

## UNIVERSITY LIBRARIES COURSE RESERVES

The University Libraries at Washburn University maintain course reserves, in both hard copy and electronic formats, to support the instructional requirements of specific courses. The Libraries abide by the fair use provisions of the U.S. Copyright Act (Title 17, Section 107 U.S. Code), as interpreted in best practices or as recommended by the American Library Association. To that end the Libraries will adhere to the following requirements:

- In order to conform to U.S. Copyright Law, materials placed on course reserves must be registered with the Libraries by means of a Course Reserves Placement Form. Forms are located at the Circulation Desk or online at <http://www.washburn.edu/mabee/services/reserves.html> .
- Eventually, it is the aim of the Libraries to maintain hard copy course reserves only for items which cannot be formatted electronically. In the short term, it is anticipated that for a transitional period both hard copy and electronic reserves will be maintained.
- The Libraries will obtain permission of the copyright holder as needed and will put copyrighted materials on course reserves while awaiting permission. Should permission be denied, the instructor will be notified and the materials removed. Generally, documents that fall into one or more of the following categories do not require copyright permission:
  - One chapter, short story, essay, or poem from a book
  - One article from a journal issue
  - One chart, graph, diagram, drawing, cartoon or picture from a book or journal issue
  - Works published before 1923
  - Works published between 1923 and 1978 without a copyright notice
  - Works in the public domain, such as US government publications
  - Unrelated news articles
  - Articles from electronic databases, electronic journal publishers, or electronic reference sources whose license provides electronic reserve access
  - Original materials for which the instructor or student grants permission. A student release form is located online at <http://www.washburn.edu/internal-forms/webrelease-multiple.pdf> .
- The Libraries will NOT place the following materials on electronic course reserves (but will continue to maintain hard-copy reserves for these items):
  - Complete books, entire journal issues, bound journal volumes, CDs, DVDs, and videotapes
- It is the Libraries' understanding of copyright law that reserves cannot be maintained for:
  - Materials borrowed from other libraries
  - Non-circulating items, such as hard copy reference books
  - Standardized tests or test booklets and answer sheets, worksheets or workbooks, solution manuals, and other works intended to be purchased by students (without permission of the copyright holder)
  - Materials for which permission is denied (unless the use qualifies as "fair use")

- A copyright notice will be placed on all photocopies. An additional statement will be placed on all digital copies that further electronic transmission or distribution of the copyrighted work is prohibited.
- A minimum of two working days is required to process materials for course reserves.
- Course reserves will only be made available for the semester the class is taught.
- Access to electronic course reserves is restricted to students and instructors for the course.
- The Libraries are not responsible for damage or loss of personal material placed on course reserves.
- The Libraries reserve the right to:
  - Determine if materials will be placed on course reserves
  - Make the final determination if copyright permission is necessary
  - Limit the number of items on course reserves for a given course based on copyright constraints, royalty costs, etc.

The Libraries' contacts for course reserves are:

- Andrea Leon ([andrea.leon@washburn.edu](mailto:andrea.leon@washburn.edu)) or call 785-670-1488
- Judy Druse ([judy.druse@washburn.edu](mailto:judy.druse@washburn.edu)) or call 785-670-2507
- Paula Inman ([paula.inman@washburn.edu](mailto:paula.inman@washburn.edu)) or call 785-670-1436

## Frequently Asked Questions

**Q:** What is “fair use?”

**A:** Fair use is a legal doctrine that allows the public to make limited uses of copyrighted works without permission.

**Q:** An instructor wants to add a book chapter to the library’s electronic course reserves. Is this a “fair use?”

**A:** Yes. The chapter may be added if access to the electronic reserve system is limited to students enrolled in the course.

**Q:** What happens if the copyright holder denies permission to use or digitize an excerpt from a copyrighted work for course reserves?

**A:** Unless the Library can make a case for “fair use,” the excerpt must be removed from both hard copy and electronic reserves. An alternative approach would be to place the entire journal issue or complete book on hard copy reserves.

**Q:** Can an instructor place several articles from the same journal issue or several chapters from the same book on reserve at the Library for students to access electronically? Access will be limited to only those students enrolled in the class.

**A:** Generally, one article from a journal issue or one chapter from a book may be digitized for electronic reserves without obtaining permission from the copyright holder. If permission is denied for use of multiple articles or chapters, the instructor will need to seek alternative works.

**Q:** Can an instructor place on reserve from semester to semester the same article in a professional journal?

**A:** The repeated use of a copyrighted work, from semester-to-semester, is outside the scope of “fair use” and, generally, requires permission from the copyright holder.

**Q:** I can give students the addresses of Web sites and have them download the texts I want to use in class, but I am not sure if these materials will always be there. Can I print out these texts and upload them into course reserves?

**A:** No. You cannot photocopy, reproduce, or redistribute an entire work without permission. There are, however, exceptions to this. If the texts you want to use are in the public domain (such as government documents), library staff can scan and upload them into course reserves.

## Troubleshooting E-Reserves

Everyone's computer set-up is different. Different settings and software on your computer may cause problems. If you have problems, try the suggestions below, call the Libraries' toll free number 800-736-9060, or call 785-670-1483.

If you have problems while trying to access E-reserve materials:

1. make sure you correctly typed the URL provided by your instructor
2. use only an Internet Explorer, Netscape, or Mozilla browser, NOT an AOL browser or WebTV. Older browser versions may not work either.
3. make sure you have the current version of Adobe Acrobat Reader installed on your computer
4. look for a 'document done' message at the bottom of your screen. For some of the E-reserve items the computer wants to load all of the pages at once. So nothing will show on your screen for quite awhile, especially if the article has many pages, and/or your computer is older and slower in processing jobs. Be patient!

If you have problems while trying to print E-reserve materials:

1. make sure you clicked the print icon in the Adobe window, NOT the print icon on your Web browser.
2. in the print screen, check "Print as Image."
3. save or e-mail the article to yourself and then try to print
4. make sure your printer can process postscript

If you need to rotate a PDF document so you can read it:

1. Click the "rotate clockwise" or "rotate counterclockwise" button until the page is right-side up.

