Policy on Copying and Distributing Software

Purpose   The purpose of this policy is to educate members of the BSU community on policies and legal implications of copying and distributing software.

Policy Statement   It is the policy of Bridgewater State University that copyrighted software shall not be distributed or copied for any purpose by any person beyond the extent of the respective license agreement(s) or expressed written permission by the author and/or publisher.

Applies to   All members of the BSU community

Responsibilities   Most computer applications are protected under the U.S. Copyright Act. Unless software has been placed in the public domain by the developer, it is protected under copyright law. The owner of a copyright holds exclusive right to the reproduction and distribution of his or her work. Therefore, it is illegal to distribute software or its documentation without the permission of the copyright owner. Recognizing that authors and/or publishers have a right to protect their intellectual labor and creativity, regardless of their choice of media,

Recognizing, however, that it is sometimes the intent of the software author to freely share the software that he or she has developed, it is not the University's policy to restrict the duplication or distribution of software that has been placed into the public domain by the author as:

Shareware

This is copyrighted software that the author encourages the users to copy and distribute freely for review and evaluation. If used on a regular basis after the evaluation, a registration fee or donation is required. The notice that a software application is "Shareware" is normally displayed on the screen when the application is run, and it usually includes information about the author, making donations, and receiving updates.

Public Domain

This is software that has been dedicated by the author to the public domain. It is not subject to any copyright restrictions and can be copied and shared freely. Public Domain notification is normally contained in the software.

However, each division and/or department of the University retains the right to restrict the software being loaded on the computers for which they are responsible, unless expressly directed by Information Technology under the direction of the CIO. See the University's policy for Computer Resources Procurement in this manual for information on software procurement.

Software and Intellectual Rights

Bridgewater State University endorses the following EDUCOM code for illegal and legal use of software:

"Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgement, right to privacy, and right to determine the form, manner, and terms of publication and distribution.

Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copy violations, may be ground for sanctions against the academic community."

Electronic Bulletin Boards

A popular method among computer users for acquiring new software is to download the software from an Electronic Bulletin Board. Bulletin Boards are electronic databases created by individuals or companies from which users may freely copy software over a modem, usually for a modest membership fee. Although most bulletin board owners take great care that none of the software they offer is restricted by license, there is no guarantee that the software offered to the public through an Electronic Bulletin Board is Public Domain or Shareware, since it is possible for computer users to place software on bulletin boards illegally. Therefore, it is also the University's policy that it is the responsibility of the individual user to determine if the software they are using has copyright restrictions or not.

Title:	Policy on Copying and Distributing Software
Approved By:	Pat Cronin, Chief Information Officer
Approval Date:	January 2001
Date of Last Revision:	February 23, 2011
Policy Category:	Information Technology Division