

# Course Management System Best Practices for Accessing Library Resources

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## Overview

- Why shouldn't you post PDFs in the Course Management System?
  - Legal Problems
  - Negative Consequences: Loss of Resources and Lack of Evidence
- What you can do instead of posting PDFs
  - Use Citations!
- Feedback

PDF posting is a major problem and a threat to the university. Nearly 6,000 PDFs are posted on our D2L site. We happen to know because of our work with students within D2L that many of these PDFs are articles, book chapters, or other restricted works.

We are offering this presentation in order to explain why it is not a good idea to post PDFs in D2L. We will offer a couple reasons why PDF posting is a bad idea. We will then offer an alternative to PDF posting, and we will explain why our alternative, citation searching, is good for students and the university. We will then ask for feedback about the information we provided, because we are hoping to expand and improve our communication efforts.

## Legal Considerations



<https://opencipart.org/user-detail/SteveLambertd>

I will start by talking about print resources. Print resources are pretty much all covered by copyright by default, with some notable exceptions such as public domain, creative commons license, etc.

## The Copyright Blanket

### 17 U.S. Code § 106 - Exclusive rights in copyrighted works

US Code

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Subject to sections 107 through 122, the owner of copyright under this title has the exclusive rights to do and to authorize any of the following:

- (1) to reproduce the copyrighted work in [copies](#) or [phonorecords](#);
- (2) to prepare [derivative works](#) based upon the copyrighted work;
- (3) to distribute [copies](#) or [phonorecords](#) of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- (4) in the case of literary, musical, dramatic, and choreographic works, pantomimes, and [motion pictures](#) and other [audiovisual works](#), to perform the copyrighted work publicly;
- (5) in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work, to [display](#) the copyrighted work [publicly](#); and
- (6) in the case of [sound recordings](#), to perform the copyrighted work publicly by means of a digital audio transmission.

<https://www.law.cornell.edu/uscode/text/17/106#>

At its most basic, Copyright is the right to copy. Under copyright law, the owner of the copyright has the exclusive rights to copy the item. Case closed.

## The Fair Use Exception

### 17 U.S. Code § 107 - Limitations on exclusive rights: Fair use

US Code

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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—

- (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.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

<https://www.law.cornell.edu/uscode/text/17/107#>

But wait, there is a separate section in copyright law allowing some amount of copying depending on the extent and effects of that copying. This is called “Fair Use.”

- Under the fair use provisions, you are allowed some flexibility in copying, but when it comes to copying texts without any transformative use, that flexibility is quite limited.
  - Basically, you can get away with copying one chapter from one book, but no more. If you copy more, you risk breaking the law.
  - If you copy articles from print journals, you risk breaking the law.
  - Casey will talk more later about your alternatives when it comes to print resources.



Electronic resources – that is, any library resources you find while using Google Scholar or MavScholar – are limited by copyright. In addition, they are limited by license agreements between the university and the vendors providing the electronic resources.

For our purposes today, Electronic Resources are a greater concern than print resources because students rely so heavily on electronic journals to complete assignments. You might even say that the visible library – this building and all the books and other stuff in it – is just the tip of the library iceberg. The biggest part of the library is online.

{See Google Scholar search}

## A typical license...

- 3.4 The Licensee, subject to clause 6 below, may:
- 3.4.1 make such back-up copies of the Licensed Materials as are reasonably necessary;
  - 3.4.2 make such temporary local electronic copies of all or part of the Licensed Materials as are necessary solely to ensure efficient use by Authorised Users and not to make available to Authorised Users duplicate copies of the Licensed Materials;
  - 3.4.3 allow Authorised Users to have access to the Licensed Materials from the Server via the Secure Network;
  - 3.4.4 display, download or print the Licensed Materials for the purpose of internal marketing or testing or for training Authorised users or groups of Authorised Users.

License agreements can vary quite a bit. Unfortunately, the library must worry about complying with the lowest common denominator among these licenses...

- I've sampled from a single agreement here. This is a fairly strict agreement, but not unusual. This agreement covers over 1500 of the journals the library provides.
- As you can see, permission is granted for some kinds of copying – you can copy an article to a local drive for your own scholarly use, but you can only access the articles via the secure network. This second clause means that you can only access articles via link to their platform from the library's IP addresses.

## A typical license, continued

3.5 Authorised Users may, in accordance with the copyright laws of the United States and subject to clause 6 below:

3.5.1 search, view, retrieve and display the Licensed Materials;

3.5.2 electronically save individual articles or items of the Licensed Materials for personal use;

3.5.3 print off a copy of parts of the Licensed Materials.

For the avoidance of doubt, the license makes clear that copies are permitted for personal use.



## A typical license, continued

### 5. COURSE PACKS, ELECTRONIC RESERVE AND MOOCs

5.1 Subject to clauses 5.5 and 5.6 below, the Licensee may not incorporate all or any part of the Licensed Materials in Course Packs and Electronic Reserve collections without the prior written permission of the Publisher or the Publisher's Representative, which may set out further terms and conditions for such usage.

### However...

5.3 A link to the Licensed Material may be incorporated in Electronic Reserve collections.

But, as you can see in these further clauses, you cannot make copies for course packs or electronic reserve.

## A typical license, continued

### 6. PROHIBITED USES

6.1 Neither the Licensee nor Authorised users may:

6.1.1 remove or alter the authors' names or the Publisher's copyright notices or other means of identification or disclaimers as they appear in the Licensed Materials:

6.1.2 systematically make print or electronic copies of multiple extracts of the Licensed Materials, including complete issues, for any purpose:

6.1.3 mount or distribute any part of the Licensed Material on any electronic network, including without limitation the Internet and the World Wide Web, other than the Secure Network

And again, for the avoidance of doubt, you are absolutely prohibited from posting your copy of the article for access anywhere access other than the secure network (previously defined as the library's IP addresses).

In sum, if you are posting PDFs of articles on D2L, you are breaking the law and you are creating risk for both the university and the state of MN.

## Ramifications - Usage

- Usage
  - Collection Development
    - What we KEEP
    - What we CUT
    - What we BUY
  - Accreditation visits



[https://openclipart.org/user-detail/johnny\\_automatic](https://openclipart.org/user-detail/johnny_automatic)

Another important thing to think about when you post PDFs is that the library cannot track statistics for the resources we purchase. So, your one click to download the PDF is all that is counted, not each click for every student in your class. This is important to you because we regularly use those statistics to make informed decisions about which subscriptions we continue to provide or cut.

Instead of PDFs, if you lead your students to the citation we get data that shows usage, leading us to continue purchasing your favorite journals.

We also have the ability to share usage statistics with accrediting bodies, who find high usage of core journals quite impressive.

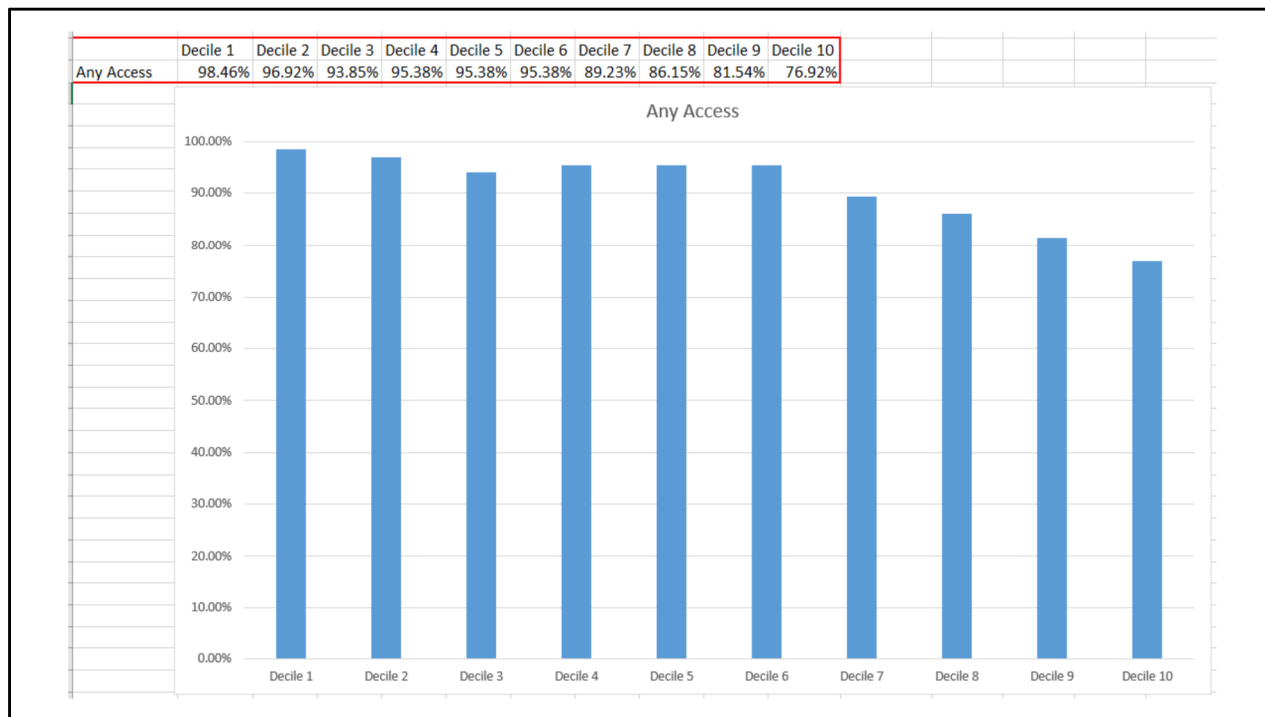
Another thing to think about is that if you are posting PDFs because the library doesn't have a subscription... we will never know that you WANT the content, thus never considering it for purchase. It is a vicious cycle, really. We'll go into how to request an unowned title a bit later...

# Departmental Journal Analysis Report

Standard/Title	ISSN1	ISSN2	Rank	SJR	H index	Venues	OA_Venues	Current Access or End	Nominal 2016 Cost	Distributed 2016 Cost	2016 All Usage	All CY13-16 Usage	2016 Sub Usage	2016 Nominal Cost/ 2016 All Usage	2016 Distributed Cost/ 2016 All Usage	Sub Vendor
JOURNALC Journal of Engineering Education	1069-4730		1	6.176	72	2		Subscription	\$	\$	16	116	11	\$ 88888	\$ 88888	Wiley
AMERICAP American Educational Research Journ	0002-8312		2	3.879	83	5		Subscription	\$	\$	888	951	888	\$ 3.37	\$ 0.40	Sage
JOURNALC Journal of Research in Science Teachin	1098-2736	0022-4308	3	3.797	88	3		1 year ago	\$	\$	31	125		\$ 88888	\$ 88888	
AMERICAP American Journal of Education	1549-6511	0195-6744	4	3.729	33	5		Subscription	\$	\$	888	352	888	\$ 2.63	\$ 2.63	UC Press
INTERNET Internet and Higher Education	1096-7516		5	3.561	54	2		Subscription	\$	\$	150	543	150	\$ 88888	\$ 88888	Elsevier
REVIEWOF Review of Educational Research	0034-6543		6	3.449	103	4		Subscription	\$	\$	888	1381	888	\$ 1.87	\$ 0.22	Sage
JOURNALC Journal of the Learning Sciences	1050-8406	1532-7809	7	3.364	70	2		Subscription	\$	\$	8	60	5	\$ 88888	\$ 88888	Taylor & Fran
JOURNALC Journal of Teacher Education	0022-4871		8	3.149	56	6		Subscription	\$	\$	888	332	888	\$ 6.22	\$ 0.74	Sage
COMPUTE Computers and Education	0360-1315		9	3.143	109	2		Subscription	\$	\$	511	2443	511	\$ 88888	\$ 88888	Elsevier
CHILDDEV Child Development	1467-8624	0009-3920	10	3.116	189	8		Subscription	\$	\$	888	1488	888	\$ 2.84	\$ 0.13	Wiley
EDUCATIC Educational Researcher	0013-189X		11	3.088	57	5	1	Subscription	\$	\$	195	722	68	\$ 88888	\$ 88888	Wiley
EDUCATIC Educational Evaluation and Policy Anal	0162-3737		12	3.078	55	4		Subscription	\$	\$	888	579	888	\$ 3.92	\$ 0.46	Sage
EDUCATIC Educational Administration Quarterly	0013-161X		13	2.945	48	2		Subscription	\$	\$	57	260	57	\$ 88888	\$ 88888	Sage
LEARNING Learning and Instruction	0959-4752		14	2.851	73	2		Subscription	\$	\$	888	343	888	\$ 10.81	\$ 0.65	Elsevier
JOURNALC Journal of Educational Psychology	0022-0663		15	2.828	142	2		Db Current	\$	\$	497	2514				
STRATEGI Strategic Organization	1741-315X	1476-1270	16	2.733	19	2		Subscription	\$	\$	888	20	888	\$ 181.83	\$ 21.57	Sage
SCIENTIFI Scientific Studies of Reading	1088-8438		17	2.7	39	1		Subscription	\$	\$	40	94	40	\$ 88888	\$ 88888	Taylor & Fran
JOURNALF Journal for Research in Mathematics E	0021-8251		18	2.631	55	2		2011	\$	\$	888	108	888			
SCIENCEE Science Education	0036-8326	1098-237X	19	2.56	78	3		Subscription	\$	\$	24	102	20	\$ 88888	\$ 88888	Wiley
EDUCATIC Educational Research Review	1747-938X		20	2.532	31	1		Subscription	\$	\$	888	111	888	\$ 9.78	\$ 0.58	Elsevier
DEVELOP Developmental Review	0273-2297	1090-2406	21	2.529	64	3		Subscription	\$	\$	50	150	50	\$ 88888	\$ 88888	Elsevier
STUDIESI Studies in Second Language Acquisitor	0272-2631		22	2.486	34	2		Subscription	\$	\$	888	535	888	\$ 4.45	\$ 0.50	Cambridge
STUDIESI Studies in Science Education	1940-8412	0305-7267	23	2.482	12	1		Subscription	\$	\$	7	27	7	\$ 88888	\$ 88888	Taylor & Fran
LANGUAGI Language Learning	1467-9922	0023-8333	24	2.473	62	2		Subscription	\$	\$	888	677	888	\$ 4.30	\$ 0.19	Wiley
SECONDOL Second Language Research	0267-6583	1477-0326	25	2.406	34	4		Subscription	\$	\$	23	147	14	\$ 88888	\$ 88888	Sage
JOURNALC Journal of Computer Assisted Learning	0266-4909	1365-2729	26	2.385	65	3		Subscription	\$	\$	888	508	888	\$ 21.45	\$ 0.97	Wiley
JOURNALC Journal of Education Online	0768-0930	1464-5106	27	2.356	52	1		Subscription	\$	\$	18	112	18	\$ 88888	\$ 88888	Taylor & Fran

This is sample of a report created by a team within our Journal Review Committee. It is for one of my departments, within the College of Education and it shows the top 865 Education journals, as rated by SCImago as well as their cost and usage. We use these factors, along with importance to the department to shape our decisions about what we keep and what we cut.

We also use this information to run reports when we are asked to speak with accrediting bodies.



That previous slide helps to populate slides like this.

I was able to use information like this (along with a similar report for our top Psych Journals) at a CSP accreditation site visit. In case you have no idea what this graph means... Basically, this entire chart encompasses our 865 rated Education Journals. This far bar shows that we have access to 98% the top 86 journals... 96% of the next top 86, 93% of the 3<sup>rd</sup> tier, etc.

I mentioned this at the accreditation visit and the accreditor mentioned this fact later in the conversation, so I believe that it was quite impactful.

Journal title
Journal of Counseling & Development
Adultspan Journal
Career Development Quarterly
Counseling and Values
Counselor Education and Supervision
Journal of Addictions & Offender Counseling
Journal of College Counseling
Journal of Employment Counseling
Journal of Humanistic Counseling
Journal of Multicultural Counseling and Development
Counseling Outcome Research and Evaluation
Family Journal
Journal of Child and Adolescent Counseling
Journal of Creativity in Mental Health
Journal of LGBT Issues in Counseling
Journal of Mental Health Counseling
Journal of Military and Government Counseling
Journal for Social Action in Counseling and Psychology
Journal for Specialists in Group Work
Measurement and Evaluation in Counseling and Development
Professional School Counseling
Rehabilitation Counseling Bulletin

At that same meeting, the accreditor asked if we had access to a specific title... Because of all of our data gathering, I could confidently say that not only did we provide access, I could show strong use. It had been used 2,412 times in the last 3 years. Impressive!

## What can you do?

- Citations
- How do I do this? <https://libguides.mnsu.edu/articlesharing>

So, now that we have told you why posting PDFs is problematic, what can YOU do about it? How can you get students to the articles that you need them to read?

What we are proposing as the BEST thing that you can do right now is direct citations to lead students to find materials at the library for EVERY SINGLE item that is a resource the library purchases.

And what I mean by that, explicitly, is that we're asking you to give your students the full citation in APA, MLA, Chicago, or whatever citation style makes you happy and tell them to find it at the library webpage.

We have put together a LibGuide to help you with this information. On that LibGuide, you will find the information we talked about today, as well as a link to the infographic I will be handing out and a handout that you can link to within D2L that explains to student how to find their readings. It also has a link to a copyright and fair use LibGuide created by Barb Bergman.

If you can't remember this link, it is also found by going to Class and Subject Guides / Teaching Resources for Instructors / Article Sharing





This seems far more difficult



<https://openclipart.org/user-detail/ousia>

We know what you're thinking. We really do. We know that this is far more complex for you AND your students than simply posting a document. And we're not trying to make your life harder. Really, but it is the right this to do.

# Why can't I just give my students a link?

https://openclpart.org/user-detail/Arvin61r58

So, you may be thinking to yourself, what about just LINKING? Surely linking is okay?

Technically, you CAN link to articles, but it's a bit complicated. (You will know this if you have tried to provide links to library resources previously, it can be a bit of a headache. This is because the links often break unless you know where to look for stable URLs. This wouldn't be so bad if the URLs were in some sort of uniform place, but unfortunately, it varies by each vendor, which you can see in this slide (which is just a sampling). The links also need to be run through our EZ Proxy so that any student off campus can use the links.

## Are there any benefits?

It is NOT illegal!

Remember the usage stats!

Gets them in the library  
(at least virtually)



Courtesy of MSU Digital Archives - ARCH

What are the benefits again?

So, you may need a reminder why we want you to do this again...

Remember, A) it's NOT breaking the law. That's always nice. B) The library uses those clicks and downloads that you and your students generate. They are used to justify keeping your favorite resources. C) Another aspect that is INCREDIBLY important in my mind is that giving students citations and showing them how to USE the library, rather than skipping right over that step is teaching basic information literacy. Even though they may grumble about it, learning how to use the library's resources is an essential skill for young scholars. They will (probably) thank you for it in the long run.

## What about...?

- "Free" PDFs on the internet
- Syllabi, assignments, etc.

We have tried to anticipate some other questions that faculty may have.

### **What about PDFs that you find freely available on the internet?**

Freely available PDFs such as government reports do not fall under licensing restrictions because we do not purchase them. Feel free to post them. BUT a lot of stuff freely available on the internet is there illegally, so BEWARE.

### **What about your syllabi, course assignments, etc.?**

You own these! Licenses do not cover these materials so they are not prohibited in any way, feel free to post them.

What if...?

**What if I do not know if what I am posting is a subscribed resource or not?**

Reference desk or call us at 507-389-5958

<http://lib.mnsu.edu/collections/cd/librns.html>

**What if I do not know if what I am posting is a subscribed resource or not?**

Just ask us! We promise not to judge you. Stop by the reference desk or call us at 507-389-5958. You could also chat with your favorite librarian. If you do not have a favorite librarian, we recommend that you find one. See this list for some likely options: <http://lib.mnsu.edu/collections/cd/librns.html>

**Oh no! I cannot find it in MavScholar! All is LOST!**

**OR**

**I found it in MavScholar but the link doesn't work!**

**articlehelp@mnsu.edu**

**Oh no! I cannot find it in MavScholar! All is LOST!**

On the contrary, we can help! Simply contact [articlehelp@mnsu.edu](mailto:articlehelp@mnsu.edu) and we will see if we can track down access to the article. If we cannot find it you still have options... See below.

## **What if the library owns a hard copy of the material?**

[Reserve Request Form](#)

### **What if the library owns a hard copy of the material?**

Whether it is a print copy of a journal article or a chapter of a book that we own in print, we can place it on reserve. Fill out this [Reserve Request Form](#).

**What if the library does not own a copy of the article I need?**

- Recommend for purchase
- We can purchase rights

If you own a copy.

- [Reserves information](#)
- [reserve form](#)
- [library liaison](#)

**What if the library does not own a copy of the article I need?**

If we do not own it, you can recommend it for purchase by contacting your [library liaison](#). If we decide to purchase it, wait until we gain access and then follow citation directions above.

If we do not own it and we either decide not to purchase a subscription or a subscription is no longer available, we can purchase the rights to put it on electronic reserve at the library. See [this page](#) for information.

If we do not own it and YOU own a copy and want to put it on electronic reserve, fill out the [reserve form](#).



## Feedback

- Problems that you can foresee?
- What language are we using that is not clear or too librarian-y.
- How do we reach a larger audience?
- How large of an impact will this be on you?
- Creating links MAY be a service we provide in the future – would you value this? Undermines the value of information literacy, but we're willing to discuss.

## Questions? Help! Contact Info

- Reference Desk
  - Ask Us link?
  - Casey Duevel, [casey.duevel@mnsu.edu](mailto:casey.duevel@mnsu.edu), 5150
  - Nat Gustafson-Sundell, [gustan2@mnsu.edu](mailto:gustan2@mnsu.edu), 2772