

**Gumberg Library
Duquesne University**

Course Reserve Policies

Policy:

The Gumberg Library's reserve service makes specific resources conveniently available to students while they are enrolled in classes that require access to material. All materials placed on reserve are removed at the end of each semester unless permission is obtained for continued use or unless the material is being temporarily restored for students who have received incomplete grades and need access to complete their coursework.

Gumberg Library places the following types of material on reserve:

- Library owned books, audiovisuals, and photocopies of articles from journals in the collection.
- Faculty owned books, audiovisuals, and photocopies of articles from journals not in the collection.
- Faculty owned exams, lecture notes and sample lab reports, and other personally developed materials.
- Lawfully obtained coursepacks.
- Physical models such as human bone models used to study anatomy that would be impractical to require students to purchase.

Copyright Policy on Reserves

Gumberg Library's copyright policy for reserves is based on the advice of University Counsel and the fair use provision of the Copyright Act of 1976, [Section 107](#) which states:

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 by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an 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.

Obtaining Permissions

Library staff will assist instructors in obtaining permissions for use and reuse of copyrighted material. For more information call the Reserve Assistant at (412) 396-6130.

[Getting Permission](#) is a useful Web page with advice on writing permission requests developed by the University of Texas.

Print Reserves Policy

1. Library staff will place material requested by instructors on reserve when:
 - (a) Gumberg Library owns the material.
 - (b) The request falls under the fair use guidelines and/or when the rights holder has given the instructor permission to use the materials for course reserve.
 - (c) The instructor owns the rights to the material to be placed on reserve.
2. No more than three copies of a copyrighted article will be accepted for reserve.
3. Whenever possible the library will purchase materials to be copied.
4. All materials placed on reserve will be at the initiative of instructors for the non-commercial, educational usage of students.
5. Use of copyrighted material for more than one semester or more than one course section or more than one course requires permission of the rights holder.
6. Photocopied material will be available for use only during the academic semester in which the course is given. Continued use will require written permission from the rights holder.
7. Photocopied material will be restored for a limited time to reserve for the use of students who need access to make up incomplete coursework. This time period will not exceed one semester.
8. Longer works such as complete books will not be copied. The library will not place materials on reserve without permission if the nature, scope, or extent of copying is judged by the library to exceed the reasonable limits of fair use.
9. There will be no charge for access to electronic reserve materials; the charge for copies made by students on library printers will be the same as for all other library printing.
10. A copyright notice will appear on the first page of printed copies of reserve readings. Appropriate citations or attributions to their sources will be included for all copies.
11. Copyrighted materials on reserve will be accessible only by faculty name, course name, and course number.

Electronic Reserves Policy

1. Library staff will place material requested by instructors on electronic reserve when:
 - (a) Gumberg Library has a current license for access to digital versions of copyrighted material. In this case the citation and link to the electronic version of the material will be added to the course page in the electronic reserve system to provide direct access to the requested material.
 - (b) The request falls under the fair use guidelines and/or when the rights holder has given the instructor permission to use the materials for course reserve.
 - (c) The instructor owns the rights to the material to be placed on reserve.
2. Library staff will scan or copy copyrighted materials for electronic reserve without obtaining copyright permission as long as it is the first time the material is placed on electronic reserve by an individual instructor for a specific, and the request does not exceed these guidelines:
 - (a) One chapter from a book
 - (b) One journal or newspaper article
 - (c) An excerpt from a prose work that does not exceed more than 10% of the work.
 - (d) One chart, graph, diagram, drawing, cartoon or picture per book or per journal issue.
3. Use of copyrighted material for more than one semester or more than one course section or more than one course requires permission of the rights holder.
4. Longer works such as complete books will not be copied for electronic reserve service. The library will not place materials on electronic reserve without permission if the nature, scope, or extent of copying is judged by the library to exceed the reasonable limits of fair use.
5. Whenever possible the library will purchase materials to be copied or scanned for electronic reserves.
6. All materials placed on electronic reserve will be at the initiative of instructors for the non-commercial, educational usage of students.
7. Scanned material will be available for use only during the academic semester in which the course is given. Continued use will require written permission from the rights holder.
8. Copyrighted material will be restored for a limited time to the electronic reserve system for the use of students who need access to make up incomplete coursework. This time period will not exceed one semester.
9. The Library or the instructor must obtain permission from the rights holder to place copyrighted material on reserve that has been previously used for a specific course.
10. At the end each semester all copyrighted material in the electronic reserve database will be destroyed unless instructors indicate that they plan to reuse the material in subsequent offerings of the same course. In that case, the digital version will be retained until permission to reuse the

- copyrighted material has been obtained. If permission for reuse is not granted, the digital copy will be destroyed.
11. There will be no charge for access to electronic reserve materials; the charge for copies made by students on library printers will be the same as for all other library printing.
 12. A copyright notice will appear onscreen in the electronic reserve system and on printed copies made of reserve readings. Appropriate citations or attributions to their sources will be included for all electronic files.
 13. Copyrighted materials on reserve will be accessible only by faculty name, course name, and course number.
 14. Access to copyrighted materials will be limited by password protection to students taking the course for which the material is designated.

Date issued:

Responsible for policy:

Issuing department or division: Access Services

Supersedes:

Filename:

Forms and forms locations: Reserve Request Form, available online at <https://www.library.duq.edu/cms/program/adminlinks/docs/reserveformnew.pdf>.