Best Practices for Obtaining Copyrighted Course Readings

The Easy Method

The DIY Method

STEP 1

1a) Send a bibliography of your intended course readings **to your liaison librarian**
→ http://www.fhsu.edu/library/liaisons/

STOP

1b) Does the library have any of your intended course readings?
Search the catalog for the title of the book or journal in which the reading appears
→ http://www.fhsu.edu/library/

YES | NO

STEP 2

Post the full citation and a link.
- Prepend the prefix http://ezproxy.fhsu.edu:2048/login?url= to the beginning of the link to ensure that students are directed to an FHSU login page.
- Please don't upload the document to Blackboard. It causes Blackboard to charge the university more for storage and, in some cases, may violate the library's licensing agreements.

STOP

2) Is there an open access version?
Use Open Access Button or Google Scholar to find an open access version. On Google Scholar, the link to the open access version will appear to the right of the search result with the tag [PDF] or [HTML].
→ https://openaccessbutton.org/
→ https://scholar.google.com/

YES | NO

STEP 3

3a) Is the open access version openly licensed?
- "Open access" means that the document is free to view, but you can't make or post copies unless it also has an open license.
- Look for a Creative Commons license on a book's verso (the back of the title page) or at the bottom of a website.
- There are other types of open licenses, but you rarely see them on educational materials. If you encounter one, consult an expert.

YES | NO

3b) Is there a copyright exception that would permit you to use the reading?
(Please note that the answer to this question is usually "no.") Here are some circumstances in which it may be okay to use the reading without requesting permissions:
- You are handing out print copies for use in class and collecting them again at the end.
- You are only providing students with online access to the reading while you are virtually present (for instance, you are webconferencing with students)
- You are using the reading in a highly transformative way (for instance, you are remixing it into poetry or running it through textual analysis software)
- You are using an extremely small amount of the reading (for instance, a couple of pages out of an entire book). Please note that book chapters generally do not fall into this category.
- The reading cannot be purchased or licensed at a reasonable price (for instance, because it is out of print).

YES | NO

You *may* **legally upload the document** to Blackboard. However, we prefer that you don't in order to save expensive storage space.

STOP

Post the full citation and a link.

STOP

Consult with a librarian, instructional designer, or legal counsel.

STOP

STEP 4

4) Can the library purchase it?
- The library purchases monographs and journals, but not traditional textbooks or individual articles.
  - Please only request a journal if you believe that the entire content will be valuable.
- Fill out the library's "Request a Purchase" form
  → http://www.fhsu.edu/library/collections/request/
  - Please specify that you intend to use the item for a course.
  - The library's ability to purchase requested items depends on the formats and licenses available.

YES | NO

Post the full citation and a link.
- **Prepend the prefix** http://ezproxy.fhsu.edu:2048/login?url= to the beginning of the link to ensure that students are directed to an FHSU login page.
- **Please don't upload** the document to Blackboard. It causes Blackboard to charge the university more for storage and, in some cases, may violate the library's licensing agreements.

STOP

STEP 5

5) Can students purchase it as part of a course pack?
Contact the FHSU Bookstore to inquire about putting together a course pack.

YES | NO

The **Bookstore will work with a copyright clearance company to license the material in the course pack for you**. Please don't include materials that can be legally obtained in other ways in your course pack, as it raises the cost for students.

STOP

It may be time to **consider assigning an alternate reading.**

START OVER

BEST PRACTICES
for posting
Copyrighted Course Readings

- **Model academic integrity** for your students by providing full citations for all your course readings.

- **Linking is almost always preferable to uploading.** Linking never violates copyright law because it doesn't create a copy of the material. It also saves expensive storage space on Blackboard.
  - If you're worried that your course reading may be taken down, you can make an archival electronic copy for yourself. If the original does get taken down, posting the copy may fall under fair use.

- **Please don't scan readings and upload them to Blackboard** unless a librarian, instructional designer, or legal counsel confirms that it's okay. This rule goes particularly for materials that you receive via interlibrary loan—don't scan and upload them!

- **If you do scan and upload a reading:**
  - **Get help** from a librarian, instructional designer, or legal counsel to document the case for fair use, and provide publication information and attribution. These steps show good faith in the event of a takedown notice or litigation.
  - Try to **minimize the number of copies created.** This may take the form of verbal or written warnings or technological barriers for your students.
  - Please use **optical character recognition (OCR);** don't just scan the pages as images. OCR ensures that the document is accessible for students using screen readers. If you need help, contact the library or TILT.

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Questions about copyright, fair use, open access, or open educational resources?

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