

Hertie School Copyright Policy

1. Applicability and Objective

- (1) This Policy applies to all members of the Hertie School, consisting of the Management (the President, the Managing Director and the Dean(s)), staff members (faculty members, academic and administrative staff) and enrolled students. It also applies to external lecturers as well as affiliates while performing duties for the School.
- (2) This Policy applies in addition to the German Copyright Act [*Urhebergesetz/UrhG*].
- (3) The Hertie School is committed to the standards of good academic and ethical conduct as well as academic integrity, and respects the intellectual property of those who have participated in the creation of copyrighted material, such as music, film, software, photographs, texts and other works. Hertie School members are not allowed to use, down-/upload, save, disseminate or make available copyrighted material without proper authorization, especially when using information technology systems, devices or media of the School.

2. Plagiarism

- (1) At the Hertie School, using wordings, ideas or other intellectual work of others in an academic work without clearly indicating the author thereof and all other forms of plagiarism are strictly prohibited.

The obligation to indicate the authorship of others applies irrespective of whether or not the sources used are protected by any copyright.

- (2) Hertie School members must observe the applicable copyright laws and the terms of any licence agreement for materials they use, including print materials, electronic resources and materials in all other formats.
- (3) In addition, for the use of internet and telecommunication the List of Prohibited Network Use applies and prohibits inter alia the following:
 - (a) Use, transmission or duplication of material that infringes on the copyrights, trademarks, trade secrets, or patent rights of any person or organization in Germany or abroad. Users should assume that all materials on the Internet are copyright protected and/or patented unless specific notices state otherwise;
 - (b) Disclosure of any passwords and log-in data for the Hertie School network.

3. Teaching, Digitalization and E-Learning

- (1) All lecturers shall be responsible for the compliance with copyright laws. In particular, Section 60a German Copyright Act [*Urhebergesetz/UrhG*, valid from 1 March, 2018] applies:

Lawfully permitted uses for teaching, science and institutions

Section 60a

Teaching in educational establishments

(1) For the purpose of illustration in teaching in educational establishments, up to 15 per cent of a published work may be reproduced, distributed, made available to the public or otherwise communicated to the public on a non-commercial basis

- 1. for teachers and participants at the respective event,*
- 2. for teachers and examiners at the same educational establishment and*
- 3. for third persons insofar as this serves to present lessons or lectures or the results of tuition or training or learning outcomes at the educational establishment.*

(2) In derogation from subsection (1), full use may be made of illustrations, isolated articles from the same professional or scientific journal, other small-scale works and out-of-commerce works.

(3) Subsections (1) and (2) do not authorise the following uses:

- 1. reproduction of a work by means of recording onto video or audio recording mediums or communication to the public of a work while it is being publicly recited, performed or presented,*
- 2. reproduction, distribution and communication to the public of a work in schools which is exclusively suitable, intended and labelled for teaching in schools, and*
- 3. reproduction of graphic recordings of musical works to the extent that such reproduction is not required for making content available to the public in accordance with subsections (1) or (2).*

(4) Educational establishments are early childhood educational establishments, schools, universities, vocational schools, and other training and further education institutions.

- (2) The limitations mentioned in §60a (1) and (2) must not be circumvented by successive use. The part(s) of a work that has already been made available may not be replaced with other part(s) of the same work in the course of a semester. It is not allowed to digitalize an entire book or journal.

The e-learning platform Moodle is always protected by a password so that the texts are only available to the students of the respective class. The literature provided on Moodle may be accessed for the duration of one semester, including the exam preparation.

- (3) The lecturer is entitled to the copyright on his/her lecture contents and materials. Notes taken at lectures and course materials shall be used for study purposes only. No recordings of the lectures shall be made, neither picture nor sound, without the explicit permission of the lecturer. In the event that permission is given to make recordings, these recordings may be used for purposes approved by the lecturer and only for the student's personal use.

- (4) Hertie School students are asked to supply the professors with a copy of their written research work (e.g. papers and master's theses) in electronic format. The professors are authorized to use highly efficient software to ensure that this work has not been fully or partly copied.

4. Reporting and Proceedings in Case of Violation

- (1) Any suspected or evidenced violation of this Policy by any Hertie School member must be immediately reported to the Ombudsperson, the Management or the Examination Committee. These reports may be made anonymously.

- (2) Pursuant to the Hertie School Code of Conduct, the Ombudsperson and/or the Management shall decide on the appropriate measures for solving the matter and have the right to take disciplinary action (e.g. warning, notice of termination), if necessary. Any violation of German or international law may entail legal action.

5. Entry into Force

- (1) The Hertie School Copyright Policy took effect on 01.02.2013 and remains in force in its current version of 25.04.2018 until revoked.
- (2) Requests for amendments to this Policy shall be referred to the Management, who will decide on their incorporation. Any rejection requires a written statement indicating the reasons thereto. Hertie School members shall be informed of any amendment and the valid/amended version of the Policy shall be made available on the central internal Hertie School platforms.