicole De Clouette, Christina Smith, Jessica Wallace**

**Academic Year: 2019-2020**

**Aggregate Member Attendance at Committee Meetings for the Academic Year:**

**“P” denotes Present, “A” denotes Absent, “R” denotes Regrets**

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| **Meeting Dates** | **Sept. 6** | **Oct. 4** | **Nov. 1** | **Jan. 10** | **Feb. 14** | **Mar. 6** | **Apr. 10** |  |  |
| Nicole De Clouette (Chair) | R |  |  |  |  |  |  |  |  |
| Carolyn Denard | R |  |  |  |  |  |  |  |  |
| Melanie DeVore | P |  |  |  |  |  |  |  |  |
| Sarah Handwerker | P |  |  |  |  |  |  |  |  |
| Min Kim | R |  |  |  |  |  |  |  |  |
| Julian Knox | P |  |  |  |  |  |  |  |  |
| Alesa Liles | P |  |  |  |  |  |  |  |  |
| Catrena Lisse | R |  |  |  |  |  |  |  |  |
| Bryan Marshall  | P |  |  |  |  |  |  |  |  |
| Wathsala Medawala | P |  |  |  |  |  |  |  |  |
| Christine Mutiti | P |  |  |  |  |  |  |  |  |
| Samuel Mutiti | P |  |  |  |  |  |  |  |  |
| Gennady Rudkevich  | P |  |  |  |  |  |  |  |  |
| Christina Smith (Vice Chair) | P |  |  |  |  |  |  |  |  |
| Jessica Wallace (Secretary) | P |  |  |  |  |  |  |  |  |
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CHAIRPERSON SIGNATURE DATE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_-

(Including this Approval by chair at committee discretion)