

# STUSLA

SOUTHERN UNIVERSITY SHREVEPORT LOUISIANA

*Excellence • Integrity • Accountability • Service • Diversity*



Library Handbook for Faculty and Staff

## TABLE OF CONTENTS

	<u>Page</u>
Introduction.....	2-4
Library hours/Library Staff.....	4
Book Orders.....	5
Reserve Books.....	5
Reference Collection.....	6-8
Special Collections.....	8
Special Services.....	9-11
EDS - Electronic Library on the Web.....	12-13
Library of Congress Classification.....	14-18
Computer Lab.....	19
Appendix.....	20

**SOUTHERN UNIVERSITY AT SHREVEPORT**  
SHREVEPORT, LOUISIANA

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**COLLEAGUES:**

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The Library is a place to serve your informational needs. The library staff is aware of particular and specific needs and is very willing to assist you with your concerns or problems.

The mission of the Library is to provide the educational resources needed to meet the academic and research demands of the institution. The Library is the center for learning materials and it serves as an important teaching agency by providing bibliographic instruction. The Library is also committed to the institution's mission of "teaching and preparing traditional and non-traditional students for degree-attainment, transfer, workforce, continuous learning and self-improvement." The programs and services of the Library are geared toward implementing the mission of the University with the specific objectives of meeting the educational needs of the University and to provide community service.

Presently, there are 55,779 books in the collection. Current subscriptions include periodicals and 20 newspapers. The collection contains bound periodicals and 61,409 E-books. The Library also contains slides, filmstrips, 16mm films, pamphlets, recordings, microfilms, microfiche, audio cassettes, transparency kits, maps, and pictures.

Additionally, the library subscribes to several local, state, and national newspapers.

There are several items that should be made clear in order for there to be a more efficient operation between the faculty and the library staff .

About the Library:

### Library Hours

#### **Fall & Spring Semester**

Monday-Thursday  
8:00AM-8:00PM

Friday

8:00AM-12Noon

Saturday

9:00AM-1:00PM

#### **Summer Semester**

Monday-Thursday  
8:00AM-6:00PM

Friday

8:00AM-12Noon

Saturday

CLOSED

#### **LRC (Metro)**

Monday-Thursday  
8:00AM-6:00PM

Friday

8:00-12Noon

Saturday

CLOSED

### Library Staff

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## BOOK ORDERS

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1. Check online catalog for duplicate copies before placing orders.
2. Request order forms from the Librarian's office.
3. Be sure to list on the order form the following:
  - a. Author's Full Name
  - b. Title of Book
  - c. Net Price
  - d. Edition
  - e. Copyright Date
  - f. Publisher
  - g. ISBN#
  - h. Department
4. Return completed order forms to the Librarian's Office.

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## PLACING BOOKS ON RESERVE

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1. Check OPAC for titles about your subjects.
2. Pull books from the (General) Collection.
3. Please limit your books to twenty (20).
4. If only one article is to be read from the book, cite article so copies can be used instead of putting the book on reserve.
5. Give books and an author-title list to the Circulation Librarian.
6. Make decision of how many hours, days, etc., books are to be circulated for outside use.
7. Notify the Circulation Librarian at once when books are to be circulated for outside use.

All materials placed "**on reserve**" are kept in a special section behind the Circulation Desk and should be requested at the point indicated by the sign.

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## REFERENCE COLLECTION

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The first level of the Library houses the Reference Collection. As you enter, to the left, you will find the General Reference Area. Newspapers, popular magazines, and scholarly periodicals are located around the wall and on counter-high shelving.

Encyclopedias, yearbooks, atlases, maps, indexes, bibliographies, bound periodicals, and other general reference books are also located in this area.

On the right side of the entrance, located near the Circulation Desk is the Black Ethnic Archives. Here, manuscripts, books and photographs documenting the Black History of Northwest Louisiana are housed and are to be used **in this room only**. It is open to the public during regular library hours.

The Vertical Files are also located in the Black Ethnic Archives. Here, you will find pamphlets on current and historical data filed alphabetically by subject in deep drawer filing cabinets (they are called vertical because materials are filed standing on the edge). Subject headings are assigned to all pamphlets and clippings which are then placed in folders marked with the same headings. The subject headings are similar to those used in the card catalog. Check folders out as you would a periodical.

The Library staff assists faculty by answering questions, suggesting research procedures, recommending subject headings to be consulted and indexes to be used when looking for material on specific subjects.

Reference books are not usually placed on Reserve as they are not circulated. However, a reference book can be retained at the Circulation Desk for use by a particular group of students or for a limited time.

If an article from an encyclopedia or reference book is to be read, please request that the book be pulled from the shelf and that the material be copied to help prohibit vandalism.

The Library Staff asks your cooperation in encouraging student usage of its materials and reminds you of the availability of all its materials for your usage.

## **SERIAL REQUESTS**

Serials are ordered through a subscription agency and renewal time is once a year. When requesting new serials, please do so when you have been notified. This is usually a month before renewal time.

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## **SPECIAL COLLECTIONS**

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The Louisiana Collection is a collection of books by and/or about Louisiana and Louisianans. It is housed on the second level in the black shelving. The letters “La” are used above the classification number on the book/catalog card to indicate titles belonging to this particular collection. Reference “LA” is located in the Archives on the first floor of the Library and does not circulate. Inquire at the Circulation Desk.

The Black Collection, housed on the second level in the black shelving, is a group of books by and/or about African-Americans. Books belonging to this collection are represented by the symbols “Blk-Lit.” above the classification number. All books in this collection may be circulated with the exception of those bearing the symbols: “Ref.” BLK\_LIT.”

The Library also houses the Southern University Black Ethnic Archive. This collection of documents and artifacts provides valuable information on the contributions of the local Black community. It is open to the public during regular library hours.



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## **SPECIAL SERVICES**

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Videos and other media materials can be circulated to the faculty by the Library staff.

The Library also offers a binding service to our faculty, students and the community. The fee is \$1.00 for soft covers.

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## **E LIBRARY & OPAC PROCEDURES**

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In keeping with new technology, the SUSLA Library has endeavored to bring to its academic community, and to other users, a broader spectrum of accessibility to information needed for research. The Library staff of Southern University at Shreveport welcomes you to your electronic library on the web, an online/web interface card catalog.

In the OPAC (Online Public Access Catalog), library holdings are consolidated and displayed in an easy-to-read format describing titles, subjects, authors, and call numbers. This catalog is for the use of administrators, faculty, staff and students. The community is also welcome to use OPAC. There are designated screens to guide the user not only through our local database, but also through a select number of other libraries' databases. Students now have access to the OPAC through the Internet.

Library users may 'click' and search eLIBRARY for all physical and online (ebooks) holdings available for their research and/or information needs. Researchers may also search other Louisiana university libraries' holdings by 'clicking' on the **Libraries and Catalogs** link and searching the LOUIS Library's catalog.

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## **INTERLIBRARY LOAN**

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The Library is a member of a Cooperative Library System. This enables us to borrow books and materials on interlibrary loan very rapidly. A small fee is charged for copying materials that cannot be circulated.

Otherwise, the materials may be used for ten (10) days or longer at no charge. Through mutual agreement with local, area and statewide libraries, we are able to borrow books and other materials.

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## LALINC CARDS

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LALINC is the Louisiana Academic Library Information Network Consortium. LALINC offers a way for faculty and staff of Louisiana colleges and universities to borrow materials from other academic libraries. If you are a current faculty or staff member in good standing with your university library, you may apply for a LALINC (borrowing) card.

This card and a current picture ID allows you to borrow from participating Louisiana Academic Libraries. If you would like to obtain a borrower's card, please come to the library and complete the application form. A list of participating libraries is also available.

**NOTE:** Some restrictions may apply.

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## WHAT IS EBSCO DISCOVERY SERVICE (EDS)?

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*Let's define it . . .*

**EBSCO Discovery Service (EDS)** is an online research tool that “pulls together” all of our Library resources so that they can be explored using a single search box. In other words, rather than searching the Library Catalog for books and a database such as Academic Search Complete for journal articles, you can do an **EDS** search and get results which include books, e-books, journal articles, and government documents in one list. In fact, you could think of **EDS** as the Library’s version of Google.

*It works like this . . .*

Technically-speaking, EDS provides an integrated index for most of our Library resources. Although it is an EBSCO product, your search results will also include non-EBSCO resources such as:

- : the Library Catalog
- : *JSTOR*
- : *Literati*
- : *ScienceDirect*

*Not only does it search most of our resources with one search box, EDS returns your results quickly and ranks them according to relevancy. It is powerful and should be of help finding resources for your research. Just keep in mind that, like Google, it may return a large number of results and you will need to use judgment when assessing their value.*



It is the mission of the University Library to provide the educational resources needed to meet the academic and research demands Of the institution.

The Library is a center for learning materials and it serves as an important teaching agency by providing bibliographic advice. Formal and informal instructions are given in the use of the library to students through orientation classes.

## **EBSCO DISCOVERY SERVICE**

### **SEARCH LIBRARY CATALOG:**

#### **Gale Databases:**

Biography Context  
Literature Resource Center  
Gale Virtual Reference Library (GVRL)

#### **Additional Resources:**

Credo Reference  
CQ Researcher Databases  
Journals A to Z  
Learning Express Library  
Federal Aviation Administration  
OED Online  
Proquest  
HBCU Digital Initiative  
Shreveport Memorial Library  
Bossier Parish Library  
Louisiana Library Network (LOUIS)  
Black Archives  
America's Historical Newspaper– Louisiana State Package African  
American Newspapers, 1827-1998

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## SUMMARY OF THE LIBRARY OF CONGRESS CLASSIFICATION SCHEME

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The major division of the Library of Congress Classification is as follows:

A	General Works—Polygraphy	M	Music
B	Philosophy—Religion	N	Fine Arts
C	History—Auxiliary Sciences	P	Language & Literature
D	History & Topography (Except American)	Q	Natural Science
E-F	American History	R	Medicine
G	Geography	S	Agriculture—Plant & Animal Industry
H	Social Science & Economics	T	Technology
J	Political Science	U	Military Science
K	Law	V	Naval Science
L	Education	Z	Bibliography & Library Science

The Library of Congress Classification Numbers  
for the subjects offered at SUSLA read as follows:

1.	Design	NC 703
2.	Basic Drawing	NC 800-970
3.	Art Appreciation	N 61-79

4.	Biology	QH 301-705
5.	Chemistry	QD 1-999
6.	Typewriting	Z 49-51
7.	Business	HD-HF
8.	Accounting	HF
9.	Business Communication	HB 3840
10.	Economics	HB-HJ
11.	Reading	LB 1573
12.	English	PE
13.	Advanced Composition	PE 1408
14.	World Literature	PA
15.	Elementary French	PC 2001-3761
16.	Principles of Health	GV; LB-R
17.	History of Western Civilization	D
18.	African-American History	BLK-LIT E 185

20.	Computer Science	QA 76-76.9
21.	Basic Mathematics	QA 101-145
22.	Elementary College Algebra	QA 152-297
23.	Plane Trigonometry	QA 533
24.	Analytic Geometry & Calculus	QA 5551-611
25.	Harmony	MT 50
26.	Ear-Training & Sight Singing	MT 820-949
27.	Applied Piano	MT 220
28.	University Choir	MT 915
29.	Applied Voice	MT 885
30.	Physical Science	QC 1-75
31.	Physics	QC 1-999
32.	American Government	E-JK



33.	Democracy vs. Communism	HX-JC
34.	State & Local Government	JS
35.	General Psychology	BF 38-76.5
36.	Introduction to Sociology	HM 1-299
37.	Modern Social Problems	HN
38.	Personal Speech Rehabilitation	PN 4197-4321
39.	Fundamentals of Speech	PN 4001-4130
40.	Introduction to Phonetics	LB 1573

If you are more familiar with the Dewey Decimal System, the following comparison of the two classification systems should be beneficial in helping you locate materials on a special subject.

	<u>Dewey</u>	<u>Library of Congress</u>
General Works	000	A
Religion	200	BL-BX
Social Science	300	H
Language	400	P-PH
Pure Science	500	Q
Technology	600	T

Fine Arts	700	N
Literature	800	PG-PT
History	900	C
Geography	910	G
American History	970	E-F
Medical Science	610	R
Agriculture	630	S
Political Science	320	J
Law	340	K
Education	370	L
Music	780	M
Military Science	355	U
Naval Science	359	V
Bibliography	010	Z
Library Science	020	Z

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## **COMPUTER LAB**

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The Southern University Library has a computer lab equipped with desktops. The lab is located on the 2nd floor of SUSLA's Library (Room 32) and is available to Faculty and Staff for training.

Carl Perkins funds purchased software and other resources to supplement the class content and provide for test preparation in the Allied Health and Nursing programs. The lab is also used for bibliographic instruction sessions as needed.

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# APPENDIX

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# Know Your Copy Rights™



Using works in your teaching —

## What You Can Do

Tips for faculty & teaching assistants in higher education

# Know Your Copy Rights™

## Use Your Copy Rights

In your teaching, you probably confront questions about how to share legitimately with your students articles, video, music, images, and other intellectual property created by others.

Sorting out what you can or can't do is often confusing. Lack of clear-cut answers may translate into delays, doubts, fear of liability, and decisions to err on the side of caution and non-use.

But frequently you do not need to get permission or pay a fee. Use rights may have been licensed by your library or reserved under law.

This brochure offers you some tips on when works can be used lawfully in your teaching without requesting permission or incurring additional cost.

## Keep It Simple — Link When Possible

In many cases, you can eliminate the need for permission or fee by simply giving your students a link to the work instead of making copies of it. For example:

- Your library already may have paid for a subscription license that entitles you and your students to online access. Check your library's Web site to see if the work you wish to use is available there without charge.
- Even if your library hasn't purchased access, the work may be available for free on a legitimate Web site, such as your institutional repository or another online open archive, the author's homepage, or an open access journal. Most sites allow students to print a copy for personal use.
- If your library has not licensed access and you can't link to the work for free, contact the library's electronic reserves department about whether they can arrange access for your students.

Consider retaining the rights you need to place your

## When Linking Won't Do

If linking isn't the answer, there's still hope. Here are several common situations in which you are free to make copies for your students or use works in the classroom without permission or fee:

### ■ Uses permitted by license

Use of electronic resources today is commonly governed, not just by copyright, but also by licenses between owners and users. Your use rights can differ from license to license. Commonly a publisher's or aggregator's license with a research library will allow faculty and their students to:

- Print a reasonable amount of a work.
- Share it with other authorized users covered by the license (typically, all faculty and enrolled students are authorized users).

With the potential for creators to offer their works directly to users on the Web, use of Creative Commons licenses is growing ([www.creativecommons.org](http://www.creativecommons.org)). Using a Creative Commons notice, creators specify the rights conveyed to users — such as to copy, distribute, display, and perform the work, provided attribution is given.

### ■ Fair uses

When the circumstances might reasonably be judged as fair, you may use copyrighted works in your teaching without obtaining permission. US law lists four fair use factors — described in the shaded area at right — that will help you evaluate whether your use is permitted. Here are a few examples of uses that are generally regarded as fair:

- copying reasonable portions of longer works for your class,
- copying a timely article (or one you've recently discovered that is relevant for your class) when

## Fair Use — Weigh Your Rights

it's unreasonable to expect a sufficiently rapid reply to a request for permission; and

- copying a graphic or an image from a work to display in your lectures.

### ■ Public domain

Works in the public domain are not protected by copyright, so you can use them freely. Here are examples of public domain works:

- Under US law, copyright expires 70 years after the death of the author. At that point, works automatically enter the public domain. As a practical matter, all works published in the US before 1923 are now in the public domain.
- Works by the US Government or created by its employees as part of their job are in the public domain. Note, however, that this does not apply to most works by federal grant recipients or contractors or to works of most other governments, including state and local governments.

## Before You Pay for Use Rights

**C**heck with your library to explore whether your use rights have already been paid for or whether there are alternatives to paying a fee.

**T**o ensure a balance of the rights of copyright owners and the public interest, the law allows you to use copyrighted works without permission — regardless of medium — when evaluation of the circumstances suggests the use is fair.

This “fair use” provision of copyright law doesn’t provide hard and fast rules to tell you whether a use qualifies as fair. Instead, the unique facts regarding a use lead you to a reasoned conclusion.

Your evaluation should weigh four factors:

1. **Purpose and character:** If your use is for teaching at a nonprofit educational institution, this is a factor favoring fair use. The scale tips further in favor of fair use if access is restricted to your students.
2. **Nature of copyrighted work:** Is the work fact-based, published, or out-of-print? These factors weigh in favor of fair use.
3. **Amount used:** Using a small portion of a whole work would weigh toward fairness. But sometimes it may be fair to use an entire work (such as an image) if it is needed for your instructional purpose.
4. **Market effect:** A use is more likely to be fair if it does not harm the potential market for or value of the copyrighted work. But if it does, this could weigh more heavily against fair use than the other factors.

Consider each of these factors, but all of them do not have to be favorable to make your use a fair one. When the factors in the aggregate weigh toward fairness, your use is better justified. When the factors tip the scales in the other direction, your need to obtain permission from the copyright holder increases.

Don’t worry that the answer isn’t crystal clear. Just decide whether the factors weigh enough toward fairness so that you are comfortable not seeking permission. Some suggest reliance on the “golden rule” — if you were the copyright holder, would you see the use as fair and not expect to be asked for permission?



## Displaying or Performing Works in Your Classes

Copyright law makes special provision for displaying images, playing motion pictures or sound recordings, or performing works in classes.

### ■ Face-to-face teaching

You may display or perform a work in your class without obtaining permission when your use is:

- for instructional purposes;
- in face-to-face teaching; and
- at a nonprofit educational institution.

If you don't meet all three of these criteria, consider whether what you have in mind is a fair use.

### ■ Distance education

Although a specific copyright exemption known as the TEACH Act<sup>9</sup> may apply, its rigorous requirements have prompted most instructors to rely primarily on fair use to display or perform works in distance education (e.g., online or over cable TV).

To evaluate the fair use option, weigh the four factors described at left. If you judge the use to be fair, you may use the work in your class.

In all cases, the copy of the work that is displayed or performed must have been lawfully made. That means, for example, you can display a video borrowed from your library's collection.

<sup>9</sup> Consult your library or the university counsel on whether and how the TEACH Act is implemented locally. For a closer look at your rights to transmit works to a distance education class, see the North Carolina State University TEACH Toolkit at [www.lib.ncsu.edu/sec/legislative/teachkit/](http://www.lib.ncsu.edu/sec/legislative/teachkit/).

## Instructors Ask

### ■ *Can I show a movie in class that I've rented from my home movie rental provider?*

Yes, providing the movie is shown for educational purposes and such an educational use is not prohibited by the license agreement you signed with the rental provider.

### ■ *I've used an article as a standard reading in the past and my students have paid to include it in their course packs. But recently the library has licensed a database that includes the article. Does that change things?*

Yes. Instead of including the article in the course pack, now you can simply link to it in your syllabus and encourage students to use it online.

### ■ *What about articles that aren't licensed by the library — how do I share them with my students?*

Here are several options:

- If the article is available online via open access, share a link to it.
- If a Creative Commons notice appears on the article, you may share the work with your students.
- If the article is in the public domain, you're free to share it.
- Consider whether use of the work is a fair use.
- Ask the library about putting the article on reserve.
- Ask the library to license an online subscription if there is sufficient campus demand.
- Ask the copy center to license the work for



# What You Can Do



Often you can use works in your teaching without permission or fee.

This chart highlights some of those situations. However, there are other circumstances where permission and/or fee are required (for example, when some types of works are included in course packs). Check with your institution's library or legal office for information about campus copyright policies.

Know Your Copy Rights™		Proposed Use				
		Exhibit materials in a live classroom?	Post materials to an online class?	Distribute readings?	Create electronic reserves?	
Legal Status of Work To Be Used	Works Not Copyrighted	Public Domain Works (US Govt. and pre-1923 works, and certain other works)	Yes	Yes	Yes	Yes
	Copyrighted Works	Your Own Works (if you kept copyright or reserved use rights)	Yes	Yes	Yes	Yes
		Open Access Works (works available online without license, password, or technical restrictions)	Yes	Link	Link	Link
		Electronic Works Licensed by Your Institution (depends on license, but usually permitted)	Yes	Link	Link (Most licenses also allow students to make an individual copy.)	Link
		Electronic Works with a Creative Commons License (depends on license, but usually permitted; if not, LINK)	Yes	Yes	Yes	Yes
		Other Works (when none of above apply)	Yes	Yes if meets either TEACH Act or Fair Use standards. If not, LINK or seek permission.	Yes if meets Fair Use standards. If not, LINK or seek permission.	Yes if meets Fair Use standards. If not, LINK or seek permission.

# Know Your Copy Rights™

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[www.arl.org](http://www.arl.org)

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KNOW YOUR COPYRIGHTS  WHAT YOU CAN DO

**INTELLECTUAL PROPERTY:  
AN ASSOCIATION OF RESEARCH  
LIBRARIES STATEMENT OF PRINCIPLES**

*“The primary objective of copyright is not to reward the labor of authors, but [t]o promote the Progress of Science and useful Arts. To this ends, copyright assures the right to their original expression, but encourages others to build freely upon the ideas and information conveyed by a work. This result is neither unfair nor unfortunate. It is the means by which copyright advances the progress of science and art.”*

~Justice Sandra Day O’Connor

**AFFIRMING THE RIGHTS AND RESPONSIBILITIES OF THE RESEARCH LIBRARY  
COMMUNITY IN THE AREA OF COPYRIGHT**

The genius of United States copyright law is that it balances the intellectual property rights of authors, publishers, and copyright owners with society’s need for the free exchange of ideas. Taken together, fair use and other public rights to utilize copyrighted works, as established in the Copyright Act of 1976, constitute indispensable legal doctrines for promoting the dissemination of knowledge, while ensuring authors, publishers and copyright owner protection of their creative works and economic investments. The preservation and continuation of these balanced rights in an electronic environment are essential to the free flow of information and to the development of an information infrastructure that serves the public interest.

The U. S. and Canada have adopted very different approaches to intellectual property and copyright issues. For example, the Canadian Copyright Act does not contain the special consideration for library and educational use found in the U.S. Copyright Act of 1976, nor does it place federal or provincial government works in the public domain. Because of these differences, this statement addresses these issues from the U.S. perspective.

Each year, millions of researchers, students, and members of the public benefit from access to library collection-access that is supported by fair use, the right of libraries to reproduce materials under certain circumstances, and other related provisions of the copyright law. These provisions are limitations on the rights of copyright owners. The loss of these provisions in the emerging information infrastructure would greatly harm scholarship, teaching, and the operations of a free society. Fair use, the library and other relevant provisions must be preserved so that copyright ownership does not become an absolute monopoly over the distribution of and access to copyrighted information. In an electronic

environment, this could mean that information resources are accessible only to those who are able to pay. The public information systems that libraries have developed would be replaced by commercial information vendors. In the age of information, diminished scope of public rights would lead to an increasingly polarized society of information haves and have-nots.

Librarians and educators have every reason to encourage full and good-faith copyright compliance. Technological advancement has made copyright infringement easier to accomplish, but no less illegal. Authors, publishers, copyright owners, and librarians are integral parts of the system of scholarly communication and publishers, authors, and copyright owners are the natural partners of education and research. The continuation of fair use, the library and other relevant provisions of the Copyright Act of 1976 applied in an electronic environment offer the prospect of better library services, better teaching, and better research, without impairing the market for copyrighted materials.

Although the emerging information infrastructure is raising awareness of technological changes that pose challenges to copyright systems, the potential impact of technology was anticipated by the passage of the Copyright Act of 1976. Congress expressly intended that the revised copyright law would apply to all types of media. With few exceptions, the protections and provisions of the copyright statute are as relevant and applicable to an electronic environment as they are to a print and broadcast environment.

The research library community believes that the development of an information infrastructure does not require a major revision of the copyright law at this time. In general, the stakeholders affected by intellectual property law continue to be well served by the existing copyright statute. Just as was intended, the law's flexibility with regard to dissemination media fosters change and experimentation in education and research communication. Some specific legislative changes may be needed to ensure that libraries are able to utilize the latest technology to provide continued and effective access to information and to preserve knowledge.

The Association of Research Libraries affirms the following intellectual property principles as they apply to librarians, teachers, researchers, and other information mediators and consumers. We join our national leaders in the determination to develop a policy framework for the emerging information infrastructure that strengthens the Constitutional purpose of copyright law to advance science and the useful arts.

## STATEMENT OF PRINCIPLES

### ***Principle 1: Copyright exists for the public good.***

The United States copyright law is founded on a Constitutional provision intended to “promote the progress of Science and Useful Arts.” The fundamental purpose of copyright is to serve the public interest by encouraging the advancement of knowledge through a system of exclusive but limited rights for authors and copyright owners. Fair use and other public rights to utilize copyrighted works, specifically and intentionally included in the 1976 revision of the law, provide the essential balance between the rights of authors, publishers, and copyright owners, and society’s interest in the free exchange of ideas.

### ***Principle 2: Fair use, the library, and other relevant provisions of the Copyright Act of 1976 must be preserved in the development of the emerging information infrastructure.***

Fair use and other relevant provisions are the essential means by which teachers teach, students learn, and researchers advance knowledge. The Copyright Act of 1976 defines intellectual property principles in a way that is independent of the form of publication or distribution. These provisions apply to all formats and are essential to modern library and information services.

### ***Principle 3: As trustees of the rapidly growing record of human knowledge, libraries and archives must have full use of technology in order to preserve our heritage of scholarship and research.***

Digital works of enduring value need to be preserved just as printed works have long been preserved by research libraries. Archival responsibilities have traditionally been undertaken by libraries because publishers and database producers have generally preserved particular knowledge only as long as it has economic value in the marketplace. As with other formats, the preservation of electronic information will be the responsibility of libraries and they will continue to perform this important societal role.

The policy framework of the emerging information infrastructure must provide for the archiving of electronic materials by research libraries to maintain permanent collections and environments for public access. Accomplishing this goal will require strengthening the library provisions of the copyright law to allow preservation activities which use electronic or other appropriate technologies as they emerge.

Licenses may define the rights and privileges of the contracting parties differently than those defined by the Copyright Act of 1976. But licenses and contracts should not negate fair use and the public right to utilize copyrighted works. The research library community recognizes that there will be a variety of payment methods for the purchase of copyrighted materials in electronic formats, just as there are differing contractual agreements for acquiring printed information. The research library community is committed to working with publishers and database producers to develop model agreements that deploy licenses that do not contract around fair use or other copyright provisions.

***Principle 5: Librarians and educators have an obligation to educate information users about their rights and responsibilities under intellectual property law.***

Institutions of learning must continue to employ policies and procedures that encourage copyright compliance. For example, the Copyright Act of 1976 required the posting of copyright notices on photocopy equipment. The practice should be updated to other technologies which permit the duplication of copyrighted works.

***Principle 6: Copyright should not be applied to U.S. government information.***

The Copyright Act of 1976 prohibits copyright of U.S. government works. Only under selected circumstances has Congress granted limited exceptions to this policy. The Copyright Act of 1976 is one of several laws that support a fundamental principle of democratic government—that the open exchange of public information is essential to the functioning of a free and open society. U.S. government information should remain in the public domain free of copyright-like restrictions.

***Principle 7: the information infrastructure must permit authors to be compensated for the success of their creative works, and copyright owners must have an opportunity for a fair return on their investment.***

The research library community affirms that the distribution of copyrighted information which exceeds fair use and the enumerated limitations of the law require the permission of and/or compensation to authors, publishers and copyright owners. The continuation of library provisions and fair use in an electronic environment has far greater potential to promote the sale of copyrighted materials than to substitute for purchase. There is every reason to believe that the increasing demand for and use of copyrighted works fostered by new information technologies will result in the equivalent or even greater compensation for authors, publishers and copyright owners. The information infrastructure however, must be based on an underlying ethos of abundance rather than scarcity. With such an approach,

authors, copyright owners, and publishers will have a full range of new opportunities in an electronic information environment and libraries will be able to perform their roles as partners in promoting science and the useful arts.

**Adopted by the ARL Membership  
May 1994**

## **FAIR USE IN THE ELECTRONIC AGE**

The following statement is an outgrowth of discussions among a number of library associations regarding intellectual property, and in particular, the concern that the interest and rights of copyright owners and users remain balanced in the digital environment.

The purpose of the document is to outline the lawful uses of copyrighted works by individuals, libraries, and educational institutions in the electronic environment. It is intended to inform ongoing copyright discussions and serve as a reference document for users and librarians. It is our goal that this working document be circulated widely and spark discussions on these issues. Thus the statement will continue to be a work in progress. We continue to welcome feedback on the statement.

This statement was developed by representatives of the following associations: American Association of Law Libraries, American Library Association, Association of Academic Health Sciences Library Directors, Association of Research Libraries, Medical Library Association, and Special Libraries Association.

This document has also been endorsed by the Art Libraries Society of North America.

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### **Fair Use In The Electronic Age: Serving The Public Interest**

*The primary objective of copyright is not to reward the labor of authors, but “[t]o promote the Progress of Science and Useful Arts.” to this end, copyright assures authors the right to their original expression, but encourages others to build freely upon the ideas and information conveyed by a work. This result is neither unfair nor unfortunate. It is the means by which copyright advances the progress of science and art.*

~Justice Sandra Day O’Connor (Fiest Publications, Inc. v. Rural Telephone Service Co., 499 US 340, 349 (1991))

The genius of United States copyright law is that, in conformance with its constitutional foundation, it balances the intellectual property interests of authors, publishers and copyright owners with society's need for the free exchange of ideas. Taken together, fair use and other public rights to utilize copyrighted works, as confirmed in the Copyright Act of 1976, constitute indispensable legal doctrines for promoting the dissemination of knowledge, while ensuring authors, publishers and copyright owners appropriate protection of their creative works and economic investments.

The fair use provision of the Copyright Act allows reproduction and other uses of copyrighted works under certain conditions for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research. Additional provisions of the law allow uses specifically permitted by Congress to further educational and library activities. The preservation and continuation of these balanced rights in an electronic environment as well as in traditional formats are essential to the free flow of information and to the development of an information infrastructure that serves the public interest.

It follows that the benefits of the new technologies should flow to the public as well as to copyright proprietors. As more information becomes available only in electronic formats, the public's legitimate right to use copyrighted material must be protected. In order for copyright to truly serve its purpose of "*promoting progress*," the public's right of fair use must continue in the electronic era, and these lawful uses of copyrighted works must be allowed without individual transaction fees.

Without infringing copyright, the public has a right to expect:

- to read, listen to, or view publicly marketed copyrighted material privately, on site or remotely;
- to browse through publicly marketed copyrighted material;
- to experiment with variations of copyrighted material for fair use purposes, while preserving the integrity of the original;
- to make or have made for them a first generation copy for personal use of an article or other small part of a publicly marketed copyrighted work or a work in a library's collection for such purpose as study, scholarship, or research, and;



- to make transitory copies if ephemeral or incidental to a lawful use and if retained only temporarily.

Without infringing copyright, nonprofit libraries and other Section 108 libraries, on behalf of their clientele, should be able to:

- to use electronic technologies to preserve copyrighted materials in their collections;
- to provide copyrighted materials as part of electronic reserve room service;
- to use provide copyrighted materials as part of electronic interlibrary loan service, and
- to avoid liability, after posting appropriate copyright notices, for the unsupervised actions of their users.

Users, libraries, and educational institutions have a right to expect:

- that the terms of licenses will not restrict fair use or other lawful library or educational uses;
- that U.S. government works and other public domain materials will be readily available without restrictions and at a government price not to exceed the marginal cost of dissemination, and;
- that rights of use for nonprofit education apply in face-to-face teaching and in transmittal or broadcast to remote locations where educational institutions of the future must increasingly reach their students.

Carefully constructed copyright guidelines and practices have emerged for the print environment to ensure that there is a balance between the rights of users and those of authors, publishers, and copyright owners. New understandings, developed by all stakeholders, will help to ensure that this balance is retained in a rapidly changing electronic environment. This working statement addresses lawful uses of copyrighted works in both the print and electronic environments.