Copyright Guidelines for Course Materials

In preparation for the new academic year, please take a moment to review University policy and legal issues related to the use of articles, media, book excerpts and other copyrighted material in your courses. The issues surrounding the access and use of course materials in this age of information technology are complex and require that we make every effort to ensure that faculty and staff are protected from any legal repercussions.

Under U.S. copyright law, a copyrighted work may not be reproduced, distributed, performed or displayed without permission, unless fair use or a statutory exemption applies. The penalties for copyright infringement can be severe. In some cases, the copyright owner can recover up to $150,000 for willful infringement, and criminal penalties may apply. Therefore, as both consumer and producer of copyrighted material, Harvard has a strong interest in complying with copyright law.

Copyrighted materials distributed digitally must be cleared for copyrights prior to use or distribution. Course websites also may not link to material posted on external websites that may be infringing on copyrights. In the event copyrighted materials that have not been cleared are encountered on a course website, the University is under an obligation to remove the materials from the website. To prevent such an action, please be sure to provide bibliographic information of copyrighted items that you plan to distribute digitally to your faculty assistant. Your faculty assistant will compile all the necessary information and submit to the Gutman Library for processing.

Harvard Library E-resources are also limited by license agreements and the accompanying relevant online subscriptions – many licenses and subscriptions, such as those for LexisNexis and Academic Search Premier from EBSCO Publishing, explicitly prohibit the creation and posting of electronic copies of articles to local course websites or inclusion in printed course packets and printed reserves without the payment of additional fees. Harvard is legally bound by these restrictions on use through the license agreements that accompany the online subscriptions. Either you or Harvard could be legally liable for violations of these usage restrictions. Thus, the safest and most cost-effective way to incorporate electronic materials for course readings is to utilize the Library Reserves utility on your course website to create direct links to Harvard Library E-resources as well as links to lawful external resources.

For additional resources and guidance created in support of the rapid shift to online teaching and the extended remote environment at Harvard, please visit Copyright Considerations for the Harvard Community in Shifting Courses from In-Person to Online During the COVID 19

Be sure to check with your Faculty Assistant for additional details on preparing materials for your courses at HGSE. Specific questions on copyright can be sent to Carol Kentner, Gutman Library’s Digital Scholarship Librarian, at carol_kentner@gse.harvard.edu