A.T. Still Memorial Library Copyright Policy for Course Readings and Reserves

The use of copyrighted materials for instructional purposes must be done in compliance with U.S. copyright law.

Access to Materials

Course reserves are accessed via courses sites on the University's online course management system – BlackBoard 9.1. Print reserves are also available for books and other materials that are made available at the A.T. Still Memorial Library (ATSMLib) Branch where the course is being presented.

Fair Use Analysis

Decisions to place copyrighted material in ATSU on course reserve should be made using the fair use doctrine embodied in Section 107 of the U.S. copyright law (17 U.S.C. § 107). The following four-factor analysis outlines the libraries’ general fair-use assessment regarding course reserve service.

#1 The purpose and character of the use.

Example: Support of nonprofit education.

#2 The nature of the work to be used.

Example: Factual vs. creative works

#3 The amount and substantiality of the portion used in relation to the materials as a whole.

Example: Material used does not constitute the "heart of the work."

#4 The effect of the use on the market for or value of the work.
Examples: Access to electronic content in course is restricted to students enrolled in the course and is terminated at the end of the course.

Strategies for copyright compliance

The electronic and print collections of the ATSMLib are purchased for the nonprofit educational use of students and faculty and are acquired with the understanding that there will be multiple uses of a limited number of copies.

- Whenever possible create a direct link to an electronic resource that is in ATSMLib’s collection to avoid making and storing additional copies of the material. Contact Library Staff for assistance.
- ATSMLib generally recommends that copyright permission be sought when:
  - The amount of material used from a book or single journal issue exceeds what is deemed to be within Fair Use.
- Use works that are in the public domain.
- It is the instructor's responsibility to obtain written permission from the copyright holder when material does not fall within the Fair Use Guidelines. Library staff will assist faculty and programs in obtaining this permission.
- Materials should not be used to create, or to replace or substitute for anthologies, compilations or collective works.
- Copyrighted materials that are needed for immediate, spontaneous use may be placed on reserve while a good faith effort is made to lawfully acquire the material. Such items may not be re-used in subsequent semesters without permission.
- Copyrighted materials used in course reserve must be legally owned in their original format or licensed by one of the following
  - A.T. Still Memorial Library
  - a University department
  - the course instructor
- Articles and book chapters not owned by the Library may also be ordered through the Library’s Interlibrary loan service. Once ordered, book chapters and article may be used indefinitely within Blackboard for courses.

Examples of Permitted Material:

- Entire works or sections of works that are in the public domain.
- Entire works or sections of works by the U.S. government.
- Entire works or sections of works licensed by the Library.
• Portions of books, journal issues, and other print resources that meet a reasonable determination of fair use. (See Fair Use Analysis presented earlier in this document)
• Instructor’s notes, quizzes, tests, and other materials created for course instruction by the instructor.
• Other materials for which the instructor holds the copyright.
• Copyrighted materials for which the instructor has obtained appropriate permission.
• Amounts of materials limited to those normally required as course assignments.