



Bay Path University Hatch Library Reserves Policy

Fair Use Guidelines:

When requesting that materials be placed on reserve in the library, faculty members are responsible for copyright compliance. Compliance is an issue whenever reproductions -- copies -- of copyrighted material are made. US copyright law allows some exceptions for academic institutions in the Fair Use provision of the Copyright Act. Determining if a use is a fair use requires a circumstance-specific analysis of all four factors from Section 107 Title 17 of the US Code:

“In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

- 1) the purpose and character** of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- 2) the nature** of the copyrighted work;
- 3) the amount and substantiality** of the portion used in relation to the copyrighted work as a whole; and
- 4) the effect of the use upon the potential market** for or value of the copyrighted work.”

General Policies:

To request reserves, faculty should complete a Hatch Library Reserves Request form, available at the library and on the Hatch Virtual Library Copyright Information page under Faculty Services. Faculty can also e-mail library@baypath.edu to obtain the form.

Faculty need to fill a request each semester or session the materials need to be on reserve. The library cannot put materials on reserve automatically or indefinitely unless they come under fair use guidelines or copyright permissions have been obtained by faculty.

If faculty would prefer reserves in electronic format, Hatch Library will add the e-reserve content to the Canvas classroom for your course, if requested. These materials will be maintained by Hatch Library and will be restricted by password to class members only. Keep in mind e-reserve content may be protected by copyright law (Title 17, Sec. 107, U.S. Code).

The library will honor purchase requests for reserve materials within budget constraints and collection development guidelines.

Faculty members will be responsible for obtaining written copyright permission when required. The library will include instructions with the Hatch Library Reserves Request form. Please see the library guidelines that follow on whether permission is required for

library reserves. (For classroom copying guidelines, please see the "[Copyright Information](#)" link under the Faculty Services page on the Hatch Virtual Library.)

Permanent Reserve Items:

All items donated to the library for the permanent reserves shelf become the property of the library and part of the permanent collection.

Duplicate copies of current textbooks sent to the library for permanent reserve will be placed on the Ready Reference shelf for in-library use by students.

Materials Accepted for Library Print Reserves:

<i>Type of Resource</i>	<i>Time Period Allowed Without Written Copyright Permission</i>
<i>Book owned by library</i>	<i>Indefinite</i>
<i>Book owned by instructor</i>	<i>One semester or session</i>
<i>Copy of article library owns</i>	<i>Indefinite</i>
<i>Copy of article from instructor</i>	<i>One semester or session</i>
<i>DVD owned by library</i>	<i>Indefinite</i>
<i>DVD owned by instructor</i>	<i>One semester or session</i>

NOT ACCEPTED:

- Unauthorized videos, DVDs, cassettes, or other "pirated" media.
- Copies of articles or book chapters received from interlibrary loan unless copyright permission is obtained.

Materials Accepted for Library Electronic Reserves:

<i>Type of Resource</i>		<i>Time Period Allowed Without Written Copyright Permission</i>
<i>Library database article</i>	<i>Library will link</i>	<i>Indefinite</i>
<i>Print article owned by library</i>	<i>Library will scan</i>	<i>Indefinite</i>
<i>Print article from instructor</i>		<i>One semester or session</i>
<i>Book chapter or less owned by library</i>	<i>Library will scan</i>	<i>Indefinite</i>
<i>Book chapter or less owned by instructor</i>		<i>One semester or session</i>

NOT ACCEPTED:

- More than one chapter of a book
- OR more than 10% of a work

Central and Eastern Massachusetts Campuses:

CMC and EMC requests for traditional print resources should be made to library@baypath.edu; please specify that the books or article copies be held at the Resource Room. Please note that the times students might be able to access these materials are limited. As an alternative to placing reserves in the Resource Room, individual CMC or EMC instructors may check out books, DVDs, etc., from Hatch Library and distribute them to class members as the instructor sees fit. The instructor will be liable for returning these items and for paying any replacement costs for lost items. (Students are also encouraged to request materials.) CMC and EMC instructors are encouraged to make use of electronic reserves or library course resource pages; please contact the library at library@baypath.edu for more information.