Library Electronic Reserves Q&A

What has changed with Library E-Reserve Policy?

The Library now needs to pay copyright permission, for items that require it, for each semester of use.

Previously we could leave articles and chapters online that we had paid permission for just once but this is no longer the case.

Therefore, we need to know which items are to be used for each semester. We are encouraging people to submit forms before the beginning of each Semester detailing what they plan to use so we can apply for the relevant permissions, and crucially, not pay for unnecessary items.

Why has there been this change?

The University Lawyers have revised their interpretation of the principle of “Fair Use” in Copyright Law.

Are there items that do not require copyright permission?

Yes.

Journal Articles that we have access to via our online subscriptions. EBSCO, JSTOR, GALE, ScienceDirect, to name a few. The exception is items published by Harvard Business Review. We cannot post this material on E-Reserve, but students can access it individually.

Government Documents or publications from Non-Profit organizations - be aware that there are exceptions.

Documents written yourself that are not published or that you own the rights to.

Lecture notes.

Can I post Journal Articles that are not available through the Library’s online subscriptions?

Yes. BUT - We would need a physical copy of the article in good condition that we could scan. ALSO - we would need to apply for copyright permission if you plan to use the article for more than one semester.
Can I post book chapters online?

Yes. BUT – We need to apply for copyright permission if you plan to use the chapter for more than one semester.

This is impractical for permanent classes.

The Chapter cannot exceed 10% of the book it is taken from.

Only one chapter can be used per book.

How does the Library gain copyright permission for such items?

We apply to the Copyright Clearance Center (CCC) for instant permission that comes at a price depending on how many students are enrolled on the course and how many pages are in the document. There are 3 possible outcomes...

Scenario 1: we gain permission and pay the fee.

Scenario 2: we are forced to make a Special Order that can take weeks if not months to process and we are by no means guaranteed permission. I had one Special Order denied very recently.

Scenario 3: we need to contact the rights-holder directly. Usually, this is the Publisher, sometimes the Author. In the past, we have sent letters out to publishers that have never been replied to. In this scenario we usually deny the request because it takes too long to receive permission.

Who pays for Copyright fees?

Currently, the Library pays for E-Reserve Copyright fees. However, we are being encouraged to save money wherever possible. It is a service we would like to reserve for items where there is no plausible alternative available through our online subscriptions.

What are possible reasons for an E-Reserve request being denied?

The copyright fee on an item may be too high.
A book chapter exceeds 10% of the book.

There are two chapters from the same book.

The article is published by Harvard Business Review.

Our CCC request for permission has been denied.

**Can I post PowerPoint Lectures on E-Reserve?**

Yes.

**Can I post lectures as MP3’s on E-Reserve?**

Not yet.

For further information on Electronic Reserves Copyright Policy please refer to the following webpage:

http://www.regis.edu/library.asp?page=services.forfaculty.copyright