

Montclair State University

Montclair State University Digital Commons

Sprague Library Scholarship and Creative Works

Sprague Library

6-13-2016

Copyright and Open Access Resources for Faculty

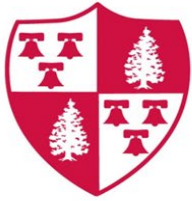
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Siobhan K. McCarthy

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MONTCLAIR STATE

UNIVERSITY

Copyright and Open Access Resources for Faculty

Summer Institute for Online/Hybrid Teaching & Learning

June 13, 2016

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Siobhan McCarthy, MLIS, Reference & Interlibrary Loan Librarian

Before we begin...

- We are content providers and users, not lawyers.
- This session is informational only. It is not legal advice.
- Only a lawyer can give legal advice.

Presentation Overview

- Introductions
- Responsible use of computing
- MSU Resources for Copyright Information
- Copyright Resources Guide
 - Fair Use Four Factors
 - Video/Media in the Classroom
- Digital Images
- Reserves, ~~E~~Reserves, and Interlibrary Loan
- Open Access
- Questions & Answers

Guidelines for Responsible Computing

IV. GUIDELINES FOR APPROPRIATE COMPUTING BEHAVIOR

...Concerning material on the World Wide Web, you must first obtain permission of the owner or copyright holder of any image, background pattern, section of text or musical, film or video selection you may want to use on your Web site. You are free to create links to other Web pages, but you may not copy the work of others to publish yourself on the World Wide Web (or elsewhere) or redistribute the work of others via servers, email or other means without authorization and proper attribution. The University's requirements and standards for acknowledgment of sources in academic work, as stated in the Student's Rights and Responsibilities and the Faculty Handbook, apply to all electronic media.

Source: <https://www.montclair.edu/provost/faculty-handbook/regulations/responsible-computing/>

MSU Copyright and Duplication Policy



The screenshot shows a web browser window with the URL www.montclair.edu/provost/faculty-handbook/regulations/copyright/. The page features a navigation menu with categories like Student Services, Employee Services, Library, Newsroom, Jobs, Directory, and Quicklinks. Below this is the Montclair State University logo and a main navigation bar with links to About Montclair, Academics, Admissions, Arts & Culture, Athletics, Campus Life, and Giving. The left sidebar contains a list of links including Administrative Calendar, Assessment, Centers and Institutes, Division of Academic Affairs, Faculty Handbook (with sub-links for Information, History, Governance, Academic Policies, Facilities and Support Services, Personnel, Regulations, and Alphabetical Index), Forms, Institutional Review Board, Meet the Provost, Middle States Accreditation, Research, and Student Handbook. The main content area displays the title "Copyright and Duplication Policy" and the following text: "Faculty members should adhere to the following agreement which appears in the House of Representatives report on Copyright Law Revision - Report #94-1476." It then lists "I. SINGLE COPYING FOR TEACHERS:" with four sub-points (A-D) detailing what can be copied. A "TOP OF PAGE" link is provided. Below that, it lists "II. MULTIPLE COPIES FOR CLASSROOM USE:" and explains the limits on copying for classroom use. The final point (A) states: "The copying meets the tests of brevity and spontaneity as defined below; and".

Link: <http://www.montclair.edu/provost/faculty-handbook/regulations/copyright/>

Copyright Resources Guide



[Sprague Library](#) / [Research Guides](#) / [Copyright Resources](#) / [Home](#)

Copyright Resources

Home

Copyright Basics

Public Domain

Fair Use

Classroom Guidelines

DMCA 2012

TEACH Act

Media in the Classroom

Attribution and Plagiarism

Permissions

What is Open Access?

Best Practices

Begin Here:

There are a few questions you can ask to help clarify how to proceed.

First, determine if you are dealing with a copyrighted work.

Is the work in the public domain? Generally works created prior to 1923 are in the public domain. See the [public domain tab](#) to learn how to identify works in the public domain.

If the work is copyrighted, then you need to pursue these paths.

Is the work licensed by the University in which case the copyright is covered for you?

- Check the Sprague Library [collection of databases and electronic resources](#).
- Check to see if the copyrighted resources you wish to use are licensed by MSU.
- If licensed and your use is permitted by that license, proceed as the license permits.

If the work is not in the public domain or licensed for use, is there a legal exemption to copyright law that would allow you to use the work? Examples:

Link: <http://montclair.libguides.com/copyright>

Determining Fair Use

	Fair use = YES	Fair use = NO
Purpose	Nonprofit or transformative	Commercial or duplication
Nature	Factual	Creative
Amount	Small amount (relative to original)	Complete work or heart of the work
Market	Doesn't hurt market for original	Hurts market or there is a potential market

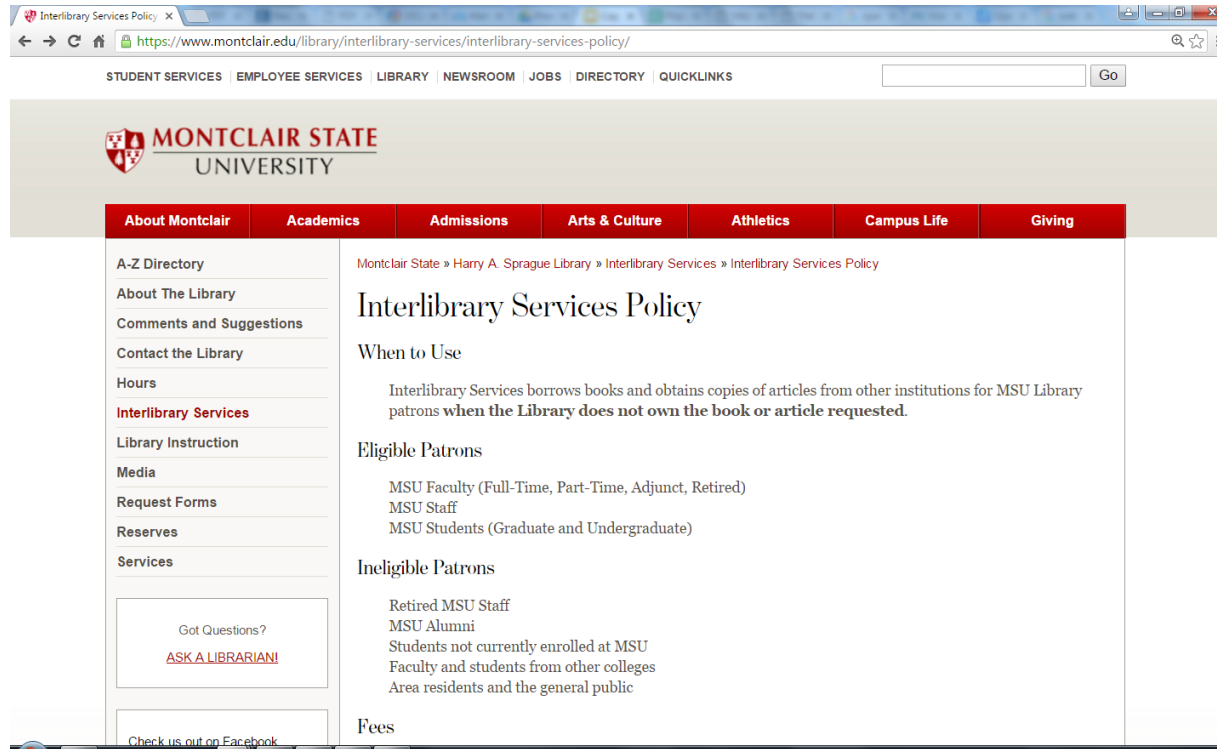
Source: <http://dp.la/info/about/projects/public-library-partnerships/understanding-copyright/>

TEACH Act for Online Classes

- The TEACH (Technology, Education, and Copyright Harmonization) Act of 2002 is meant to cover Fair Use in an online teaching environment because Fair Use and the DMCA do not.
- Even if your class has on ground, face to face sessions, anything you transmit through course delivery systems, such as Canvas, would fall under the TEACH Act, unless you choose to use Fair Use as an alternative.
- Avoid redistribution concerns by direct linking using permalinks vs. uploading files directly to Canvas.

See: <http://montclair.libguides.com/c.php?g=297182&p=1982156>

Scenario: Interlibrary Loan and E-Reserves



The screenshot shows a web browser window displaying the Montclair State University website. The address bar shows the URL: <https://www.montclair.edu/library/interlibrary-services/interlibrary-services-policy/>. The page features a navigation menu with categories like Student Services, Employee Services, Library, Newsroom, Jobs, Directory, and Quicklinks. The main content area is titled "Interlibrary Services Policy" and includes sections for "When to Use", "Eligible Patrons", "Ineligible Patrons", and "Fees". A sidebar on the left contains a list of links such as "A-Z Directory", "About The Library", "Comments and Suggestions", "Contact the Library", "Hours", "Interlibrary Services", "Library Instruction", "Media", "Request Forms", "Reserves", and "Services". A "Got Questions? ASK A LIBRARIAN!" button is also visible in the sidebar.

STUDENT SERVICES | EMPLOYEE SERVICES | LIBRARY | NEWSROOM | JOBS | DIRECTORY | QUICKLINKS

MONTCLAIR STATE
UNIVERSITY

About Montclair | Academics | Admissions | Arts & Culture | Athletics | Campus Life | Giving

Montclair State » Harry A. Sprague Library » Interlibrary Services » Interlibrary Services Policy

Interlibrary Services Policy

When to Use

Interlibrary Services borrows books and obtains copies of articles from other institutions for MSU Library patrons **when the Library does not own the book or article requested.**

Eligible Patrons

- MSU Faculty (Full-Time, Part-Time, Adjunct, Retired)
- MSU Staff
- MSU Students (Graduate and Undergraduate)

Ineligible Patrons

- Retired MSU Staff
- MSU Alumni
- Students not currently enrolled at MSU
- Faculty and students from other colleges
- Area residents and the general public

Fees

Got Questions?
[ASK A LIBRARIAN!](#)

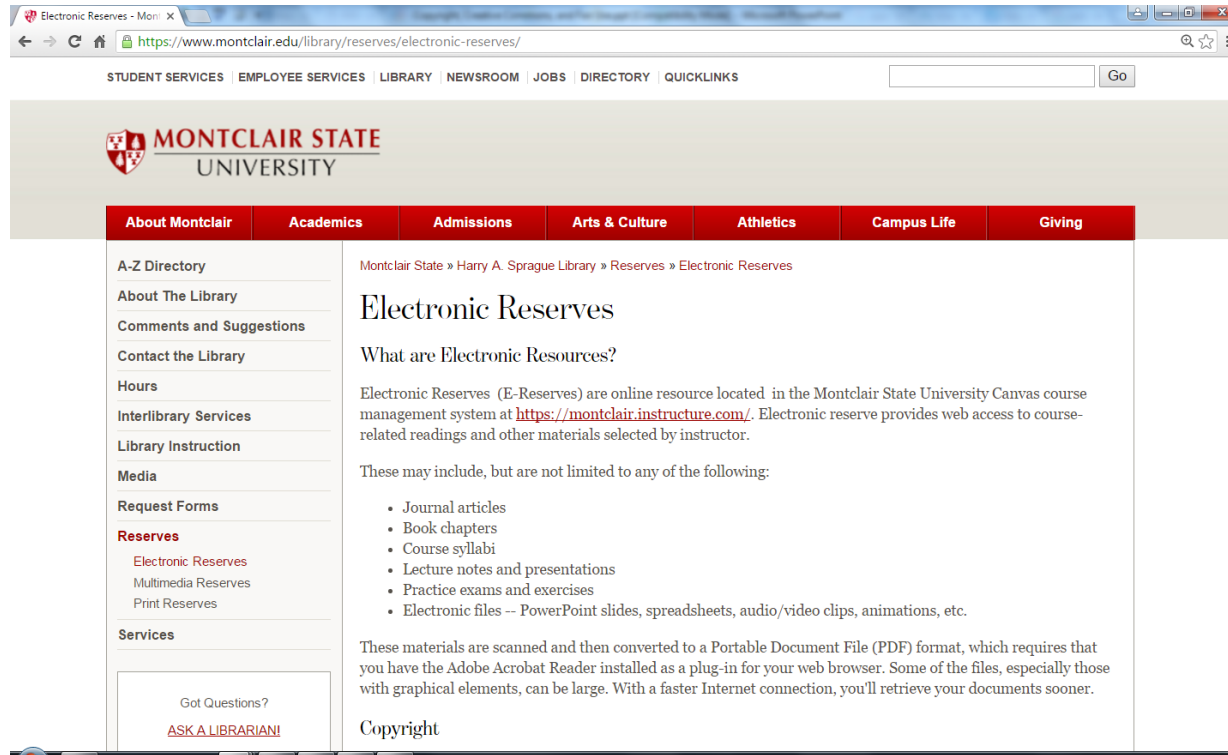
Check us out on Facebook

Link: <https://www.montclair.edu/library/interlibrary-services/interlibrary-services-policy/>

Interlibrary Loan and Copyright

- CONTU Guidelines
 - “Rule of Five”
- Must be for personal use only
- Cannot be used for course reserves or redistributed
- Some articles may have Open Access versions available

Sprague Library E -Reserves Copyright Policy



The screenshot shows a web browser window with the URL <https://www.montclair.edu/library/reserves/electronic-reserves/>. The page features the Montclair State University logo and a navigation menu with categories like About Montclair, Academics, Admissions, Arts & Culture, Athletics, Campus Life, and Giving. The main content area is titled "Electronic Reserves" and includes a breadcrumb trail: "Montclair State » Harry A. Sprague Library » Reserves » Electronic Reserves". The text explains that Electronic Reserves (E-Reserves) are online resources located in the Montclair State University Canvas course management system at <https://montclair.instructure.com/>. It lists various types of materials that may be included, such as journal articles, book chapters, course syllabi, lecture notes, practice exams, and electronic files like PowerPoint slides and audio/video clips. A note mentions that these materials are converted to PDF format and requires the Adobe Acrobat Reader. A "Copyright" section is partially visible at the bottom.

STUDENT SERVICES | EMPLOYEE SERVICES | LIBRARY | NEWSROOM | JOBS | DIRECTORY | QUICKLINKS

MONTCLAIR STATE UNIVERSITY

About Montclair | Academics | Admissions | Arts & Culture | Athletics | Campus Life | Giving

A-Z Directory
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Media
Request Forms
Reserves
 Electronic Reserves
 Multimedia Reserves
 Print Reserves
Services

Montclair State » Harry A. Sprague Library » Reserves » Electronic Reserves

Electronic Reserves

What are Electronic Resources?

Electronic Reserves (E-Reserves) are online resource located in the Montclair State University Canvas course management system at <https://montclair.instructure.com/>. Electronic reserve provides web access to course-related readings and other materials selected by instructor.

These may include, but are not limited to any of the following:

- Journal articles
- Book chapters
- Course syllabi
- Lecture notes and presentations
- Practice exams and exercises
- Electronic files -- PowerPoint slides, spreadsheets, audio/video clips, animations, etc.

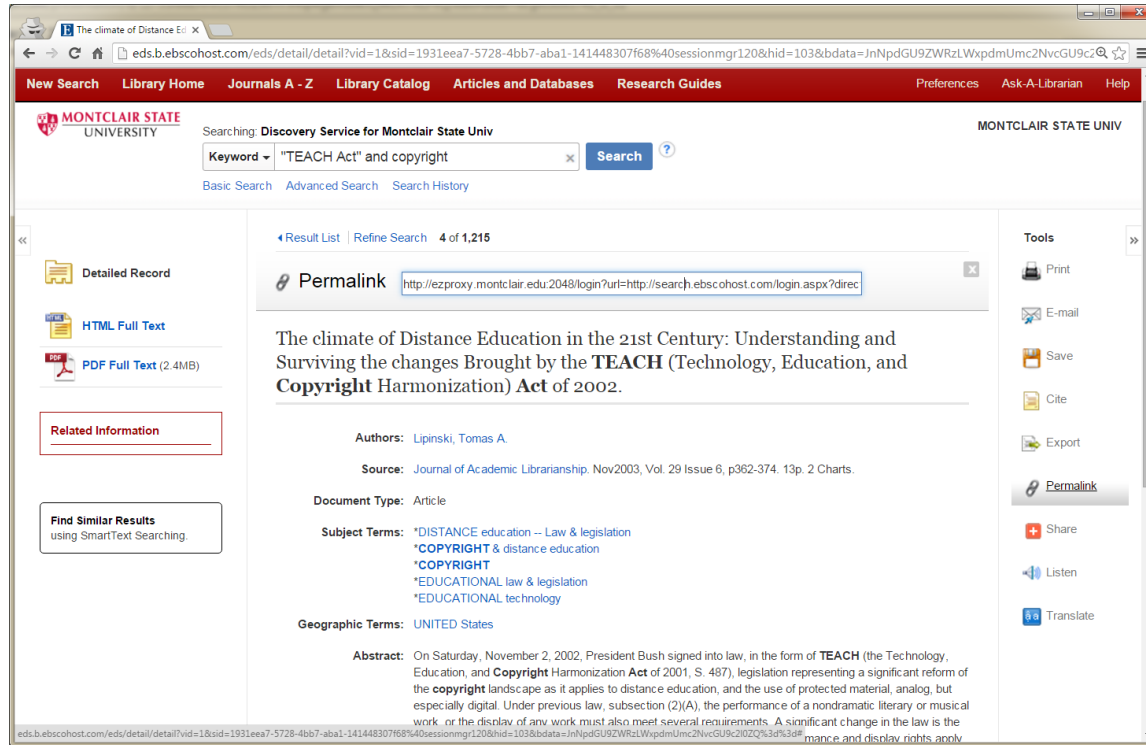
These materials are scanned and then converted to a Portable Document File (PDF) format, which requires that you have the Adobe Acrobat Reader installed as a plug-in for your web browser. Some of the files, especially those with graphical elements, can be large. With a faster Internet connection, you'll retrieve your documents sooner.

Copyright

Got Questions?
[ASK A LIBRARIAN!](#)

Link: <https://www.montclair.edu/library/reserves/electronic-reserves/>

Posting to Canvas using Permalinks



The screenshot shows a web browser window displaying a search result from the Ebscohost database. The search query is "TEACH Act" and copyright. The result is for the article "The climate of Distance Education in the 21st Century: Understanding and Surviving the changes Brought by the TEACH (Technology, Education, and Copyright Harmonization) Act of 2002." by Tomas A. Lipinski. The page includes a permalink, author information, source information, subject terms, geographic terms, and an abstract. The abstract discusses the TEACH Act of 2001 and its impact on distance education and copyright.

Link: <http://ezproxy.montclair.edu:2048/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=ehh&AN=11836097&site=eds-live&scope=site>

Scenario: Digital Image Use in Research



The screenshot shows the IMDb website interface for the TV series "Bob the Builder". The page includes a search bar at the top, navigation tabs for "Movies, TV & Showtimes", "Celebs, Events & Photos", "News & Community", and "Watchlist". The main content area features the series title "Bob the Builder" with a 5.4 rating and 2,059 reviews. Below the title is an "Episode Guide" section with 265 episodes. A video player is visible, showing a character in a yellow hard hat. To the right, there is a section for "Oscars 2016: The Red Carpet" featuring a photo of Leonardo DiCaprio and Kate Winslet. The page also includes a "Watch Now" button for Amazon Video and a "Related News" section with a link to "Bob the Builder is back, but can he still fix it?".

Link: http://www.imdb.com/title/tt0262151/?ref=fn_al_tt_1

Tools for Determining Image Rights

Digital Image Rights Computator (DIRC)

http://dirc.vraweb.org/page_1.html

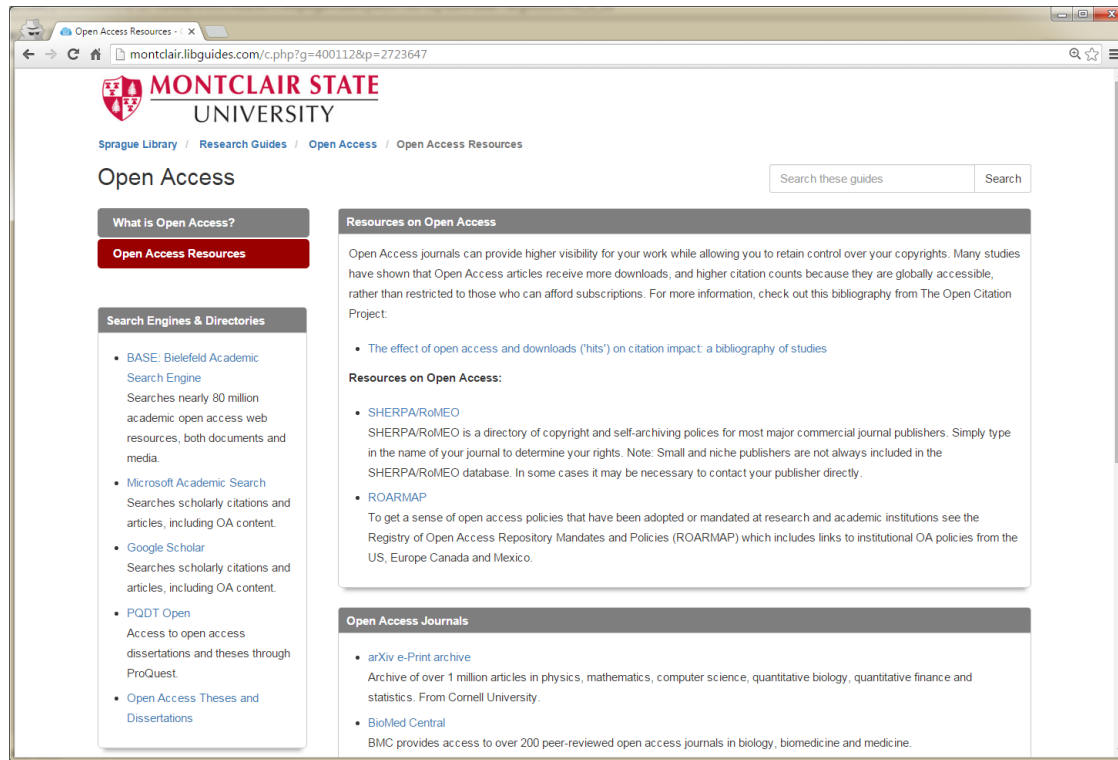
Copyright Genie

<http://librarycopyright.net/resources/genie/>

Stanford Fair Use Overview

<http://fairuse.stanford.edu/overview/>

Open Access Resources



The screenshot shows a web browser window displaying the Montclair State University Open Access Resources page. The page features the university's logo and navigation links for Sprague Library, Research Guides, Open Access, and Open Access Resources. A search bar is located at the top right. The main content is organized into several sections:

- What is Open Access?**: A section with a red button labeled "Open Access Resources".
- Search Engines & Directories**: A list of search engines including BASE, Microsoft Academic Search, Google Scholar, PQDT Open, and Open Access Theses and Dissertations.
- Resources on Open Access**: A section with a heading "Resources on Open Access:" and a list of resources including SHERPA/RoMEO and ROARMAP.
- Open Access Journals**: A section with a list of journals including arXiv e-Print archive and BioMed Central.

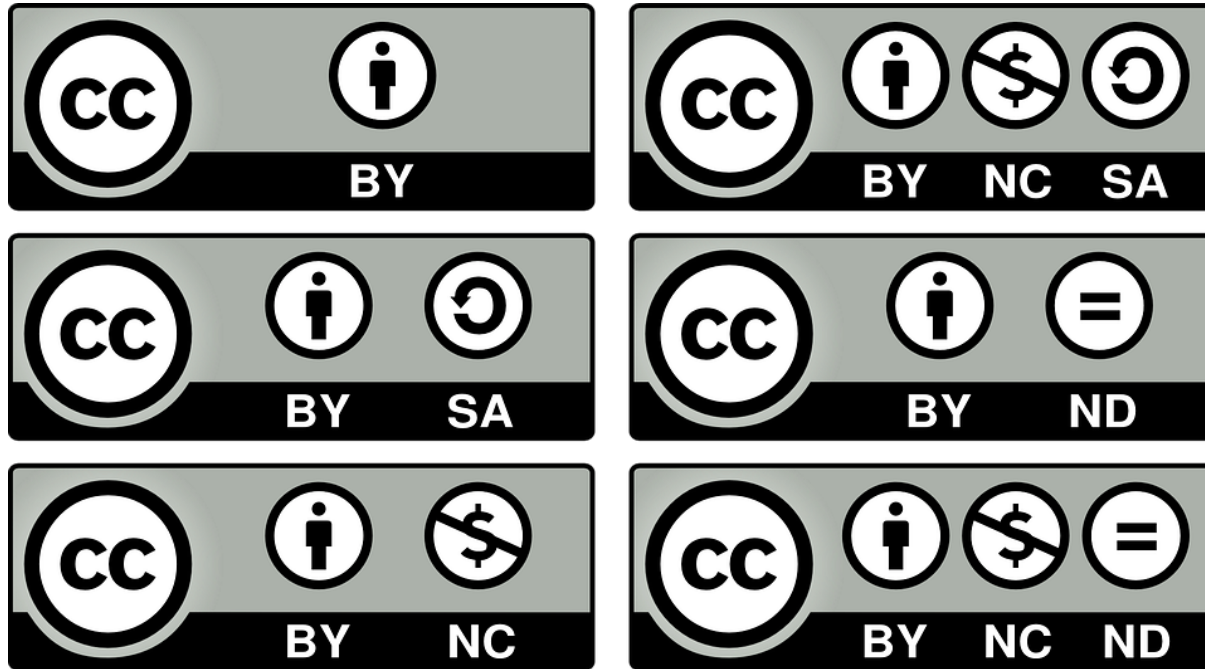
Link: <http://montclair.libguides.com/openaccess>

Open Access

- Types of Open Access
 - Gold vs. Green (Elsevier example)
 - Can be licensed under Creative Commons
 - Allows for copying and distribution
- Preprints vs. Postprints
- National Science Foundation mandate for Open Access
- Open Access and Scholarly Communications Guide (Memorial University)
<http://guides.library.mun.ca/aboutrr>



Creative Commons



Link: <http://www.creativecommons.org/>

Scenario: Open Access Journals

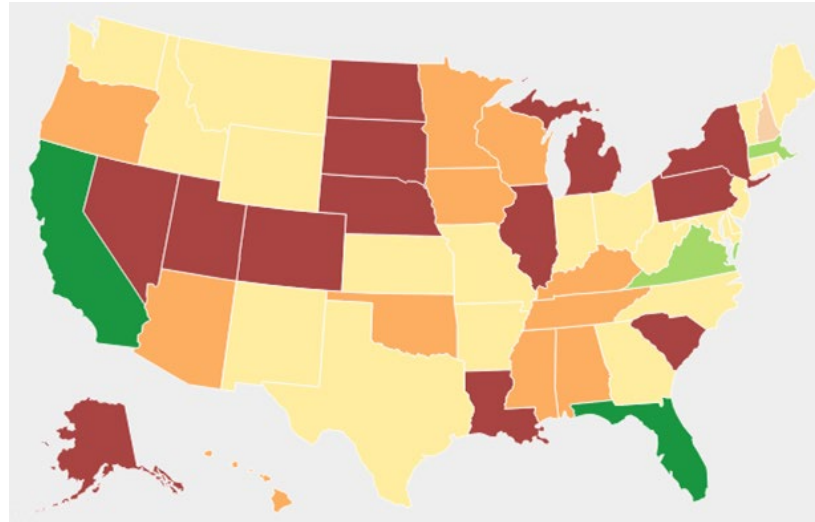


The screenshot shows the homepage of 'The Journal of Emerging Learning Design' (ELDJ) on a web browser. The browser's address bar shows 'eldj.montclair.edu'. The page features a dark header with the journal's title and ISSN (2328-6938). A navigation menu includes 'Current Issue', 'Archives', 'Submission Guidelines', 'Boards', 'Authors', 'Contact', 'About', and 'Announcements'. The main content area is divided into three sections: 'Current Issue' (Vol. 2, issue 1, December 2015, ISSN 2328-6938), 'Table of Contents' (listing articles like 'Virtual Instructor-Student Interaction' and 'Virtual Enhancement to Physical Spaces'), and a 'SUBSCRIBE TO ELDJ!' sidebar with an email input field and 'Subscribe'/'Unsubscribe' buttons. A 'CATEGORIES' sidebar lists 'Announcements (6)', 'April 2013 Issue (4)', 'Article (4)', 'Blogs (9)', and 'Issue 2 (3)'.

Link: <http://eld.montclair.edu/>

Open Access and Government Documents

- Federal Government documents are open access
- Open Access policies for State documents vary



Source: <http://copyright.lib.harvard.edu/states/>

Open Education Resources (OERs)

- Make use of free resources, including material that is Open Access, licensed under Creative Commons, or open government documents.
- Include textbooks and other course materials
- <http://www.oercommons.org/>
- <http://www.merlot.org/merlot/index.htm>
- <http://open.umn.edu/opentextbooks/>

Questions?

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Phone: (973) 655-7146