Faculty Guidelines for Copyright with Course Reserves

Copyright Overview

- Copyrighted materials will be placed on reserve for non-commercial educational use only.

- The nature, scope or extent of the material placed on Blackboard should not exceed the reasonable limits of fair use.

- Complete or longer works (e.g., books) should never be scanned unless the intellectual property in the work has entered the public domain.

- Permissions should be sought by the faculty member if:
  - A journal article is needed on reserves for more than one semester.
  - Multiple articles from one journal are needed for reserves.
  - More than three book chapters are needed on reserves for more than one semester.

Copyright Procedures

- Materials which may be placed on reserves without obtaining copyright permission: exams, lecture notes, student papers and government publications.

- Materials which may be uploaded to Blackboard, for one semester, without obtaining copyright permission:
  - three chapters from a book, individual articles from a periodical or newspaper; a short story, essay or short poem, whether or not from a collective work; chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

- Materials that may not be uploaded to Blackboard:
  - pages from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests, test booklets and answer sheets.

Questions about copyright may be directed to Jeff Rosedale at 914-323-5277.

Electronic Reserves

- Blackboard will permit simultaneous use by multiple authorized users.

- Authorized users may view or print copies. In most instances, documents should stored as Adobe PDF files.

  Patrons accessing material from off campus must have the Adobe Reader installed to
view or print PDF files. Adobe Reader is available free from Adobe.

- In order to minimize downloading time and failures large documents should be divided into smaller segments, which will need to be accessed separately.

- Articles to which the library subscribes electronically are to be linked from the citation.

**Fair Use for Faculty**

Electronic reserve policy is based on the "fair use" provisions of the United States Copyright Act of 1976 (17 USC). Manhattanville College allows for access to both traditional (library owned and personally owned books, videos, DVDs, and CDs) and electronic course materials that are required in support of the curriculum.

Electronic course materials may include journal articles, newspaper articles, up to three chapters from a book, problems and solutions, sample exams, syllabi, all of which are accessed over a network.

**Items that are accessible in electronic form should typically be placed on your Blackboard course page.** Faculty may upload materials for reserve that conform to these fair use provisions:

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified in that section, for purposes such as criticism, comments, news reporting, teaching (including multiple copies for classroom use), scholarship or research, is not infringement of copyright.

In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

- The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- The nature of the copyrighted work;
- The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- The effect of the use upon the potential market for or value of the copyrighted work.

Where materials do not fall within fair use, they may still be uploaded to Blackboard providing permission is sought from the copyright holder. Faculty members may not scan and upload course packs created by commercial publishers.

Access to material on Blackboard is limited to authorized Manhattanville College patrons, and is protected by passwords.

- Faculty members are responsible for securing copyright clearance for items uploaded to course pages.
• Reserves are intended for the use of the students, faculty, and staff of Manhattanville College only.
• Materials placed on reserves will be at the initiative of the faculty for the educational and non-commercial use of students.
• Material in reserves will be made unavailable at the end of the courses for which the material is intended.
• The Blackboard login includes acknowledging terms of use, including adhering to copyright guidelines.
• Copyrighted material will be password protected on Blackboard, available only to Manhattanville students enrolled in the class.
• The College and/or its representatives reserve the right to remove access to instructional materials beyond the boundaries of "fair use."