The background of the slide features a faint, stylized image of a scale of justice, symbolizing balance and fairness. The scale is positioned on the right side of the slide, with its vertical pillar and horizontal beam extending across the middle. The pans of the scale are visible at the bottom, one slightly higher than the other. The entire background is a solid dark blue color.

How to be Copyright Compliant and Cost Conscious When Selecting and Disseminating Course Readings

Presented by The Copyright Permissions Center
University of Minnesota

My Textbook Costs Too Much!

We've heard students complaining for years about rising textbook costs. Well it turns out they have a pretty good point. Here are a few interesting/alarming facts:

- Increasing at an average of 6 percent per year, textbook prices nearly tripled from 1986 to 2004¹
- In the 2004-2005 school year, students at a 4-year institution spent an average of \$900 on textbooks and supplies²
- In school year 2003-2004, the average cost of a new textbook was \$102.44 and a used textbook averaged \$64.80³
- Fifty-nine (59) percent of students who searched for a used textbook in Fall 2003 were unable to find even one used book⁴

¹ From the Government Accounting Office's report to Congressional Requesters July 2005.

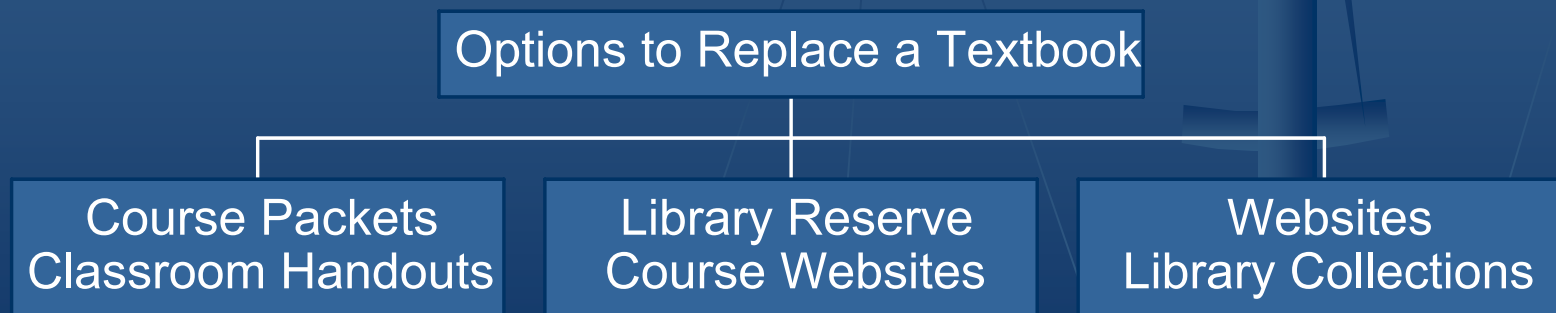
² *Ibid*

³ From the California Student Public Interest Research Group (CALPIRG) report January 2004.

⁴ *Ibid*

What alternatives are available?

Textbooks have remained popular despite their high cost. Why? Probably because they are tailor-made for specific courses and save instructors precious time. Often they fit the course curriculum perfectly and are used in their entirety. But what if you are only using portions of the textbook? Maybe you have the time and/or need to personally select the course readings. If so, there are other options that might work better (and save your students some money).



Course Handouts

■ Benefits

- quick turnaround
- often no copyright permission costs

• Detriments

- department/instructor is responsible for paying for photocopying

■ Copyright Concerns

Typically materials you hand out in class to facilitate face-to-face classroom instruction do not need copyright permission. However, repetitive copying (using the same material term after term) or copying large amounts from a single source or author might require permission. Review the four factors of fair use¹ for additional information if needed.

¹Additional fair use information can be found at the University of Minnesota Libraries website at www.lib.umn.edu/copyright

Course Handout Scenario

Instructor Weasley is reading the morning paper and comes across an article regarding stem cell research that would tie in perfectly to his afternoon bioethics course session. The article also spurs him to recall a book in his office that discusses the topic very eloquently and more thoroughly. He decides to make one copy of the newspaper article and some selected excerpts from his book (not more than 10% of the book as a whole) for each student to read and discuss in class that afternoon.

Comments: This is a perfect example of where course handouts might best serve your needs. There is not enough time or materials being used to worry about ordering the book, creating a packet, or posting online. Further, this exact scenario would seem to fall under fair use and no copyright permission would be needed.

Course Packets

- Benefits

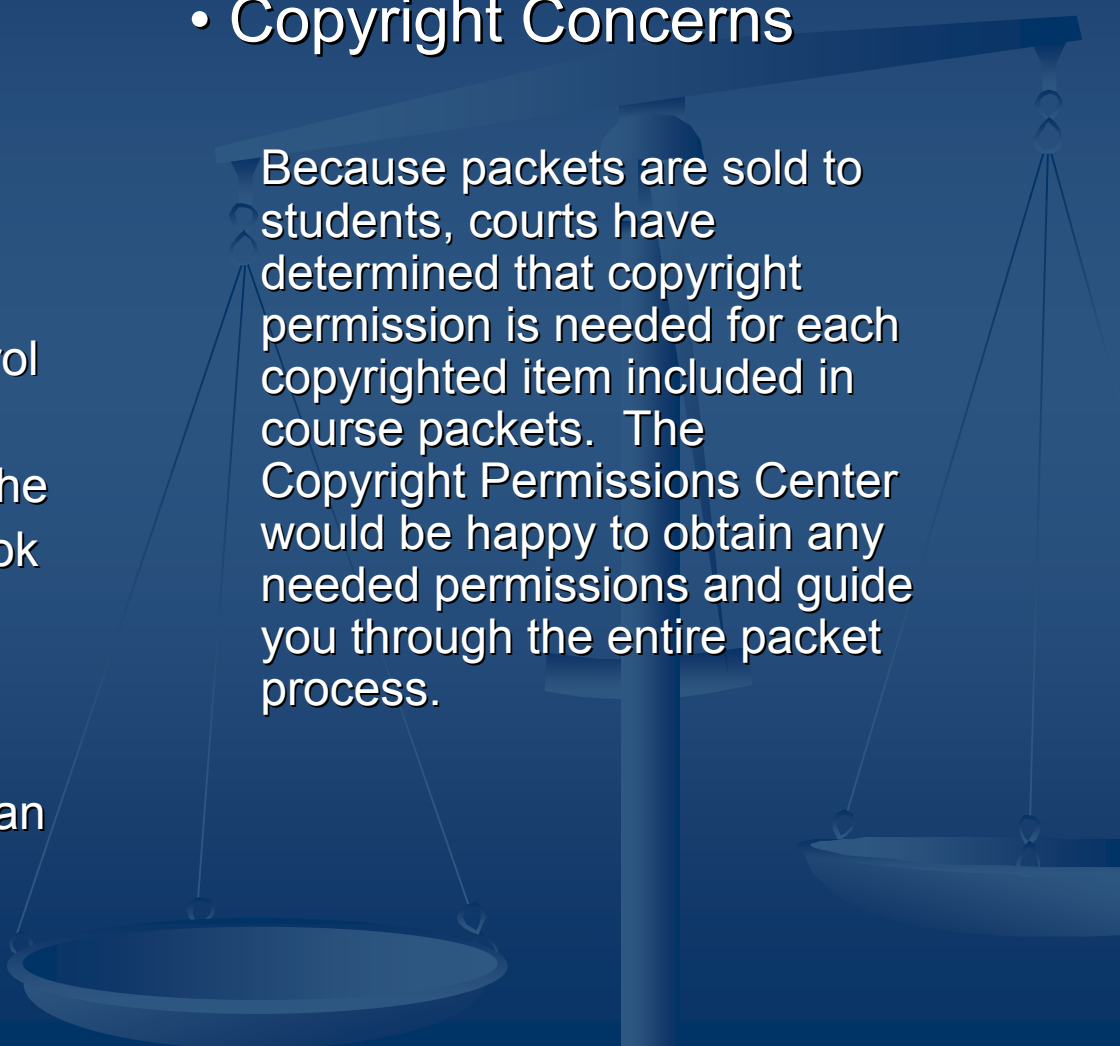
- No departmental costs (students pay costs at bookstore)
- Ability to customize reading materials and control costs
- Students buy packet at the bookstore just like a textbook

- Detriments

- Can be expensive
- Obtaining permissions can delay printing of packet

- Copyright Concerns

Because packets are sold to students, courts have determined that copyright permission is needed for each copyrighted item included in course packets. The Copyright Permissions Center would be happy to obtain any needed permissions and guide you through the entire packet process.



Course Packet Scenario

Instructor Barnstable has looked for weeks to find a suitable text for her graduate level anthropology course but has been unable to find a viable option at a reasonable price. Alternatively, she decides to pull together a collection of various book chapters and journal articles of her own choosing. She comprises a syllabus with citations of the articles she plans to use and submits it to the Copyright Permissions Center for clearance. She then takes copies of the material to a copy center on campus where it is printed and shipped to the University Bookstore for sale to her students (once all permissions are secured and royalty costs approved).

Comments: Course packets work well in instances where you can't find the right textbook or are only using portions of the text and don't want students to have to buy the entire book. See the following pages for tips on lowering packet costs.

Lowering Course Packet Costs

As with textbooks, costs of course packets have risen substantially in recent years, with the primary culprit being increased royalties charged by publishers. Here are some tips you can use to lower royalty costs in your packets:

- Submit requests early. That way, you have time to find substitutes for the more expensive readings if needed.
- Utilize library resources. Especially with journal articles, a lot of content is now available online via University Library collections and can be pulled out of packets.
- Ask for cost-saving suggestions when compiling your reading list. The Copyright Permissions Center will gladly point out what specific publishers might charge and can direct you to public domain or other “free” material whenever possible.
- Discuss printing options with the copy center. Often costs can be saved in the production stage as well by printing pages two-up and choosing cost-efficient binding options.

Status Reports

- The Copyright Permissions Center will provide a status report detailing item-by-item royalty costs for your review prior to your packets being run. You are free to make any changes in content you deem necessary.

ARTICLE STATUS REPORT		Spring '06	Copyright Permissions Center	
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: 1.25	
Book/Journal: An Introduction to Court Interpreting: Theory & Practice				
Chapter/Article: Interpreting in immigration proceedings				
Author: Elena M. deJongh	Publisher: University Press of America	Year: 1992	File : C#0006	Request #: 23
Page Numbers: 104-108				
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: .25	
Book/Journal: Gallandet Today				
Chapter/Article: On guard				
Author: Elaine Gardner	Publisher: Gallandet University Press	Year: 1987	File : C#0006	Request #: 24
Page Numbers: 31-37				
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: 3.40	
Book/Journal: Journal of Clinical Ethics				
Chapter/Article: Communication through interpreters in healthcare: Ethical dilemmas arising from differences in ...				
Author: Josep Kaufert & Robert W. Putsch	Publisher: Journal of Clinical Ethics	Year: Spring	File : C#0006	Request #: 25
Page Numbers: 71-87				
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: 2.05	
Book/Journal: Fundamentals of Court Interpretation				
Chapter/Article: Chapter 23: Categories of Interpreter Error ...				
Author: Roseann Duenas Gonzales & Victoria Vasquez	Publisher: Carolina Academic Press	Year: 1991	File : C#0006	Request #: 26
Page Numbers: 281-292				
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: 2.25	
Book/Journal: Little Bit Know Something				
Chapter/Article: The problem of discourse				
Author: Robin Radington	Publisher: Douglas & McIntyre Ltd	Year: 1990	File : C#0006	Request #: 27
Page Numbers: 186-205				
Instructor: Mossestad	Course: TRIN 3102 - ALL	Status: <input type="checkbox"/>	Royalty: 0	
Book/Journal: Interpreting in Mental Health Settings for Refugees & Others				
Chapter/Article: Guide for professional interpreter				
Author: Laurel Benhamida	Publisher: Refugee Assistance Program - Mental Health	Year: 1988	File : C#0006	Request #: 28
Page Numbers: 1-9				

Library Reserves / Course Websites

■ Benefits

- By utilizing library collections of print and electronic material, you often can forego seeking copyright permission
- Good tool for students to become acquainted with library resources
- Readings can be integrated directly into course websites.

• Detriments

- If copyright permission is needed, there is not a good way of collecting fees from students. Department/instructor often has to foot the entire copyright bill.

■ Copyright Concerns

Faculty are often left on their own to make fair use determinations¹ in these areas. See following slides for some tips on avoiding copyright issues when using library reserves or course websites.

¹ Additional fair use information can be accessed via the University of Minnesota Libraries online at www.lib.umn.edu/copyright. You can also contact the library reserve staff directly with questions.

Library Reserves / Course Websites Scenario

Professor Mason has developed a course website for his History 101 course. He wants to post several primary historical documents to the website. In addition, to get his students (mostly freshman) accustomed to the libraries e-journal collection, he also assigns several readings from *The American Historical Review*, *American History*, and other journals and posts links to these articles on his course website.

Comments: This is a great example of where posting materials on a course website would be a great option. The course website already exists - so materials and links can be added relatively easily. Also, since Professor Mason is linking to the journal articles via the library, there should be no need for copyright permission. Similarly, if the primary documents were published prior to 1923, they are in the public domain and also do not require copyright permission.

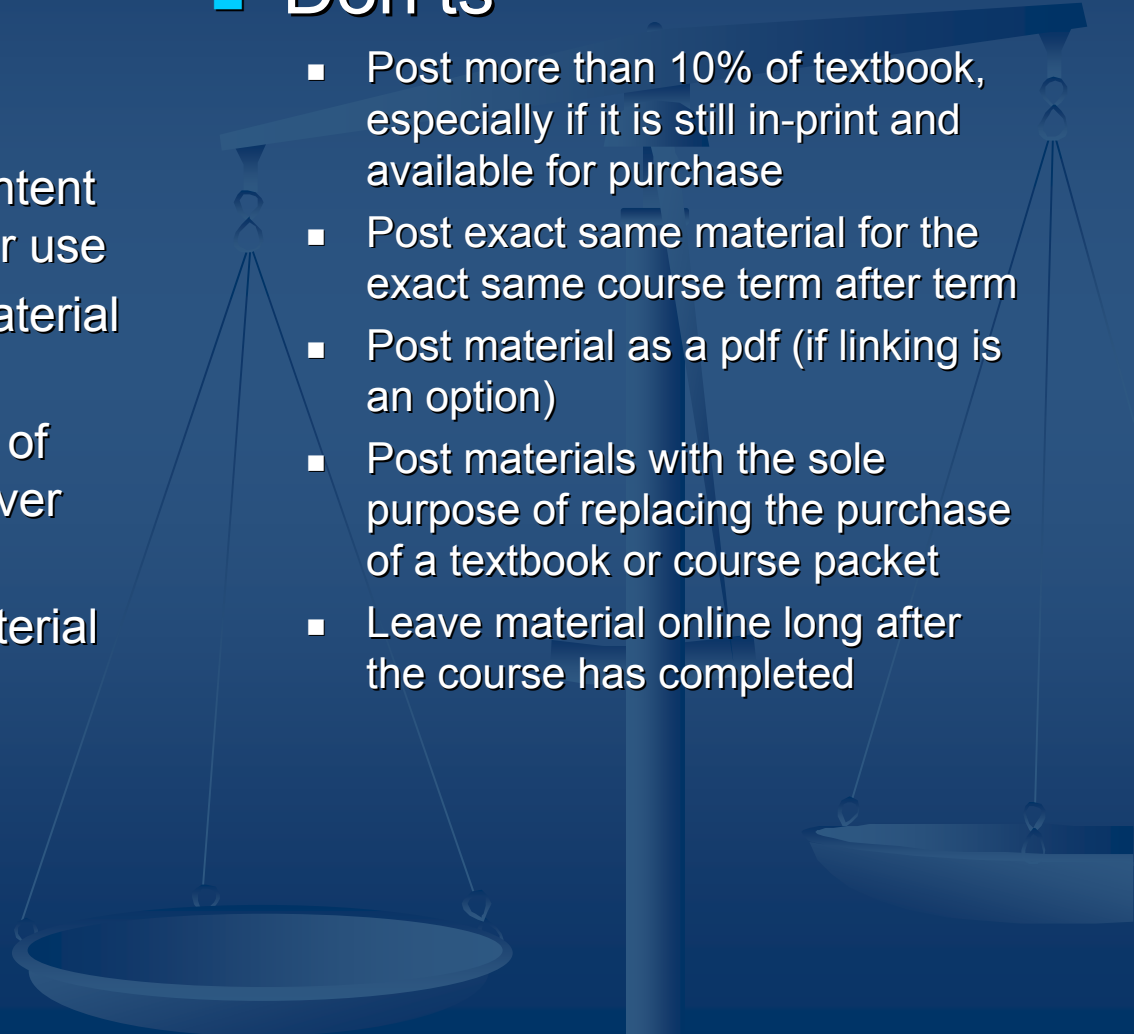
Copyright Tips When Using Library Reserves / Course Websites

■ Do's

- Always post behind a password
- Remove copyrighted content as soon as possible after use
- Always cite source of material posted
- Link to material (instead of posting as a pdf) whenever possible
- Only post amount of material needed to fulfill course objectives

■ Don'ts

- Post more than 10% of textbook, especially if it is still in-print and available for purchase
- Post exact same material for the exact same course term after term
- Post material as a pdf (if linking is an option)
- Post materials with the sole purpose of replacing the purchase of a textbook or course packet
- Leave material online long after the course has completed



Linking vs. Posting

Most students and staff prefer pdf's over links because they are more stable. However, from a copyright standpoint linking is usually better.

Why?

- Material is not copied onto your website. Instead, you are just directing students to access materials on their original sites. Rightsholders retain the right to modify, update, and remove content.
- In regards to material accessed via the libraries e-journal collection, "clicks" may be monitored to set licensing rates. Further, often the terms of the libraries' license agreement do not allow pdf's to be copied onto course websites directly from the library collection.

Instead of using pdf's, try providing links (as in the example below) instead.

Assigned readings. All are available full-text online at Univeristy Libraries (www.lib.umn.edu) and/or by clicking on links below.

Jacks, Ben. "Reimagining Walking" *Journal of Architectural Education*. Vol 57, No 3, 2004, pp. 5-9.

Coyne, Richard. "Is designing mysterious?" *Design Studies*. Vol 12, No 3, 1991, pp. 124-131.

Speaks, Michael. "Design intelligence and the new economy" *Architectural Record*. Vol 190, No 1, 2002, pp. 72-79.

Collection listings at the Walker Art Center, Minneapolis, MN.

<http://calendar.walkerart.org/canopy.wac?id=4048>

Note: University Libraries staff can often help you "deep link" to the article itself from within their e-journal collection.

Note: Contact University Library staff directly with specific linking questions (www.lib.umn.edu).

Websites, Library Collections, and Other Sources

■ Benefits

- Usually no copyright costs
- Good way for students to become acquainted with library resources and other research tools at the University

■ Detriments

- More work for the student to access readings
- Doesn't work as well for larger class sizes and longer, required reading assignments

■ Copyright Concerns

- Since you are just pointing students to materials by providing URL's, citations, etc. and students are accessing the materials themselves, there are usually no copyright issues. If copies are required (print or digital), a fair use analysis would be needed to determine if copyright permission is necessary.¹

¹ Additional fair use information is available via the University Libraries at www.lib.umn.edu/copyright

Websites, Library Collections, and Other Sources Scenario #1

Professor Plum is teaching a political science course that deals with Minnesota politics. Since this is an election year, she wants to assign students recent articles from local newspapers and periodicals. She decides to just post citations of assigned readings on her course website each week and students are responsible for accessing the materials on their own through subscriptions, websites, or library resources.

Comments: For classes in cutting edge fields where information and research findings can change daily, options such as the one described above allow great flexibility in changing reading assignments daily to keep pace with current events. No copyright permission would be needed if the instructor is just posting citations of the reading assignments to her course website (no copies are being distributed).

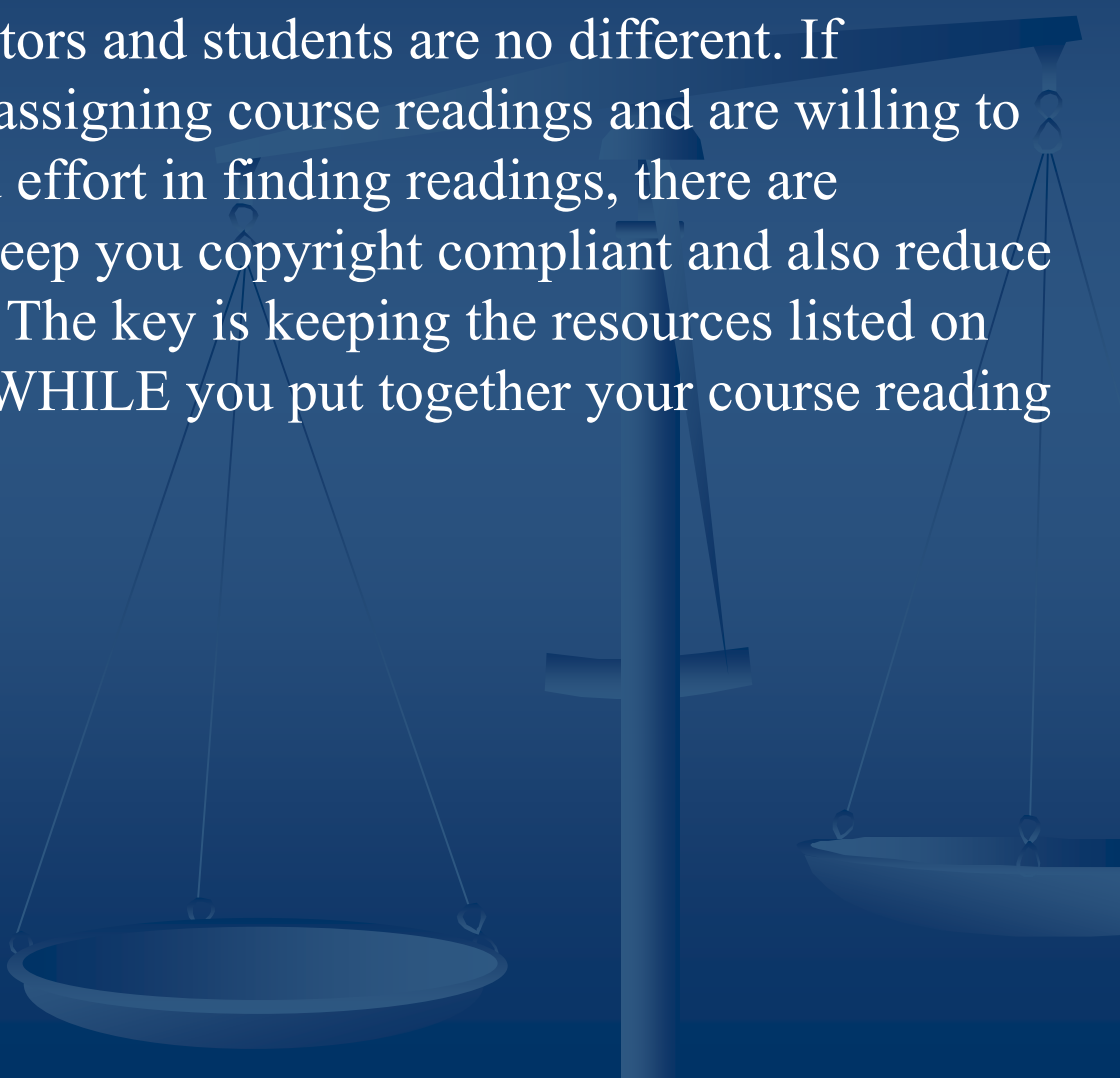
Websites, Library Collections, and Other Sources Scenario #2

Professor Plum again. Remember she is teaching the course on Minnesota politics. For background information, she thinks some students might want to check out a book she has in her personal collection. However, since the material will not be covered in class she does not want to bother with posting it online or making course packets. Since she has two copies, she puts one on paper reserve in the library and one in her office for students to read at their leisure.

Comments: Believe it or not, there are still a few examples of where old fashioned paper reserve might still be the best option. Since no copies of the book are being made, there is no need for any copyright permission. Also, since the reading is for background information only, two available copies should be sufficient.

Free Stuff

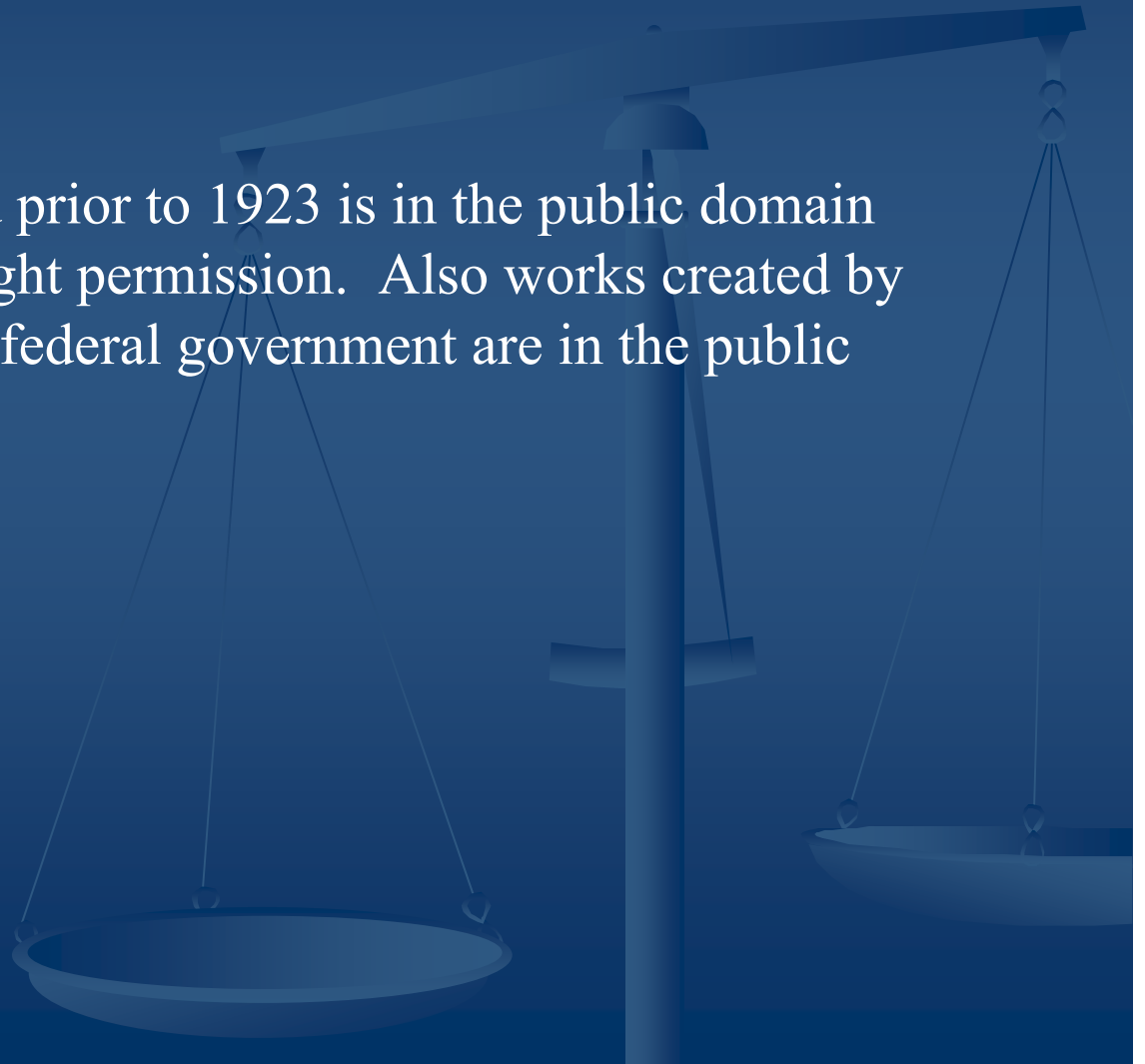
We all love free stuff. Instructors and students are no different. If instructors can be flexible in assigning course readings and are willing to put forth some extra time and effort in finding readings, there are resources available that can keep you copyright compliant and also reduce or eliminate copyright costs. The key is keeping the resources listed on the following pages in mind **WHILE** you put together your course reading list. **NOT AFTER.**



More On Free Stuff

- Public Domain

Anything published prior to 1923 is in the public domain and does not require copyright permission. Also works created by offices or employees of the federal government are in the public domain.



Public Domain Resources

- Project Gutenberg: (<http://www.gutenberg.org/>) - Great selection of public domain materials.
- Public domain chart: <http://www.unc.edu/~unc1ng/public-d.htm> - For more details on when selected works pass into the public domain.
- Stanford University Copyright Renewal Database:
<http://collections.stanford.edu/copyrightrenewals/bin/page?forward=home>
- Search engine to verify copyright registration was renewed for materials published 1923-1963 (if not, this material is also in the public domain).
- Google: <http://www.google.com> - Basic google searches can also be used to locate collections of public domain materials. (Be sure you are using or linking to materials from legitimate sources and be careful to read the “fine print” before assuming anything found online is in the public domain.)

More “Free” Stuff

- Library Electronic Journal Collection

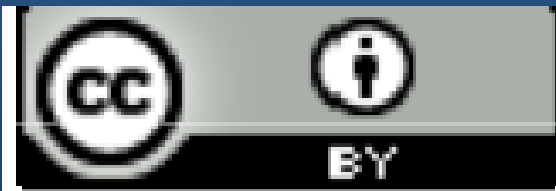
You can direct students to materials from the libraries e-journal collection without securing permission from rightsholders, as this material has already been licensed by the library. In most instances, you can even link to these resources directly from your course website or e-reserve.¹ Contact University Libraries (www.lib.umn.edu) for additional information.

¹ Most business school case publishers, including Harvard Business School Press, do not allow linking to electronic collections for assigned course readings.

Even More Free Stuff

- [Creative Commons](#)

Creative Commons is a non-profit organization that provides less restrictive licensing options than provided by traditional copyright law. Often works in the Creative Commons can be used for educational purposes without permission if certain stipulations are met¹. Below is an example of a Creative Commons tag:



Except where otherwise [noted](#), content on this site is licensed under a [Creative Commons Attribution 3.0 License](#)

¹Creative Commons licensing restrictions can vary from item to item. Always read the licensing requirements thoroughly before using.

Still More Free Stuff (or at least more ways to lower costs)

- The Copyright Permissions Center would be happy to help you locate free or less expensive options whenever possible. Here's a few things to look for or keep in mind:
 - Publications or web materials of non-profit organizations are usually much cheaper to use than works put out by large, commercial publishers.
 - Most royalty rates are based on the amount of material used and the number of copies made. Therefore, don't request permission for extra copies or pages.
 - Call or email the Copyright Permissions Center for estimates. We can often give you ballpark estimates of potential costs on the spot.

Summary of Textbook Alternatives (Ways to keep costs down and you copyright compliant)

Want the benefits of a textbook but more control over cost and content? Try putting together a course packet.

Don't need a text, but want students to access and read journal articles and small excerpts from books? Try using e-reserve or a course website to disseminate readings.

Have some optional materials you want available for students to read, but not necessarily have to buy? Or are you teaching a research or lower level course and want to familiarize students with University resources? Try just giving students article citations or website URLS's and pointing them towards the library, web, or other resources to access the materials on their own.



Copyright Permissions Center

2818 Como Avenue S.E. Minneapolis, MN 55414 phone: 612-626-9416 fax: 612-626-9810



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Please contact the Copyright Permissions Center with any questions regarding this presentation.

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