THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	General University Policies	**Number:**	601.17
		Revised:	
SUBJECT:	Commercial Notetaking	**Date Issued:**	10/31/00
		Attachment(s)	0
APPLIES TO:	All faculty, staff, students, and visitors		
ISSUED BY:	Office of the Provost and Executive Vice President for Academic Affairs		

University of Michigan
Statement on the Conditions and Criteria
for Commercial Notetaking Services*

The University of Michigan (University) maintains its right to authorize educational and business activities that occur on property or networks controlled by or in affiliation with the University. Commercial notetaking services that collect, recount, promulgate, or sell materials based on University courses, classes, lectures, or other educational activities and materials will be disregarded without protest or censure by the University, so long as they conform to conditions and criteria enumerated in this Statement.

Commercial notetaking services that conform to the conditions and criteria enumerated in this Statement are not endorsed by, sponsored by, or affiliated with the University nor are they agents of the University. Commercial notetaking services that do not conform to all the conditions and criteria in this statement will be prohibited from conducting educational or business activities[1] on University-controlled property or networks.

Commercial notetaking services that conform to the conditions and criteria enumerated in this Statement may under no circumstances conduct business or educational activities in any specific University course, class, lecture, or activity without the prior, express, written permission of the instructor for the University course, class, lecture, or activity.

In the context of both the University mission and the undergirding educational principles of the University, the conditions and criteria enumerated below are designed to *balance* the interests of those who wish to avail themselves of the benefits of commercial notetaking *with* the interests of those who do not. Commercial notetaking services must, at all times, conform to the following conditions and criteria in both letter and spirit.

[1] This includes sending a student enrolled at the University to take notes. Any student who provides (or intends to provide) notes to a commercial notetaking service in exchange for money, goods, services, or consideration of any kind will be deemed an agent of that company.

1. Prior to each term in which they wish to conduct business or educational activities at the University, commercial notetaking services must notify and receive written confirmation from the Office of the Provost of their intent to conduct business or educational activities in compliance with this Statement. Contact the University as follows:

ANN ARBOR CAMPUS
Attn: Commercial Notetaking
Office of the Provost and Executive
Vice President for Academic Affairs
3074 Fleming Administration Building
Ann Arbor, Michigan 48109-1340
734 764-9290 Fax: 734 764-4546

DEARBORN CAMPUS
Attn: Commercial Notetaking
Office of the Provost
1080 Administration Building
Dearborn, Michigan 48128-1491
313 593-5030 Fax: 313 436-9156

FLINT CAMPUS
Attn: Commercial Notetaking
Office of the Provost
229 University Pavilion
Flint, Michigan 48502-1950
810 762-3177 Fax: 810 762-3178

2. To collect, recount, promulgate, or sell materials based on University courses, classes, lectures, or other educational activities and materials, commercial notetaking services **must obtain prior, express, written permission of the instructor** responsible for the course, class, lecture, or other activity or materials. [2] Instructors may determine for themselves (in accordance with this Statement) whether to prohibit commercial notetaking of their courses, classes, lectures, or other educational activities and materials.

[2] This criterion, in itself, is not a contract with the instructor or the University. Rather it is an acknowledgment of permission, which the instructor may revoke at any time.

3. Instructors must always have the option to:
   a) revoke permission to a commercial notetaking service
   b) view and edit notes prior or subsequent to publication or distribution
   c) prohibit notetakers from recording[3] specific matters, such as class sessions or aspects of a class session
   d) limit the mode of recording[3]

4. Any commercial notetaking materials based on University courses, classes, lectures, activities, or materials must:
   a) be removed from the Internet and/or no longer made available within thirty (30) days of the last day of the semester in which they were collected
   b) not be used, distributed, or archived in any manner by the commercial notetaking service beyond the semester in which they were collected
   c) not be used in any manner other than those specified to the instructor at the time the instructor gave permission

5. Commercial notetaking services must:
   a) never represent that they are endorsed by, sponsored by, or affiliated with the University, or that they are agents of the University
   b) not infringe on the intellectual property rights of the University, instructors, or students
   c) comply with University policies as well as federal, state, and local law
   d) not interfere with the mission of the University or the activities of its students, staff, and faculty.
   e) not collect data about student users without their knowledge and permission
   f) provide accommodations for people with disabilities in compliance with the Americans with Disabilities Act and, where applicable, with the WC3 Web Accessibility Initiative (http://www.w3.org/WAI/)

The University will enforce this Statement by all legal and pragmatic means and will prohibit students and faculty from cooperating with commercial notetaking services that do not conform to the conditions and criteria in this Statement.

*Faculty who encounter commercial notetaking services that fail to comply with the Statement on Conditions and Criteria may contact the Special Assistant for Media Rights (Office of the Provost and Executive Vice President for Academic Affairs, Ann Arbor campus) or the Office of the Vice President and General Counsel for assistance.

[3] This includes any form of preservation for commercial notetaking purposes: writing notes, audio recording, video recording, etc.