



UNIVERSITY POLICY STATEMENT

UPS 330.233 Sale of Academic Presentation Materials for Commercial Gain

California Education Code Section 66450 prohibits reproduction of an academic presentation for commercial purposes by any business, agency, person, including but not limited to an enrolled student. An academic presentation is defined by the Code as any lecture, speech, performance, exhibit, or other form of academic or aesthetic presentation, made by an instructor of record in the classroom or in an equivalent site as part of a course of instruction. Commercial purpose is defined by the Code as any purpose that has financial or economic gain as an objective.

Per the code:

“No business, agency, or person, including, but not necessarily limited to, an enrolled student, shall prepare, cause to be prepared, give, sell, transfer, or otherwise distribute or publish, for any commercial purpose, any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction by an instructor of record. This prohibition applies to a recording made in any medium, including, but not necessarily limited to, handwritten or typewritten class notes.”

Nothing in this policy shall interfere with the rights of disabled students under law as described in UPS 330.230 (Recording and Transcription of Class Content by Students). This policy does not apply to copying fees paid by a student to copy notes as long as those notes are not for a commercial purpose as defined in the Code. This policy does not necessarily apply to instructors who have created original materials for use in instruction.

Source: Academic Standards Committee, Spring 2016

**EFFECTIVE DATE: July 6, 2016
New UPS and ASD 16-19**