



NEW YORK UNIVERSITY

A private university in the public service


Office of the Provost

Elmer Holmes Bobst Library
70 Washington Square South, Room 1221
New York, New York 10012-1091
Telephone: 212 998 3077
Facsimile: 212 995 3190
david.mclaughlin@nyu.edu

David W. McLaughlin *Provost*

August 29, 2013

Memorandum to: Raghu Sundaram, Chairperson, Faculty Senators Council

From: David W. McLaughlin, Provost 

RE: Policy on Use of Copyrighted Materials

Over the past few years, the Provost's office has been working with senior administrators, the Office of General Counsel, the Libraries, and faculty to update the University's policy with respect to the use of copyrighted materials for instructional and research purposes.

Most recently, Dean Carol Mandel, who has been shepherding this policy for some time along with Senior Vice Provost for Research Paul Horn, worked closely with Associate General Counsel Mark Righter to review earlier documents and discussions and finalize a draft document. The document was shared with the all-University Teaching Technology Committee (TTC) chaired by Senior Vice Provost Matthew Santirocco, and reviewed by the *TTC Working Group on Digital Resources for Instruction and Research Across the GNU¹*, which is chaired by Libraries Director of Public Services Lucinda Covert-Vail, and within the Provost's Office. The document was recommended for my approval, and, as part of the review process, I consulted with the Deans in a Deans with Provost meeting on July 24.

Now, at the start of the academic year, and in accordance with FSC Principles of Shared Governance, I am forwarding the attached "Statement of Policy and Guidelines on Educational and Research Uses of Copyrighted Materials" to the FSC for its review. In conducting your review, please note that while the policy principally affects faculty, it applies to all NYU employees and students. Note too, that the policy implements and is shaped by federal copyright law, e.g., with respect to 'fair use' of copyrighted materials, and provides guidelines for applying the law. The expectation is that this new policy will supersede the existing [Policy on Photocopying Copyrighted Materials](#).

¹ The Working Group was chaired by Lucinda Covert Vail, Director of Public Services, NYU Libraries, and included: Michael Beckerman (FAS, Music), Joshua Blank (School of Law), Martha Rust (FAS, English), Melissa Brown (Scholarly Communication Librarian, Libraries), Dean Carol Mandel, Peter Schilling (AVP for Global Technology Services) and Mark Righter (Associate General Counsel).

I look forward to hearing from the FSC. Please let us know if you have any questions or concerns that we can address to help facilitate your review. Feel free to speak directly with Lucinda, Matthew, or Carol Mandel.

Copy to: Awam Amkpa, Vice Chairperson, Faculty Senators Council
Bonnie Brier, Senior Vice President, General Counsel and Secretary
Lucinda Covert Vail, Director of Public Services, NYU Libraries
Paul Horn, Senior Vice Provost for Research
Ted Magder, Past Chair, Faculty Senators Council
Carol Mandel, Dean, Division of Libraries
Charlton McIlwain, Secretary, Faculty Senators Council
Carol Morrow, Associate Provost for Academic Operations Planning
Karyn Ridder, Coordinator, Faculty Senators Council
Matthew Santirocco, Senior Vice Provost for Undergraduate Academic Affairs