

Marist Digital Copyright Policy

It is the policy of Marist College to comply with all existing United States copyright laws including the U.S. Copyright Act of 1976, the TEACH Act of 2002, and the Digital Millennium Copyright Act. All Marist faculty, staff, and students are expected to act both responsibly and ethically when using copyrighted works (such as print and electronic documents, web-based content, visual materials, photographs, music and other forms of creative works), which includes making informed decisions based on the “fair use” exceptions to these laws.

The College is committed to assisting members of the Marist community in their teaching, learning, and research needs, and as such provides legal access to hundreds of thousands of items through the James A. Cannavino Library. The College strongly recommends that the use of copyright-protected resources be limited to materials for which the College holds the necessary licenses, or to the millions of work available for educational use under Creative Commons licenses. The College urges all faculty, staff, and students to assume that any materials not licensed by the College, whether in written, video, digital, or other format, are likely subject to copyright protection. Library staff are available to help individuals seeking the acquisition of, or license to use, these materials. Requests to obtain the necessary permissions may take several weeks or months to complete and may include related licensing fees. It is also possible the desired work is simply unavailable. The staff of the Library cannot and will not provide advice on rights to use materials other than those licensed by the College.

If you are unable to find appropriate materials that are already licensed for your use and do not have time to seek permission to use the materials, you can, at your own risk, consider using it under the “fair use” doctrine or the TEACH Act. While the College provides information on these alternatives, including on its copyright webpages, it is your responsibility to become fully familiar with the operative parameters and application of these exceptions. The College recommends that you seek legal advice in this respect for your own protection. Your decision to use materials other than pursuant to an existing license should be made as a last resort and on a case-by-case basis, be re-evaluated each time the materials are used, and be documented in writing as means to record the rationale.

The College does not provide legal advice and does not assume legal or financial responsibility for any independent application of copyright principles made by College faculty or staff that does not meet the terms of related copyright law or this policy. Neither faculty nor staff are authorized by the College to provide any such advice, and they cannot represent the College in this respect. Tools provided on the College’s website are for informational purposes only. Resources on the website are not intended to provide any assurance that any use of copyrighted materials will constitute “fair use” or otherwise conform to the TEACH Act.