

UofLibraries

Course & Electronic Reserve Policies

What Can I Use For My Class?

- Any available material may be placed on reserve, provided that it conforms with our policies and United States copyright laws. The following are some examples of appropriate material:
 - Syllabi
 - Articles
 - Lecture notes
 - Non-standardized exams
 - Books (either your copy or our copy)

How Do I Make My Request?

- You must fill out a Course Reserves Request Form at the circulation desk or submit one online by going to our website at <http://library.louisville.edu>.

Should I Be Concerned About Copyright Regarding My Course Reserve Requests?

- Yes, you must ensure that your requested materials are in accordance with US Copyright laws.
- These restrictions do not apply to Government Documents and public domain materials.

What Do I Need To Do To Comply With These Laws?

- Determine if the item you wish to place on reserve is Fair Use. If you are unsure, see our website at <http://library.louisville.edu> or contact Dwayne Buttler, Endowed Chair for Scholarly Communication (x6745).
- If the item requires copyright permission, please submit a copy of your permission letter or notice with the course reserve form.
- Finally, sign a statement of copyright compliance (located on the course reserve request form).

What If I Do Not Own Materials?

- We can place most of our materials on reserve for your class as long as copyright rules are followed.

What If These Materials Are Already Checked Out?

- We will recall the materials and notify you when they've been returned.

What If I Can't Find These Materials In Your Building?

- We can search for your items and notify you if we find them.

What If My Materials Are At Another UofL Library?

- We can place these materials on reserve, unless they are on reserve at that library or are from a non-circulating collection.

How Can I Place A Personal or Departmental Book On Reserve?

- The policies remain the same; please be aware, however, that if personal or departmental items are used, we will not be responsible for loss or damage.

Can I place textbooks on reserve for my class?

- Using course reserve as a substitute for the purchasing of textbooks is a clear violation of US copyright law.
 - There are some exceptions to this rule and for additional information, you should contact Dwayne Buttler (x6745).

How Can I Place Videos On Reserve?

- You will need to contact Patricia Blair (x6302) in the Media and Current Periodicals Department on the 2nd Floor for more information.

How Many Photocopied Titles Can I Place On Reserve At Once?

- We encourage instructors to use the “nine titles at once” guideline, but exceptions can be made.

How Many Semesters Can My Photocopied Title Be Used On Reserve?

- Just one (unless you have received expressed permission from the copyright holder to keep it on reserve longer).
 - If you have received such permission, a dated letter from the copyright-holders must be included with your request.

What Else?

- No more than one title for each author may be placed on reserve at the same time.
- No more than three titles from the same collective work or periodical can be placed on reserve at the same time.
- These two rules DO NOT apply to newspaper articles.

How About Photocopies from Workbooks and Standardized Tests?

- Photocopies from workbooks and standardized tests will not be placed on reserve.

Can I Place My *Cardinal Classware* CoursePak On Reserve?

- No, *course-paks* of any kind may not be placed on reserve.

What If My Item Is Not Available At Any UofL Library?

- We can attempt to purchase a book and place it on reserve once it has been received.
 - Using Interlibrary Loan should not be considered in this process.
- If your articles are available in full-text databases such as Ebsco Academic and J-Stor, we may be able to link to those articles.

How Many Books Am I Allowed To Place On Reserve Each Semester?

- No more than 25.
 - If you explicitly state in your syllabus that more than 25 books are required for the course, you must submit a copy of your syllabus for consideration.
- When large amounts of books need to be placed on reserve, we recommend rotation. For example:
 - Placing the first 10-12 books on at the beginning of the semester and the last 10-12 books on at midterm.

What Is An E-Reserve?

- E-Reserve stands for "Electronic Reserve."
 - Materials should be compiled by you (articles, lecture notes, syllabi, etc.) and brought to the circulation desk along with the course reserve request form.
 - Your materials are then scanned in and made available electronically so that students can access and print them from anywhere.
 - To speed up the process, feel free to scan materials yourself and submit them in formats such as *.pdf, *.doc, *.ppt, etc.

What will my username and password be and why are they needed?

- Your username will be your last name, typed in all lowercase letters (i.e. smith) and your password will be a **unique word** chosen by the Course Reserves Supervisor, typed in all lowercase letters.
- You should distribute both the username and password to your students as soon as possible so that they can begin accessing the material.
- Usernames and passwords are assigned to restrict access to materials to just you and your students, therefore upholding copyright policies and laws.

What Are The Advantages of E-Reserves?

- No waiting in line;
- Multiple student access;
- No deadlines for returns;
- 24/7 availability.

Are There Any Special Policies Regarding E-Reserves?

- Yes, just a few:
 - Please paperclip your materials (do not staple).

- If your material is double-sided, we will make it one-sided (which will add to the processing time).
- If you have large items, please expect them to be scanned in increments and saved as separate files (to reduce file size).
- Please make sure your materials are readable (if your article cannot be scanned because of poor quality, it will be returned to you).
- The same copyright laws and course reserve policies apply to Electronic reserves.

How Long Will The Process Take Once I've Submitted My Requests?

- Please allow five business days for your items to be placed on reserve.
- You will be notified by e-mail when your items are officially on reserve.
- Requests should be made as soon as possible before the semester begins to avoid delays.
- Requests are processed in the order they were received.

Explanation of Fair Use

- Explanation of Fair Use (FL 102) as outlined by the U.S. Copyright Office at the Library of Congress.
- One of the rights accorded to the owner of copyright is the right to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 120 of the copyright act (title 17, U.S. Code). One of the more important limitations is the doctrine of "fair use." Although fair use was not mentioned in the previous copyright law, the doctrine has developed through a substantial number of court decisions over the years. This doctrine has been codified in section 107 of the copyright law.
- Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered "fair," such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:
 - (1) The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
 - (2) The nature of the copyrighted work;
 - (3) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - (4) The effect of the use upon the potential market for or value of the copyrighted work.
- The distinction between "fair use" and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

- The 1961 *Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law* cites examples of activities that courts have regarded as fair use: "quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported."
- Copyright protects the particular way an author has expressed himself; it does not extend to any ideas, systems, or factual information conveyed in the work. The safest course is always to get permission from the copyright owner before using copyrighted material. The Copyright Office cannot give this permission. When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of "fair use" would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered "fair" nor advise on possible copyright violations. If there is any doubt, it is advisable to consult an attorney.
- 6/10/93
 Copyright Office
 Library of Congress
 Washington, D.C.
 20559-6000
- Fair Use Guidelines
- AGREEMENT ON GUIDELINES FOR CLASSROOM COPYING IN NOT-FOR-PROFIT EDUCATIONAL INSTITUTIONS WITH RESPECT TO BOOKS AND PERIODICALS
- The purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107 of H.R. 2223. The parties agree that the conditions of determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying permitted under these guidelines may not be permissible in the future; and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines. Moreover, the following statement of guidelines is not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.
- GUIDELINES

- I. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class: (A) an article from a periodical or newspaper; (B) a short story, short essay or short poem, whether or not from a collective work; (C) a chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper;

- II. Multiple Copies for Classroom 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 from classroom use or discussion; provided that: (A) the copying meets the tests of brevity and spontaneity as defined below; and, (B) meets 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 "ii" 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.]
- III. Prohibitions as to I and II Above
- 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 reproduced separately, (B) There shall be no copying of or from works intended to "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable
- Material, (C) Copying shall not: (a) substitute for the purchase of books, publishers 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.

Who Are The Course Reserve Supervisors At The University of Louisville Libraries?

- Art Library: Kathy Moore (6741)
- Ekstrom Library: Mike Smith (x2207)
- Kersey Library Electronic Reserves: Devin Wilson (x5354)
- Kersey Library Course Reserves: Marcia Kotlinski (x6298)
- Kornhauser Library: Joan Nailon (x5771)
- Law Library: Miriam Schusler-Williams (x0729)
- Media & Current Periodicals: Patricia Blair (x6302)
- Music Library: Mark Dickson (x5659)