

promotional items such as clothing, mugs, etc. (Note: Ladyjacks is one word, i.e., Ladyjacks, not Lady jacks).



T. Smoking

Smoking is not permitted within 20 feet of building entrances. Smoking is also prohibited within 20 feet of open windows or air intakes. The Student Services Office will be responsible for determining policy at resident hall entrances.

U. Key Control Policy and Procedures

Policy:

Dakota College at Bottineau will maintain a system for the management of keys for the protection of students, staff, faculty, facilities and property. It is the intent of campus administrators to responsibly balance security and protection with building access and personal convenience. This policy establishes a framework by which keys will be issued, monitored, and maintained.

Definitions:

- Key – Any device (i.e., card, key pad, metal key, etc.) which is used to gain access to a room, building or restricted area.
- Key holder – Faculty, staff, and students who are issued keys to college buildings and facilities.
- Master key – A key which allows access to all buildings and all rooms located within each building.

General Provisions:

- All keys are issued by, and remain property of Dakota College at Bottineau.

- The key holders responsible for using reasonable safeguard to prevent theft, loss or unauthorized use of keys, and for physically securing access points upon entering or leaving a room or facility after operational hours. Unauthorized use includes allowing others to use the keys to gain access to campus facilities. Failure to exercise reasonable safeguards may result in the loss of key privileges.
- Keys will only be issued to employees of Dakota College at Bottineau and for those areas that are necessary for performance of assigned duties. Students and non-employees will not be issued keys to buildings or rooms. If it is necessary that a student or non-employee have keys, an employee will act as the key holder (with all the responsibilities thereof).
- The Director of Business Affairs is responsible for safeguarding and controlling access to key blanks, core keys, key boxes and master keys.
- The Physical Plant Supervisor (or his/her designee) is the only one authorized to duplicate keys. Any attempt to duplicate keys by another person is a violation of this policy.
- The Campus dean and Division Directos have the authority to confiscate keys in possession of a person not authorized to have them.
- The Physical Plant Supervisor is the only one authorized to change, add, or alter any locking device. This includes the installation of hasps or padlocks. All locks will be supplied and installed by the Maintenance Supervisor.
- The Physical Plant Office is responsible for maintaining the key management system which includes the key numbering system, key management database and assignment of rooms for the sub-master designation.
- An annual inventory of keys maintained by each key holder can be conducted by the Director of Business Affairs to review the accuracy of systems records and to determine if changes in procedures are required.

Requesting Keys:

- A key request is initiated by completing a Key Request Form available in the Business Office or at the Dakota College at Bottineau website (under faculty/Staff, downloadable forms, Business Affairs).
- The key request form will be approved by the appropriate Division Director and the Director of Business Affairs before keys are issued. Upon receipt of an approved key request, the Physical Plant Supervisor will prepare the keys(s) and delivery them to the Business Office for distribution to the key holder.
- The key holder must personally pick-up and sign a receipt for the keys.
- The Physical Plant Office will maintain a file of all complete key request forms.
- Issuance of a master key required the approval of the Campus Dean and the Director of Business Affairs.
- Records of all keys issued will be maintained by the Physical Plant Office.

Returning Keys:

- When keys are no longer required for performance of job duties (i.e., reassignment, promotion, change in location, etc.), the key holder shall surrender the keys to the Director of Business Affairs or the Physical Plant Supervisor. The key holder will receive a key receipt as evidence of surrender. Under no circumstances are the keys to be transferred to any other individual or kept by the division.
- The key holder must surrender their keys to the supervisor prior to separation of employment. The supervisor will request an inventory report, from the Plant Supervisor, of the keys held by the key holder (see separation checklist). The supervisor will cross check the keys received from the key holder to the report. Discrepancies are reported to the Director of Business Affairs for evaluation and resolution.
- A key-return receipt will be issued when keys are returned.

Lost/Stolen/Non-Returned Keys

- The key holder can be assessed \$10.00 per key which are lost, stolen or not returned.
- If a key is lost or stolen, it is the responsibility of the key holder to immediately notify the Director of Business Affairs. Failure to do so may result in loss of key privileges.
- If an individual has two or more separate incidents of key violations, the Campus Dean may revoke his/her privileges.
- If the Campus dean determines that a security breach exists due to negligence by the key holder, the key holder can be assessed the actual costs incurred to re-key the building (or the affected portion).

V. Employee Separation and Exit Survey

The college requires that Faculty and Staff who separate from employment complete the actions listed on a checklist before their last workday. The checklist is to be obtained from and returned to the Business Office. The college also asks that faculty and staff complete an Exit Survey when they voluntarily terminate employment.

W. Scheduling Instructional and Other Campus Facilities

The course term schedule defines the routine use of campus space for instructional purposes. Changes to this schedule by instructional staff must be cleared by the Associate Dean of Academic Affairs.

Campus personnel who want to reserve campus classrooms, meeting rooms, gymnasium, or any other facility must do so through the Student Services Office.

X. Scheduling the Centennial Alumni Center

The nature and volume of use of the CAC require special scheduling considerations. Those who use the facility are asked to observe the following policies:

1. Schedule your event and request your event requirements at least 72 hours in advance.
2. Schedule the room, time, and date with the Student Service Office Administrative Assistant.
3. Schedule any rearrangement of the room with the Physical Plant Director. Please keep these to a minimum and only make requests when absolutely necessary.
4. Schedule food service with the Food Service Director.
5. Schedule needs for electronic equipment with the Director of Computer Services.

Those who use the facility are required to take responsibility for minimum care of the room, e.g., reporting spills, reporting malfunctions, asking folks to place their food waste/containers in the garbage can.

Y. Selection of Student for Graduation Remarks

The student selected to speak at the commencement ceremony will best represent the Dakota College at Bottineau Graduate Profile listed below.

In addition, the committee has approved the following selection criteria:

1. The student nominated must be in good academic standing, have a cumulative GPA of 3.00, and participate in the graduation ceremony.
2. The student nominated must be in good social standing both on and off campus.
3. The student nominated must be active in campus and community life.
4. The Student, Faculty, Staff Senates will each nominate two students for the recognition. The presidents of the respective groups will determine the method of selection for their group.
5. The student nominated must have been enrolled at Dakota College at Bottineau for four semesters, either full-time or part-time (9 Credits), immediately prior to and including the semester in which he or she is nominated. For example, for a student nominated to provide remarks at Commencement 2010, the start date for satisfying the enrollment criteria is Fall, 2008.
6. The student chosen to provide commencement remarks will be selected by a Faculty Senate vote conducted at a scheduled meeting. The faculty will select a first choice and 1st and 2nd alternates from the ballot of nominees.

Dakota College at Bottineau Graduate Profile

Graduates of Dakota College are self-confident and possess skills that promote life-long learning. When Dakota College graduates leave the nurturing environment the campus provides, they can successfully continue their education or effectively enter the workforce. By utilizing the knowledge gained and the interpersonal and communication skills learned on campus graduates will become contributing members of society. Dakota College at Bottineau develops responsible graduates who can manage life activities in a manner that allows them to become high achievers who can protect and use our natural and human resources wisely.

APPENDIX

Dakota College at Bottineau Copyright Policy

An explanation of why the law requires people to obtain permission and pay fees for photocopying:

Copyright exists to foster and induce the creation of all forms of intellectual property, including books. The copyright law does so by providing fair returns to creators and copyright owners. To the extent that any organization unlawfully makes and sells (portions of) copyrighted works without permission, authors and publishers are deprived of revenues in the very market for which they have written and published. This could severely reduce the incentive to write and publish books and, in the long run, harm education because investments of time and money in new books will not be made if others copy such books without compensation to the copyright owners.

For classroom, research and library reserve use

I. The Copyright Act and Photocopying

Faculty and staff of Dakota College at Bottineau may, on occasion, use photocopied materials to supplement research and teaching. In many cases, this practice can facilitate the development and transmission of information. However, the photocopying of copyrighted materials is a right granted under the copyright law's doctrine of "fair use" which must not be abused.

The Copyright Act (U.S. Constitution, Art. I, Sec. 8. The Copyright statute, 17 U.S.C. 101 *et seq.*) defines the rights of a copyright holder and how they may be enforced against the infringer. Included within the Copyright Act is the "fair use" doctrine that allows, under certain conditions, the copying of copyrighted materials. While the Act lists general factors under the heading of "fair use," it provides little in the way of specific directions for what constitutes fair use. The law states:

17 U.S.C. 107 Limitations on exclusive rights: Fair use

Notwithstanding the provisions of section 106, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use,) scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
- (2) The nature of the copyrighted work;
- (3) The amount and substantiality of the portion of the work used in relation to the copyrighted work as a whole; and
- (4) The effect of the use in question upon the potential market for or value of the copyrighted work.

The purpose of this document is to make faculty, staff and students of this institution aware of when the photocopying of copyrighted materials is, in our opinion, permitted under the fair use doctrine. Some common examples have been included to illustrate what we believe to be the reach and limits of fair use.

Copyright law applies to all forms of photocopying: commercial-copying centers, institutional or departmental copying facilities, or self-service machines. Faculty and staff members must determine for themselves which works will be photocopied. Dakota College at Bottineau does not condone a policy of photocopying *instead* of purchasing

copyrighted works where such photocopying would constitute an infringement under the Copyright law, but does encourage faculty and staff members to exercise good judgment in serving the best interests of students in an efficient manner. This institution and its faculty and staff will make a conscientious effort to comply with these guidelines.

Instructions for securing permission to photocopy copyrighted works when such copying is beyond the limits of fair use appear on page 5 of this document. It is the policy of Dakota College at Bottineau that the user (faculty, or staff member) secure such permission whenever it is legally necessary.

When in doubt, request permission!

Guidelines for making multiple copies without permission contain the following prohibitions:

- A. Unauthorized copying may not be used to create, replace or substitute for anthologies, compilations or collective works, whether or not such unauthorized copies are collected and bound together or are provided separately.
- B. Unauthorized copies may not be made of “consumable” works, including workbooks, exercises, standardized tests, test booklets, answer sheets and the like.
- C. Unauthorized copying may not substitute for the purchase of books, publisher’s reprints or periodicals.
- D. Unauthorized copying may not be directed by higher authority, such as a dean or head of a department.
- E. The same teacher cannot copy the same item without permission from term to term.
- F. No charge shall be made to the student beyond the actual cost of the photocopying.

Guidelines that indicate multiple copying is allowed in the following situations:

- A. When an individual teacher is “inspired” to use a work, and the inspiration and decision to use it and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

and
- B. If the following limitations with regard to the amount of copying of a work are applied:
 - If a complete article, story or essay is copied, and the work copied is less than approximately 2,500 words. (There are particular rules for certain “special works which consist of less than 2,500 words. For a full text of the guidelines, see Appendix A of this policy)
 - If a prose work is excerpted and copied, and the excerpt copied is no longer than approximately 1,000 words or 10% of the work, whichever is shorter.
 - If a chart, graph, diagram, drawing, cartoon or picture is copied, and not more than one such illustration is copied per book or per periodical issue.
 - If a short poem is copied, and the poem is less than 250 words and printed on not more than two pages; or if an excerpt from a longer poem is copied, and the excerpt is not longer than 250 words.

and
- C. The copying is for only one course in the school in which the copies are made.

and
- D. No more than one short poem, article, story or essay or two excerpts are copied from works by the same author. In addition, no more than three works or excerpts may be copied from the same collective work or periodical volume during one class term. (These guideline limitations of Paragraph D do not apply to current news periodicals, newspapers, and current news sections of other periodicals.)

and
- E. The original copyright notice must appear on all copies of the work.

II. Unrestricted Photocopying

A.. Uncopyrighted Published Works

Writings published before January 1, 1978, which have never been copyrighted, may be photocopied without restriction. Copies of works protected by copyright must bear a copyright notice, which consists of the letter “c” in a circle, or the word “Copyright,” or the abbreviation “Copr.,” plus the year of first publication, plus the name of the copyright owner. 17 U.S.C. 401. As to works published before January 1, 1978, in the case of a book, the notice must be placed on the title page or the reverse side of the title page. In the case of a periodical the notice must be placed either on the title page, the first page of text, or in the masthead. A pre-1978 failure to comply with the notice requirements resulted in the work being injected into the public domain, i.e., unprotected. Copyright notice requirements have relaxed since 1987, so that the absence of notice on copies of a work published after January 1, 1978, does not necessarily mean the work is in the public domain 17 U.S.C.405 (a) and (c). However, you will not be liable for damages for copyright infringement of works published after that date, if, after normal inspection, you photocopy a work on which you cannot find a copyright symbol and you have not received actual notice of the fact the work is copyrighted. 17U.S.C.405 (b). However, a copyright owner who found out about your photocopying would have the right to prevent further distribution of the copies if, in fact, the work were copyrighted and the copies are infringing. 17 U.S.C. 405(b).

B. Published Works with Expired Copyrights

Writings with expired copyrights may be photocopied without restriction. All copyrights prior to 1906 have expired. 17 U.S.C. 304 (b). Copyrights granted after 1906 may have been renewed; however, the writing will probably not contain notice of the renewal. Therefore, it should be assumed that all writings dated 1906 or later are covered by a valid copyright, unless information to the contrary is obtained from the owner or the U.S. Copyright Office.

C. Unpublished Works

Unpublished works, such as theses and dissertations, may be protected by copyright. If such a work was created before January 1, 1978, and has not been copyrighted or published without copyright notice, the work is protected under the new Act for the life of the author plus fifty years. 17 U.S.C. 303, but in no case earlier than December 31, 2002. If such a work is published on or before that date, the copyright will not expire before December 31, 2027. Works created after January 1, 1978, and not published enjoy copyright protection for the life of the author plus fifty years. 17 U.S.C. 302.

E. U.S. Government Publications

All U.S. government publications with the possible exception of some National Technical Information Service Publications less than five years old may be photocopied without restrictions, except to the extent they contain copyrighted materials from other sources. 17 U.S.C. 105. U.S. government publications are documents prepared by an official or employee of the government in an official capacity. 17 U.S.C. 101. Government publications include the opinions of courts in legal cases, Congressional Reports on proposed bills, testimony offered at Congressional hearings and the works of government employees in their official capacities. Works prepared by outside authors on contract to the government may or may not be protected by copyright, depending on the specifics of the contract. In the absence of copyright notice on such works, it would be reasonable to assume they are government works in the public domain. It should be noted that state government works may be protected by copyright. 17 U.S.C. 105. However, the opinions of state courts are not protected.

III. Library Reserve Uses

A. Reserve Shelves

At the request of a faculty member, a library may place on reserve excerpts from copyrighted works in its collection in accordance with guidelines similar to those government formal classroom distribution for face-to-face teaching discussed above. Dakota College at Bottineau believes that those guidelines apply to the library reserve shelf to the extent it functions as an extension of classroom readings or reflects an individual student’s right to photocopy for his

personal scholastic use under the doctrine of fair use. The library does not provide photocopying of reserve materials. Any such materials must be provided by the instructor.

If the request calls for only one copy to be placed on reserve, the library may accept an entire article, or an entire chapter from a book, or an entire poem. Requests for multiple copies on reserve should meet the following guidelines:

1. No more than a total of nine articles or excerpts from books may be placed on reserve for a single class. For instance, three chapters and six articles may be placed on reserve.
2. No more than one article or chapter by one author may be placed on reserve for a single class.
3. No more than three excerpts or articles from a book or periodical volume may be placed on reserve for a single class.
4. Copies may be placed on reserve for only one semester.
5. Copies may be placed on reserve for only one course, but may be placed on reserve for more than one section of a single course.
6. The materials should contain a notice of copyright 17 U.S.C. 401.
7. Copies of consumable items such as workbooks, test booklets, etc. may not be placed on reserve. Answer sheets, tests, etc. compiled by the instructor may be placed on reserve.

If materials you wish to place on reserve do not meet these guidelines, or if you are in doubt as to whether a particular instance of photocopying is in fair use, you should seek the publisher's permission. Most publishers will be cooperative and will waive any fee for such a use.

B. Electronic Reserves

Material which will be placed in the Dakota College at Bottineau Reserve system (Eres) without obtaining copyright permission:

- Exams
- Lecture notes
- Syllabi
- Government publications
- One article from a journal issue
- One chapter from a book

When to write for copyright permission for Electronic Reserves:

- When an article from a journal or a chapter from a book is needed for more than one semester.
- When multiple articles from one journal issue are needed for electronic reserve.
- When multiple chapters of a book are needed for electronic reserve.
- When more than one article or chapter by one author is needed for a single course.
- When an out-of-print book is needed for electronic reserve.
- When more than a total of nine articles or excerpts from books is needed for a single course.

We will not place an entire book that is in print in the electronic reserve system.

IV. Permission to photocopy

A. When it is required:

- Repetitive copying: **The classroom or reserve use of photocopied materials in multiple courses or successive years will normally require advance permission from the owner of the copyright, U.S.C. 107 (3).**
- Copying for profit: **Faculty should not charge students more than the actual cost of photocopying the material, 17 U.S.C. 107 (1).**

- Consumable works: **The duplication of works that are consumed in the classroom, such as standardized tests, exercises, and workbooks, normally requires permission from the copyright owner, 17 U.S.C. 107 (4).**
- Creation of anthologies as basic text materials for a course: **Creation of a collective work or anthology by photocopying a number of copyrighted articles and excerpts to be purchased and used together as the basic text for a course will in most instances require the permission of the copyright owners. Such photocopying is more likely to be considered as a substitute for purchase of a book and thus less likely to be deemed fair use, 17 U.S.C. 107 (4).**

B. How to obtain permission:

When a use of photocopied material requires that you request permission, you should communicate complete and accurate information to the copyright owner. The American Association of Publishers suggest that the following information be included in a permission request letter in order to expedite the process:

- **Title, author, and/or editor, and edition of materials to be duplicated.**
- **Exact material to be used, giving amount, page numbers, chapters and, if possible, a photocopy of the material.**
- **Number of copies to be made.**
- **Use to be made of duplicated materials.**
- **Form of distribution (classroom, newsletter, etc.).**
- **Whether or not the materials is to be sold.**
- **Type of reprint (ditto, photography, offset, typeset).**

The request should be sent, together with a self-addressed return envelope, to the permissions department of the publisher in question.

Sample letter to copyright owner (publisher) requesting permission to copy:

Date

**Material Permissions Department
Journal of Modern Education
323 Eighth Street
New York, NY 00223**

Dear Sir or Madam:

I would like permission to copy the following for continued use in my classes in future semesters:

Journal Title: Journal of Modern Education

Copyright: Modern Education Society

Material to be duplicated: Smith, John. "How to teach." Journal of Modern Education. V.3, N.4, 1995, p. 232-245. (photocopy enclosed)

Number of copies: 5

Distribution: The material will be placed on reserve at Dakota College at Bottineau Library for the students in my class.

Type of reprint: Photocopy

Use: The chapter will be used as supplementary teaching materials.

I have enclosed a self-address, stamped envelope for your convenience in replying to this request.

Sincerely,

Faculty Member

The process of granting permission requires time for the publisher to check the status of the copyright and to evaluate the nature of the request. It is advisable, therefore, to allow enough lead time to obtain permission before the materials are needed. In some instances, the publisher may assess a fee for the permission. It is not inappropriate to pass this fee on to the students who receive copies of the photocopied material.

Appendix A

Agreement on guidelines for classroom copying in not-for-profit educational institutions with respect to books and periodicals:

MULTIPLE COPIES FOR CLASSROOM USE:

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. The copying meets the tests of brevity and spontaneity as defined below; and,
- B. Meet the cumulative effect test as defined below; and,
- C. Each copy includes a notice of copyright.

DEFINITIONS:

Brevity:

- i. Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.
- ii. Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

(Each of the numerical limits stated in “i” and “ii” above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)

- iii. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
- iv. “Special” works: Certain works in poetry, prose or in “poetic prose” which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph “i” above notwithstanding such “special works” may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity:

- i. The copying is at the instance and inspiration of the individual teacher; and
- ii. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:

- i. The copying of the material is for only one course in the school in which the copies are made.
- ii. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- iii. There shall not be more than nine instances of such multiple copying for one course during one class term.

The limitations stated in “ii” and “iii” above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.)

PROHIBITIONS:

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable materials.
- C. Copying shall not:
 - a. substitute for the purchase of books, publisher’s reprints or periodicals;
 - b. be directed by higher authority;
 - c. be repeated with respect to the same item by the same teacher from term to term
 - d. No charge shall be made to the student beyond the actual cost of the photocopying.