

# Utah Tech University Library Internal Guidelines & Procedures

## Course Reserves

- 1.1. Materials may be placed on Course Reserve by full and part-time faculty and staff of Utah Tech University. Materials placed on Reserve will be provided by the instructor or department, and the Reserve item must be solely for the non-commercial, educational use of the students enrolled in that class. Placement of materials may be limited by space available in the Reserve area.
  - 1.2. Materials received through Interlibrary Loan (ILL) may not be placed on Reserve.
  - 1.3. The library will follow the principles of fair use when placing materials on Course Reserve and may deny placement of materials if obvious violations of the provisions of fair use are found.
2. Copyright and Fair Use for Course Reserve
- 2.1. Copyright law balances the intellectual property interests of authors, publishers, and copyright owners with society's need for the free exchange of ideas. The fair use provision of the U.S. Copyright Act allows reproduction and other uses of copyrighted works under certain conditions for purposes such as criticism, teaching, scholarship, or research.
  - 2.2. The library guidelines for Reserve are derived from the fair use provisions of the U.S. Copyright Act of 1976. Section 107 permits making multiple copies for classroom use under specific circumstances without payment of royalty or permission from the copyright holders.
  - 2.3. Section 107 of the U.S. Copyright Act provides four factors to use in determining whether the use made of a work in any particular case is fair use. All four of these factors are considered in determining whether use of a copyrighted work is "fair use."
    - 2.3.1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes
    - 2.3.2. the nature of the copyrighted work
    - 2.3.3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole

- 2.3.4. the effect of the use upon the potential market for or value of the copyrighted work

### 3. Instructor Responsibility

- 3.1. Each instructor is responsible for guaranteeing that material requested for Course Reserve falls under the fair use guidelines of the U.S. Copyright Act.
- 3.2. Each instructor is responsible for obtaining necessary copyright permissions and/or paying fees for the use of copyrighted materials, if appropriate.
- 3.3. Each instructor must sign the library Course Reserve Request document declaring that the material(s) being placed on Course Reserve falls under fair use guidelines or that permission has been obtained from the copyright holder to use that material.
- 3.4. It is the instructor's responsibility to place the correct materials for study and assignments, and students are responsible for knowing which materials they require.
- 3.5. Examples of Materials
  - 3.5.1. Typical Reserve materials include: textbooks, books, DVDs, CDs, photocopies of tests or other materials. The source of photocopies from a book, journal article, etc. must be clearly identified, and photocopies must be "best copy" quality, single-sided, and on 8.5 x 11 paper.
- 3.6. Examples of materials which are not subject to copyright restrictions:
  - 3.6.1. exams, lecture notes, or other materials you have prepared yourself (In these cases, you are the copyright holder.)
  - 3.6.2. government publications
  - 3.6.3. student papers (with the written permission of the student author)
- 3.7. Examples of materials for which copyright permission must be sought before placing on Reserve:
  - 3.7.1. pages from works intended to be consumable in the course of study or teaching, such as: workbooks, exercises, standardized tests, test booklets, and answer sheets
  - 3.7.2. an entire book, whether in- or out-of-print

- 3.7.3. more than one chapter from the same book (except when multiple chapters represent less than roughly 10% of the entire work)

#### 4. Putting Materials on Reserve

- 4.1. Materials may be placed on Course Reserve by faculty or staff of Utah Tech University. These materials may be owned by the instructor or pulled from library shelves, but the library does not purchase textbooks to specifically put on Reserve.
- 4.2. The materials must be accompanied by a Course Reserve Request form. The form can be accessed online by following [this link](#) or requested at the Circulation Desk. The faculty or staff member must fill out a form for each class, and bring it to the Circulation Desk with the materials. Multiple materials may be placed on one form for each class.
- 4.3. It is recommended that all materials be placed on Reserve for “in-library use only”, unless there are multiple copies of the item.
- 4.4. Examples of materials that are acceptable for Reserve include: textbooks, magazines, files, A/V, and similar materials. Unique materials such as models, tools, equipment, etc. would be subject to pre-approval. Materials must be easily shelved in our Reserve shelving and easily handled by our workers. Other special requests will be considered by library staff on a case-by-case basis.
- 4.5. Materials are processed in the order they are received. If you would like to be certain your Reserve materials are on Reserve in time for intended use, please bring materials a minimum of three days in advance of the date needed for checkout.

#### 5. Removing Materials from Reserve

- 5.1. A form for removal of materials will be provided at the Circulation Desk for Reserve removal. Please track and review your Reserve items from semester to semester and remove those that are not being used in the current semester. If unused materials continue to be left on the Reserve shelves for 3 semesters or more, library personnel may exercise the right to remove them for you and advise you of removal status.
- 5.2. The Reserves Coordinator will contact you, via email, if an item has not been used for more than three semesters, as it will automatically be removed from

Reserve. The item will be available for pickup at the Circulation Desk. If it has not been picked up after 14 days it will be interoffice mailed to you.

5.3. It is the faculty or staff member's responsibility to come to the Circulation Desk and personally request that Reserve items be removed from the Reserve Desk. If you wish to have a student or other assistant remove materials from Reserve, an advance phone call conveying instructor permission to the Reserve Coordinator is mandatory.

5.4. If you have any questions about Reserve procedures, please contact us at (435) 652-7712.

## 6. Addendum

6.1. U.S. Copyright Act: <https://www.copyright.gov/title17/>

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Guideline Owner: Public Services Librarian

Guideline Steward: Circulation Supervisor - Reserves

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