

Definition

Copyright is a constitutionally conceived property right designed to promote the creation and dissemination of original works of authorship. Specific exclusive rights are granted to the copyright individual, who is not a copyright holder to procure a work, he/she must ordinarily obtain copyright permission prior to reusing or reproducing the work. Original works of authorship are protected. Unpublished and non-print materials are also protected. Copyright law does not protect ideas, data, or facts. Permission is not required for reading or borrowing original literary works or photographs from library collections. Some specific exceptions for certain academic uses are included in the copyright act.

Fair Use

(Stanford University Libraries maintains an informative and educational website on fair use at <http://fairuse.stanford.edu/overview/fair-use/>)

Copyright Act (Section 107) provides for I

- (i) *A statement that explicitly informs its students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the student to civil and criminal liabilities*

Violation of Federal Copyright Laws

The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, is an act of infringement of the Copyright Act (Title 17 of the United States Code). Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act. These rights include the right to reproduce or distribute a copyrighted work. In the file-

CHS

2. The rights to any invention or discovery created or made in the course of the Clinical Trial conducted at CHS by one or more employees of CHS jointly with the sponsor of the clinical trial shall be determined by the Clinical Trial Agreement or by law.
3. obligations for deliverables under any contract, grant, or other arrangement with third parties, including sponsored research agreements, license agreements and the like. Patented works that are subject to sponsored research agreements or other contractual obligations of CHS will satisfy any contractual obligations.

(The following is adapted from the CHS Human Resources Policy Manual, Corrective Counseling/Discipline & Behavior Accountability) <http://mmc-riskman.sharepointapp.conemaugh.org/policy/Human%20Resources/Corrective%20Counseling-Discipline%20and%20Behavioral%20Accountability.pdf>

The purpose of this policy is to foster a culture of learning by establishing a balance of non-punitive learning methods with the assignment of individual accountability for unacceptable behaviors. The School of Nursing (SON) will encourage peer and self reporting by the use of non-disciplinary actions whenever appropriate. In addition, the SON will provide a method for communicating unacceptable performance or behaviors to students, mutually developing plans that can correct or improve the problems, or when efforts fail to achieve the desired results, implementing the appropriate corrective action.

SON students at CHS are expected to act in the best interests of our Health System at all times and to contribute productively to the operations of the organization. It is the desire to encourage learning from student errors or adverse events while applying the correct level of accountability for the behavior that caused the error, event, or pattern of unwelcomed behavior.

Depending on the level of accountability, the action to be taken by the SON faculty instructor with collaboration from the Assistant Director and/or Director, School of Nursing, as appropriate, may include support for the individual, education and coaching, and/or corrective counseling/disciplinary measures up to and including termination.

Prior to corrective counseling/disciplinary measures, the SON faculty instructor and the Assistant Director and/or Director, School of Nursing will investigate to determine the cause of the error, adverse event, or unacceptable behavior. The investigation may consider the following:

1. Was the action intentional?
2. Was copyright law knowingly violated?
3. Were copyright policies available, clear, and correct?
4. Was the action a result of inexperience, a lack of training, or inappropriate assignment?
5. Would others behave similarly in the same situation?

6. Have others been disciplined or counseled for the same or similar behavior or conduct?
7. Is there a history of inappropriate behavior?
8. Is accountability impacted by mitigating circumstances?
9. Is there a violation of Federal or State laws and /or supporting Compliance and Legal policies?

Upon reaching a determination from the investigation, the following guidelines may be applied as appropriate for error, adverse event or other unacceptable behaviors

1. Support for the individual, including education and coaching as a method of non-punitive learning.
2. Apply corrective counseling/disciplinary measures up to and including termination.

Corrective counseling/disciplinary measures up to and including termination will be taken when a student fails to meet the standards of performance and/or behavioral expectations of the SON. Corrective actions are discussed with the student and where appropriate, improvement plans are developed to assist the student in achieving the ^ K E d p expectations within reasonable timeframes.

The student is asked to sign the documentation to verify that he/she understands the content of the written disciplinary action/correction plan and that the student further recognizes the implications of unacceptable behaviors on his/her future program retention with the SON. If the student refuses to sign the documentation, the SON faculty instructor and the Assistant Director and/or Director, School of Nursing should d } μ u v š š Z • š μ v š [• (s] w e n Á] š e z h š i z accordingly and place a copy in the SON student file. Student refusal to sign the documentation does not negate the validity of the written disciplinary action/correction plan.

All documentation related to corrective counseling/disciplinary action is property of the SON. The copyright corrective action documents are to be maintained in the SON student file and shall not be removed. The SON faculty instructor and the Assistant Director and/or Director, School of Nursing or designee, upon request from a current/active student, may agree to review some or all of the contents } (š Z • š μ v š [• (s] w e n Á] š e z h š i z copying and/or scanning of SON student file documents may only be approved by the SON faculty instructor and the Assistant Director and/or Director, School of Nursing or designee.

Corrective actions will consist of the following measures:

1. Documented verbal warning.
2. First written corrective action report.
3. Second written corrective action report with re-affirmation.
4. Suspension and pending investigation.

These actions will generally be applied based on the following guidelines:

action. Other forms of conduct may exist which could result in student discipline. The SON reserves the right to implement corrective actions including, but not limited to, suspension and termination, even though the violations may not be specified in this policy.

All students are required to report all known or suspected violations of Federal or State fraud and abuse laws, Federal or State self referral laws, and/or the underlying Compliance and Legal policies that support such compliance, including without limitation those relating to referral source arrangements and probable overpayments from governmental payers. Such violations should be reported to the Facility Ethics and Compliance Officer, Administration, or Ethics Line at 1-877-508-LIFE (5433).

All potential violations of Federal or State fraud and abuse laws, legal policies, or Ethics and Compliance policies must be reported to the LifePoint Hospital Support Center Legal and Ethics and Compliance Departments within one business day or as soon thereafter as soon tEMC /P64(ce)6(an)4(d)3(L)-5(egal)

Lisa Devineni, PhD, CRNP, NP-C
Director, School of Nursing and Allied Health Programs