"These guidelines are provided for informational purposes only and are not intended to serve as legal advice. For copyright compliance assistance you are advised to consult competent legal counsel."

**Guidelines for Becker Library Electronic Reserves**

The Becker Library manages the process of placing on electronic reserves materials for classroom instruction for the allied health programs affiliated with the School of Medicine. The programs are: Occupational Therapy, Physical Therapy, Division of Biology and Biomedical Sciences, Genetic Epidemiology, Health Care Administration, and Audiology and Communication Sciences. Making materials accessible in electronic reserves raises a number of copyright issues. These Guidelines are designed to assist faculty in selecting materials appropriate for electronic reserve.

**Materials:** Materials that can be placed on electronic reserve without obtaining the copyright owner’s permission include:

- Materials in the public domain (or subject to an open access license such as a Creative Commons license)
- Materials for which the library subscribes electronically (a link will be provided rather than a copy)
- The faculty member’s course notes, exams, syllabi, quiz notes, outlines and PowerPoint presentations
- Materials that fall within the “fair use” provision of the Copyright Act. The Copyright Act provides a framework for determining whether a particular use is a fair use, including consideration of the following factors:
  1. The purpose and character of the use;
  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;
  4. The effect of the use upon the potential market for or value of the copyrighted work.

As a general matter, the Becker Library will treat the inclusion of the following materials in electronic reserve as a fair use:

- A single book chapter or selection from a book; provided that the material was lawfully obtained and does not exceed 15% total page count of the book
- Journal articles of not more than two articles from any single issue of a journal
- Charts, graphs or illustrations, using the smallest portion necessary; provided that the material is lawfully obtained

For all other materials, the Becker Library will request copyright permission as needed from the Copyright Clearance Center (CCC). CCC Fees will vary depending on the material and number of students for the class. Programs will be invoiced for the fees charged by CCC, after approval is obtained from the faculty member and program.

Materials will only be placed on electronic reserve at the request of the faculty member. Electronic reserve materials are intended solely for non-commercial, educational use. It will be the faculty member’s responsibility to ensure that the materials submitted for inclusion in electronic reserve comply with these guidelines. The Becker Library reserves the right to refuse to place on electronic reserve any material that it feels may violate these guidelines.

**Repeat Use:** Normally permission from the copyright holder is required if the same material is intended to be used for more than one semester by the same faculty member for the same course. License fees may be assessed for each semester the material is posted.

**Access:** Users will be required to login to their proxy accounts to access the E-Reserves page. Materials placed on electronic reserves will be available only during the semester when the requesting faculty member is teaching the course. Access to the material will be terminated at the end of the semester or shorter period when the material is no longer necessary for instruction.
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**Notice and Attribution**: A notice, consistent with the notice described in the Copyright Act (Section 108(f)(1)), will be placed on the first page of all PDF documents. A full citation or attribution to their sources will be noted on the work.

**Student Works**: Student papers or other works created by students cannot be posted on electronic reserves without permission from the student.