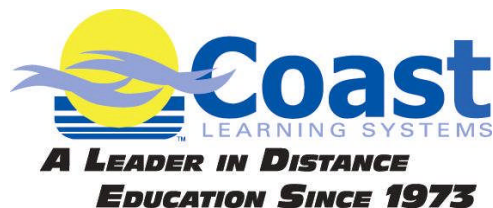


# ***Digital Use Policy***



**Published: March 2008**

**This policy supersedes all previously stated policies and is in effect until a new policy is issued.**



# Video-Based Course Component Policy

The following Policy on conversion and use of video components in a digital format, modality, and/or system is established to standardize policy for Master and/or Supplemental License Agreements now in effect, or in the future, between Coast Learning Systems and the Coast Community College District, and its Licensees. This Policy does not preclude or limit other licensing considerations such as, but not limited to, term-of-use, scope-of-use, and/or copyright restrictions.

## **The following courses may be videostreamed (digitized) under this Digital Use Policy:**

*Anthropology: The Four Fields*  
*Astronomy: Observations & Theories*  
*Child Development: Stepping Stones*  
*Concepts in Marketing*  
*Cultural Anthropology: Our Diverse World*  
*Cycles of Life: Exploring Biology*  
*Dollar\$ & Sense: Personal Finance for the 21st Century*  
*Intermediate Algebra: Modeling the World*  
*Mastering the College Experience*  
*Physical Anthropology: The Evolving Human*  
*Psychology: The Human Experience*  
*Statistically Speaking (In Production)*  
*Transitions Throughout the Life Span*

## **The following courses are available on DVD:**

*Anthropology: The Four Fields*  
*Astronomy: Observations & Theories*  
*Child Development: Stepping Stones*  
*Concepts in Marketing*  
*Cultural Anthropology: Our Diverse World*  
*Cycles of Life: Exploring Biology*  
*Dollar\$ & Sense: Personal Finance for the 21st Century*  
*Mastering the College Experience*  
*Physical Anthropology: The Evolving Human*  
*Psychology: The Human Experience*  
*Statistically Speaking (In Production)*  
*Transitions Throughout the Life Span*

Licensees may purchase DVDs for the sole purpose of making content available to students enrolled in licensed courses. Licensees must clarify the planned distribution method (loan, rental, or sale) on order form(s). Distribution rights are limited to the purchasing institution. DVDs may not be assigned to another institution, distributor, or third-party (non-college owned) bookstore. Coast reserves the right to sell directly to students. Duplication is strictly prohibited.

## **Digital Encoding, Distribution, Replication, and Storage**

The Duplication and Distribution clause of all current and future Master and/or Supplemental Telecourse License Agreements is amended by this Policy to authorize digital encoding and digital storage of video-based courses and video lessons subject to the following terms and conditions:

- Digitized versions of video lessons may be broadcast and/or cablecast in their entirety and “in the clear” as part of a PBS or cable channel’s programming mix for students as well as general viewers. This does NOT include the right to podcast or deliver video lessons via downloadable files for portable or other media devices.
- Conversion to or replication of video components into formats such as CD-ROM, DVD, removable hard-drive, storage card, digital tape, podcasting, downloadable digital files and/or any other known or unknown portable format for distribution is strictly prohibited.
- Video lessons may be digitized for real-time and/or delayed linear playback of programs in their entirety only. Instructors may direct students to a section of video (via timecode indicators) as long as the entire video lesson is accessible to the students. However, those segments or video sections may not be used or distributed separately or individually.
- Digitized versions of video lessons may be streamed via the Internet and/or stored and distributed for video-on-demand (VOD) playback. Access to Internet and/or VOD distribution must be restricted to students enrolled in the College’s “Licensed” offering. Student and faculty access must be password-protected to prevent unauthorized access by anyone not enrolled in, teaching, or administering the course.
- Video lessons may only be made available via the Internet as multi-cast and/or unicast streams, which allow students to view the lessons in their entirety, but the Policy prohibits downloading and/or storage on a student’s, instructor’s, or institution’s computer for future viewing, duplication, or retransmission.
- Distribution of lessons in a digital format that does not comply with the Policy is strictly prohibited.
- Video lessons, regardless of approved distribution method, must be presented in their entirety including opening and closing credits and copyright information.
- Conversion or distribution of video in any format not addressed in this Policy is strictly prohibited.

## Authority to Digitize

This Policy amends the Editing clause of the Master and/or Supplemental Telecourse License Agreement and permits authorized users to digitize video-based course (telecourse) components for use as described above. The prohibition against cutting, editing, or otherwise altering any video lesson copyrighted and/or distributed by the Coast Community College District remains in full force and effect. Use of a video-based course (telecourse) in a digital format other than those specifically authorized herein is strictly prohibited.

Coast Learning Systems does not provide institutions with digital files for distribution. Licensees must encode video lessons from source-quality masters approved by Coast Learning Systems. Coast Learning Systems retains the right to request and receive access to streamed course components copyrighted by Coast Community College District for quality control purposes.

## Fees and Charges

The Duplication and Distribution clause of the Master Telecourse License Agreement permits Licensees to charge fees for video check-out to students enrolled in the licensed course, but only for the purpose of recovering costs related to the service and only if the Licensee does not realize revenue beyond expenses. Equivalent fees to cover costs may be charged by the Licensee for authorized uses of the Telecourse in a streaming and/or video-on-demand format. The Master Telecourse License Agreement does not permit Licensees to assign Course content (tape loan/rental) to and source outside of the Licensee's institution including school-owned but contractor-operated (sub-leased) bookstores; therefore, streaming and/or video-on-demand services must be owned and operated by the Licensee or an authorized vendor approved by Coast Learning Systems in writing.

## Technical Standards

Any digital use of video-based course content, pursuant to this Policy, is subject to the continuing rights of Coast Learning Systems to set and enforce technical standards. Encoding, storage, distribution and/or delivery may not be assigned to third parties without written permission. No exceptions.

## Compliance, Notices, and Monitoring

As a condition for permission to make use of video-based course components as described above, all Licensees automatically agree to terms described within this Digital Use Policy by signature on a Master and/or Supplemental Telecourse License Agreement. Complete compliance requires Licensee to:

- Comply with the regulations set forth in this Policy;
- Affix a notice of copyright ownership (©Coast Community College District) on all materials copied and/or duplicated under this agreement;
- Permit Coast Learning Systems to monitor such uses and inspect the operations, equipment, and records of the Licensee to ensure compliance with these rules and procedures; and
- Report any digital use of video lessons authorized under this Policy to Coast Learning Systems as outlined in the "Reporting and Payment of Fees" clause in the Master and/or Supplemental Telecourse License Agreement..

## Audiovisual Digital Use Policy

The Audiovisual License Agreement is hereby amended. The Audiovisual Digital License Agreement is hereby created to authorize digital encoding and storage of audiovisual content for real-time and/or delayed linear playback of programs in their entirety in a controlled streaming, network, and/or video-on-demand environment subject to the conditions provided in this Digital Use Policy. Master and/or Supplemental Telecourse License Agreements do not include audiovisual rights unless stated.

Videotapes and/or DVDs purchased as audiovisual materials provide for audiovisual use for the life of the product. No duplication is allowed or granted. The Audiovisual Digital Use Policy provides for digitized versions to be streamed via the Internet, a network, and/or stored and distributed using video-on-demand (VOD) systems. NOTE: We are unable to grant digital rights on some courses. Audiovisuals, digital or analog, are for individual and/or supplemental classroom use only—multiple and simultaneous use by multiple students in multiple locations is prohibited.

### The following courses may be digitized under this Audiovisual Digital Use Policy:

*Anthropology: The Four Fields*  
*Astronomy: Observations & Theories*  
*Child Development: Stepping Stones*  
*Concepts in Marketing*  
*Cultural Anthropology: Our Diverse World*  
*Cycles of Life: Exploring Biology*  
*Dollar\$ & Sense:*  
*Personal Finance for the 21st Century*  
*Intermediate Algebra: Modeling the World*  
*Mastering the College Experience*  
*Physical Anthropology: The Evolving Human*  
*Psychology: The Human Experience*  
*Statistically Speaking (In Production)*  
*Transitions Throughout the Life Span*

## Audiovisual Rights—Digital Encoding, Distribution, Replication, and Storage

Access to Internet, network, and/or VOD audiovisuals must be restricted to single users and/or single classrooms. Access must be password protected to prevent unauthorized access by anyone outside of the Licensee's institution.

Audiovisuals, digital or analog, may not be broadcast on PBS stations, local channels, cable stations, ITFS, or via any other broadcast modality. Delivery is restricted as described within this Policy:

- Video components may only be made available via the Internet, LAN, and/or VOD as a single stream in a manner that prevents downloading and/or storage on a computer for future viewing, duplication, or retransmission.
- Duplication rights are NOT granted with an audiovisual purchase.
- Storage and use of audiovisual content for random interactive use and/or linking to sections of the content for interactive viewing is strictly prohibited.
- Content purchased for audiovisual use may not be edited, re-edited, converted, or otherwise changed. All such actions are strictly prohibited.

## Technical Standards

Any digital use of Audiovisuals pursuant to this Policy is subject to the continuing right of Coast Learning Systems to set and enforce technical standards.

## Compliance, Notices, and Monitoring

As a condition for permission to make use of Coast Audiovisual content in a digital format, the Licensee must agree in writing to:

- Comply with the rules and procedures set forth in this Policy;
- Affix a notice of copyright ownership (©Coast Community College District);
- Permit Coast Learning Systems to monitor such uses and inspect the operations, equipment, and records of the Licensee to ensure compliance with this Policy.

## Digital Use Policy for Courses Developed and Delivered on Interactive CD-ROM

The Interactive CD-ROM Digital Use Policy is provided in a separate document. Institutions are provided with multiple licensing options. For more information or to receive a sample of the Interactive CD-ROM courseware package, please contact Coast Learning Systems, (800) 547-4748.

Preview dates are provided the courses available for delivery via Interactive CD-ROM.

### Interactive CD-ROM Courses

*Anthropology: The Four Fields* - Fall 2009  
*Astronomy: Observations & Theories* - Available  
*Cycles of Life: Exploring Biology* - Available  
*Child Development: Stepping Stones* - Available  
*Concepts in Marketing* - Available  
*Cultural Anthropology: Our Diverse World* - Fall 2009  
*Dollar\$ & Sense: Personal Finance* - Available  
*Mastering the College Experience* - Available  
*Physical Anthropology: The Evolving Human* - Fall 2009  
*Psychology: The Human Experience* - Available  
*Transitions Throughout the Life Span* - Available

## We're here to serve you!

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