

UNIVERSITY OF BALTIMORE
Academic Policy Cover Sheet

(See Process for Academic Policy Development, Revision or Discontinuance)

INITIATING GROUP / UNIT:	LAW <input type="checkbox"/> MSB <input type="checkbox"/> YGCLA <input type="checkbox"/> UFS <input type="checkbox"/> Office of the Provost <input checked="" type="checkbox"/>
CONTACT NAME:	Jeffrey Hutson PHONE: x4298
POLICY TITLE:	Langsdale Library Electronic Reserves Policy
APPLIES TO:	LAW <input checked="" type="checkbox"/> MSB <input checked="" type="checkbox"/> YGCLA <input checked="" type="checkbox"/>
SPECIFIC PROGRAM (if applicable):	
PROPOSED IMPLEMENTATION DATE / SEMESTER:	Fall, 2008

Box 1: ACTION ITEM (check appropriate box)		DOCUMENTS REQUIRED (see box 2 below)	REVIEW / APPROVAL SEQUENCE (see box 3 below)
	1. New Policy	AB – others as appropriate	ABCDE – varies
x	2. Policy Revision	AB – others as appropriate	ABCDE – varies
	3. Discontinuance of Existing Policy	AB	ABCDE – varies

Box 2: DOCUMENTATION (check boxes of documents included) (may include documents in addition to required ones)			
x	A. AP Cover Sheet (this document)	D. Additional Forms (as may be needed to support procedures)	F. Other (please list)
x	B. AP Proposal Summary	E. Samples of Similar Policies	
	C. Procedures (as appropriate)		

Box 3: REVIEW / APPROVAL SEQUENCE	SIGNATURES (as appropriate)	DATE
A. School / College Dean	<i>Seiph Peter LaBash</i>	5/2/08
B. Policy Coordinator	<i>Shirley Levine</i>	5/2/08
C. Academic Policy Review Committee Chair (UFS subcommittee--CRC)	Signature	
D. University Faculty Senate Chair (UFS option)	Signature	5/13/08
E. Provost and Senior Vice President for Academic Affairs	Signature	6/2/08
F. Attorney General's Office	Signature not required. If AG review is necessary, the date of approval may be received via e-mail and would be added by the Policy Coordinator.	
G. 10-Day Open Comment Period		5/16-5/26
H. President		
I. USM / Board of Regents – approval	Signature not required. If USM review is necessary, the date of approval would be added by the Policy Coordinator.	

Academic Policy Proposal Summary (Page 2)

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IV. Current Policy (if proposal is a revision or discontinuance), including date of adoption if available, can be attached if too lengthy for this box.

SEE ATTACHMENT B

V. Other (who was consulted, definition of terms, etc.)

We have reviewed policies recommended by the American Library Association and from information gathered from workshops and conferences discussing copyright.

Academic Policy Proposal Summary

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CONTACT NAME:	Jeffrey Hutson	PHONE:	x4298
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I. Statement of Purpose: The purpose of these guidelines is to ensure that reserve materials meet copyright law and guidelines and allow for the quick and efficient processing of reserve material.

II. Policy (including authority for policy waiver, exclusions, or sanctions, if any) can be attached if too lengthy for this box.

SEE ATTACHMENT A

III. Reason(s) for Proposed Policy

A written policy must be available to ensure that faculty understand their legal obligations, copyright concerns, and to ensure that there is effective system processing reserve material.

ATTACHMENT A

LANGSDALE LIBRARY ELECTRONIC RESERVES POLICY

I. Introduction

The University of Baltimore Langsdale Library recognizes the importance of making materials available to students as an adjunct to the classroom within the bounds of fair use. This institution follows the copyright law and expects faculty and staff to comply with this policy.

The Langsdale Library offers Electronic Reserves through Docutek, (<http://www.docutek.com/index.html>) and Traditional Hard Copy Reserves at our Circulation/Reserves service counter.

The copyright law (Title 17, United States Code) www.loc.gov/copyright/title17/ sets strict limits on making copies of copyrighted works. Langsdale Library observes the limits set on copying of materials to be placed on e-reserve. The Library reserves the right to refuse either to accept a copy request that would involve a violation of copyright law or to make available through course reserve materials that might have been duplicated in violation of copyright law.

A. Who makes decisions

The Electronic Reserves Manager determines whether faculty requests for materials on e-reserves falls within the policy, and has the right to refuse to add copyrighted material. If he/she believes the material is in violation of copyright the instructor will be contacted. It is the responsibility of the library to review reserve material for copyright compliance and to act as an educator of copyright and fair use to instructors when applicable.

B. Appeals of decisions

If the Electronic Reserve Manager has questions about the materials regarding copyright, that individual will contact the faculty member. If copyright concerns cannot be settled at this level, appeals may proceed to the Associate Director for Public Services, the Library Director and ultimately may reach institutional counsel for a decision.

II. Fair use

Fair use affects how materials can ethically and lawfully be made available via electronic reserves. Fair Use guidelines are a part of the US Copyright code and allow for limited uses of copyrighted material using the following four measures:

1. The purpose and character of the use, whether for profit or non-profit/educational;
2. The nature of the copyrighted work;
3. 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.

A. Public domain works

Works in the public domain do not fall under copyright or fair use and may be used freely. Works in the public domain are works whose copyright has expired or works from the U.S. Government.

B. Faculty owned works (faculty owns copyright)

Faculty who own the copyright to a protected work that has been requested for reserve services must provide a letter declaring ownership with the reserve request. Material, such as old exams, lecture notes, syllabi, etc., that were created by the instructor do not require copyright permission.

III. Types of works accepted for e-reserves

Materials eligible to be placed on e-reserves must be items or copies of items that have been lawfully obtained.

Types of works accepted for electronic reserves

Materials which do not require copyright permission include:

- exams, syllabi, and lecture notes of the instructor placing material on electronic reserves
- U.S. government publications
- a single journal or magazine article used for one semester
- a single book chapter used for one semester
- material for which the professor or instructor owns copyright.

Materials which may require copyright permission:

- a journal article, magazine article, or book chapter intended for use for more than one semester.

Complete books or an entire issue of a journal will not be scanned into Electronic Reserves without written permission from the copyright owner. Materials to be copied or scanned for electronic reserves will be in legal possession by the library or the faculty member (by purchase or license). Selected chapters and

articles may be digitized and made available to those registered for a course per instructor request.

Books, videos, and other physical materials obtained through interlibrary loan or borrowed from other campus libraries cannot be placed on reserve. A periodical article which was obtained through interlibrary loan for a faculty member may be placed on e-reserves. Periodicals article obtained via ILL and for which the library does not own a subscription, will be placed on reserve for one semester. If it is intended that the article will be used during a subsequent semester, permissions must be obtained.

Due to the artistic, creative element involved, copyright restrictions for audio, video, licensed software, and graphic images are more stringent than restrictions for text based formats. Therefore, this material may not be placed on e-reserve. The library provides the Traditional Hard Copy Reserve service for media reserves and utilizing the Slingbox, access to reserve DVDs via high speed internet on home or office computers.

IV. Requirements

A. Lead time

Reserve lists for each semester should be submitted as early as possible. The Reserve Staff prefers to receive requests well in advance of the first class meeting of the semester. Reserves can be added at any time during the semester. Electronic reserve materials are processed on a first-in, first-out basis. Please allow at least two business days for materials to appear on your electronic reserve course page at the beginning of the term. It will generally take much less time. If the entire semester readings are submitted at the beginning of the semester, please prioritize the readings needed for the first three weeks.

B. Notice of copyright

Each course and document in the E-Reserve system will contain the following copyright notice, which applies to all protected materials listed for the course:

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted materials. Under certain conditions specified in the law, libraries and archives are authorized to furnish a copy or other reproduction. One of these specified conditions is that the copy or reproduction is not to be used for any purpose other than private study, scholarship, or research. If a user makes a request

for, or later uses, a copy or reproduction for purposes in excess of fair use that user may be liable for copyright infringement.

Electronic reserve items that are protected by copyright, regardless of fair use or copyright clearance, must include a copyright notice on the digitized file.

C. Permissions

When materials requested for reserve exceed what is permitted under fair use, the Langsdale Library will seek to obtain permission for reserve use through the Copyright Clearance Center or directly from the publisher. The Library will assume CCC annual fees and per item service charge for seeking permission. The library will retain documentation relating to permissions and payment of royalties. Faculty members may also seek permissions on their own initiative. All letters of permission, or evidence of fees paid must be submitted and will be retained on file in the Reserve Department. As a service to our faculty, the Library requests copyright permission, and pays up to \$50.00 per article for royalty fees invoiced by the copyright holder. The Library will not put on reserve an article that exceeds \$50.00 in royalty fees (unless the faculty member or the faculty members Department is willing to pay the remaining amount). The faculty member will be notified if permission is denied, or if the fees exceed our maximum limit.

V. Restrictions

E-reserve material will be restricted in use to members of the class assigned. Any further transmission or distribution of e-reserve material violates copyright law. The instructor will give out passwords to be used to access the material to prevent viewing by other students. Passwords will be changed every semester.

The purpose of electronic reserves is to supplement the course rather than serve as a digital course pack; therefore, the number of items requested for reserve for any one course should not constitute a substantial portion of the overall workload for the course.

The first use of an item for E-reserve will be considered fair use. Each repeated use of the item for the same course will require acquisition of the material, materials owned by the library will be allowed for repeat use on e-reserves without additional copyright permission being sought. If the library does not own the material and cannot acquire a copy legally, copyright permission from the copyright holder must be pursued.

Whether licensed works are included in links or other e-reserve formats will be determined by the guidelines of the license and subject to all those terms and conditions. Links to content in our licensed databases may be used in the e-reserves system for an unlimited period of time, with the exception of material published by the Harvard Business School.

Instructors are responsible for adhering to the Library's Copyright Guidelines. The Library may review all material to ensure it complies with copyright law and library policy, and instructors will be contacted immediately if any copyright concerns are noted.

ATTACHMENT B

LANGSDALE LIBRARY RESERVES GUIDELINES

The Langsdale Library offers Electronic Reserves through Docutek, and the traditional hard copy reserves at our Circulation/Reserves counter.

ELECTRONIC RESERVES

E-reserves are one of the great technological successes of the Library. The service allows users to access reserve material in an anytime/anywhere environment. This success has created a substantial demand on staff to prepare such material for electronic access and regular upgrade of computer systems that affect Library costs.

The Langsdale Library follows copyright and fair use rules for library reserves.

Copyright and Fair Use: Resources for Librarians

This page, created by the Stanford University Libraries, provides information on applying *Fair Use* in the use of Electronic Reserves Systems with clear definitions of the four factors used to determine *Fair Use*.

Additional copyright information can be found at our own [Info & Services: Copyright page](#)

Permission from the copyright holder must be obtained for chapters from books not in our collection and/or articles not from a journal to which the library subscribes and we place on reserve for a subsequent semester for the same instructor and the same course. As a service to our faculty, the Library requests copyright permission, and pays up to \$50.00 per article for royalty fees invoiced by the copyright holder. The Library will not put on reserve an article that exceeds \$50.00 in royalty fees (UNLESS the Faculty member or the Faculty members Department is willing to pay the remaining amount). The faculty member will be notified if permission is denied, or if the fees exceed our maximum limit. Faculty may elect to place an alternate reading on reserve when copyright permission is denied.

To process materials being used for the first time: If the library does not own the journal or book, please provide us with the original to enable us to make the best electronic copy possible. The original will be returned to you when we are finished processing your request. We will make every effort to produce the best quality electronic files if only a photocopy of the original is available.

To Submit a Reserve request please use the online forms available at:

[For Books](#)

[For Journal Articles](#)

In addition, paper copies of the request form are available at the Circulation/Reserves counter in the Langsdale library or from your department's administrative office.

Citations must be complete. The sources of articles should also be included; any item without a citation will not be put on reserve.

Only one copy of an item will be placed on reserve. In accordance with the Copyright Law (P.L. 94-553 October 19, 1976) as well as the guidelines adopted by the National Commission on New Technological Uses or Copyrighted Works (CONTU), only one copy (either a photocopy or a scanned article) of a journal article will be placed on reserve.

Password protection for copyrighted material: Passwords restrict access to e-reserves as required by the rightsholder(s). Each semester the password(s) must be changed. Faculty are responsible for providing the password to students enrolled in the course.

VERY IMPORTANT

All E-reserves are archived at the end of each semester and will not be accessible for the following semester until you have contacted the Reserves department.

HARD COPY RESERVES

Multiple chapters from the same book, complete works and other materials not permitted to be placed online (E-Reserve) can be held for students to use as a "hard copy" reserve. The normal circulation period for hard copy reserves is 2 *hours, in library use only*. Other arrangements can be made, including overnight checkouts, depending on the faculty member's discretion. Please contact the reserves staff to find out more about hard copy reserves.

Items on hard copy reserve are removed from the Reserve shelf at the end of the semester. Items will be returned to the Library circulating stacks or to the owning faculty member.

The Reserves staff is eager to assist you. There are many options available for organizing your assigned readings and webreserve pages, please contact our staff to discuss the benefits of using this popular teaching tool.

Brian Chetelat (bchetelat@ubalt.edu)	Tammy Taylor (ttaylor@ubalt.edu)
Langsdale Library	Langsdale Library
Reserves Technician	Circulation Supervisor
410-837-4234 or 4260	410-837-4263

Or



Home » Administrative Offices » Provost » Policy Review » Policies for Review & Comment

Policies for Review & Comment

University of Baltimore Provost Office

The processes for academic and administrative policy development provide a 10-day comment period for the University community's feedback on proposed policies (new, revisions, or discontinuances). All comments are appreciated and will be forwarded to the appropriate person(s) for review and consideration. However, there is no assurance that a policy will be modified based solely on those comments, nor will there be an individual response to each comment.

The policies below are available for review and comment. They are listed in order of comment period expiration date, with the expiration date noted beside the policy name. Policy proposals will be removed when the comment period ends, and will be forwarded for the next stage of review.

You may provide feedback by clicking *Submit comments* next to the appropriate policy. Thank you for your interest and your participation in this process.

[Langsdale Library Electronic Reserves Policy - May 26, 2007](#)

[Submit Comments](#)

The University of Baltimore is part of the
University System of Maryland.

The University of Baltimore
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Baltimore, MD 21201

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Graduate Admissions: 888.664.0125

General Info: 888.661.5622

Starrla Levine

From: Susan Zacur
Sent: Thursday, May 15, 2008 3:30 PM
To: UB Policy Coordinator
Subject: Langsdale Library Electronic Reserves Policy

I have reviewed the Electronic Reserves Policy and find it to be clear and reasonable.
Susan Z

Susan Rawson Zacur, D.B.A.
Dean and Professor of Management
Merrick School of Business

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