

Policy Form for Niagara University Policy Database

Name of Department: Library

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Date compiled: 6/19/2012

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Policy Name: Niagara University Copyright Policy

Date amended: 6/6/2012

Policy Goal: Describe policies related to copyright

Location of written hardcopy of policy: <http://library.niagara.edu/about/policies/>

People affected by policy: Students, faculty, and staff

Comments or Concerns about the provided Policy: None

Films and Videos

You may view films and videos in your home or dorm room for personal recreation or research. Possession of a film or video does not confer the right to show the work in public. Educational use is permitted, however. The Copyright Act of 1976 and portions of the House of Representatives Report (94-1476) provide some conditions under which films or videos can be shown:

- They must be shown only to students and educators as part of an instructional program.
- They must be shown either in a classroom or other school location devoted to instruction.
- They must be shown either in a face-to-face setting or where students and instructors are in the same building or general area.
- They must be shown using a legitimate (that is, not illegally reproduced) copy, with the copyright notice included.

The relationship between the film or video and the course must be explicit. Films or videos, even in a "face-to-face" classroom setting, may not be used for entertainment or recreation.

This text is derived from [Wellesley College](#)

Copyright Policy

Interlibrary Loan

The copyright law of the United States (Title 17, U.S. Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that a photocopy 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 photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement. This institution reserves the right to refuse to accept an interlibrary loan request if, in its judgment, fulfillment of the order would involve violation of copyright law.

Reserve Materials

The concept of "fair use" governs whether the Library can accept photocopied items for reserve. In particular the Library considers the following two factors as described in the U.S. Copyright Law:

- "The amount and substantiality of the portion used in relation to the copyrighted work as a whole."
- "The effect of the use upon the potential market for or value of the copyrighted work."

(17 U.S.C. Section 107)

A great deal of debate has occurred as to the practical implications of this wording but a number of guidelines have become commonly accepted by libraries:

- No more than 10% of the content of a single journal issue or book may be copied for reserve.
- Reserve readings should meet standards of "brevity, spontaneity, and cumulative effect" and should function as "supplemental readings."
- Articles placed on reserve cannot serve as de facto anthologies or course packs. Nor can reserve be used to substitute for the purchase of article reprints.
- Consumable works such as workbooks or test booklets cannot be placed on reserve.