

Policy on reusing copyrighted material in teaching

1.1 Background

Academic literature and other teaching material, such as images, are widely used resources in university education. Much of this material is protected by copyright. Article 25 of the Copyright Act states that distributing work protected by copyright in a printed reader or as a PDF file in a digital learning environment is only permitted if the person owning the copyright is recompensed fairly and honestly. Stichting UvO (the Publishers' Organisation for Teaching Licences) is responsible for collecting this compensation at Dutch universities.

1.1.1 Settlement via the Easy Access Agreement in addition to contribution for the use of longer passages from copyrighted works

The VSNU (Association of Universities in the Netherlands) and Stichting UvO made a general agreement for the period 2017-2020 regarding buying out the use of short and medium extracts from copyrighted works. This agreement has been extended until the end of 2022 under the same conditions. This concerns both printed and digital extracts. The agreement sets out that Dutch universities must jointly pay €3.6 million per year for reusing short and medium extracts from copyrighted works. This amount is annually charged to the Dutch universities.

The use of longer extracts that do not fall within the Easy Access Agreement must be recorded and paid for via Stichting UvO.

1.1.2 Insight into actual reuse of materials by the UG in 2020/2021

A new Easy Access Scheme will be negotiated at the end of the current period in 2022.

The current agreement states that all Dutch universities must provide Stichting UvO with an overview of their rate of reuse of printed and digital material. In 2021, the UG provided Stichting UvO with figures relating to its reuse during 2020.

The Dutch universities are trying to minimize the reuse of work for which a fee is due in order to lower the buyout price for the forthcoming period.

1.2 Objectives of UG policy on reuse of materials

In order to reduce the contributions for materials in teaching to what is absolutely necessary, the UG enforces a policy that satisfies the following objectives:

1. increasing knowledge and awareness of regulations regarding the reuse of materials and the associated costs for administrators, lecturers and support staff;
2. limiting unnecessary costs for material protected by copyright without affecting the quality of teaching;
3. gaining insight into the amount of copyrighted materials used in teaching.

1.3 Policy principles

The policy on the reuse of materials is based on the following principles:

1. There is one uniform policy that applies to all faculties.
2. This policy is implemented by the faculty boards.
3. The reuse is charted by means of random checks for each faculty and subsequently discussed with the relevant faculty board or a representative thereof. Reuse of long extracts is subjected to 100% checks.

1.4 Specifics

The reduction of the number of unnecessarily reused copyrighted materials can be achieved in two ways:

1. by sharing links to teaching materials that are legally available on the websites of the publishers or elsewhere (since linking to information on these websites does not count as reusing copyrighted material but including such materials in a reader or in the electronic learning environment does);
2. by using teaching materials, including images used in PowerPoint presentations, which are available in Open Access or via Open Educational Resources (OER).

Material that cannot be linked to should be included in a printed/digital reader in the reader portal so that the costs for this can be charged to the students who follow the respective course unit.

A lecturer who has permission from the copyright owner to make material available in Nestor/Brightspace free of charge must add a source reference to the PDF file on Nestor/Brightspace and contact the Copyright Information Desk (copyright@rug.nl).

The inclusion of PDF files in feedback systems (including peer feedback systems), such as Perusall, is unavoidable and necessary due to the educational added value of using these systems. In order to reduce the costs of including reused copyrighted material in these systems, the question whether the material used is exempt from financial contributions or falls under the Easy Access Agreement is already being investigated. Reused copyrighted materials that do not satisfy these criteria will only be included in exceptional circumstances.

1.5 Support

In order for this policy to be successful, the following support will be established:

1. The Copyright Information Desk at the University Library actively provides information about the policy and issues advice about copyrighted material in teaching. The accompanying web portal lists all relevant information about how to use this material.
2. The reuse of copyrighted material is monitored in Nestor/Brightspace by means of random checks, after which the Copyright Information Desk provides feedback about the observed use of materials in Nestor/Brightspace to the faculty boards or faculty contact persons.