Electronic Reserves and Copyright at El Camino College Library

The El Camino College Library plays a role in ensuring that the fundamental information rights of faculty and students are fully exercised, but within the bounds of current copyright law. The ECC Library’s ERes system provides valuable supplemental materials that support the instructional requirements of specific courses. Essential to effective fulfillment of the Library’s foundational role in the College setting is the lawful exercise of legitimate use rights as set forth in the fair use provision, Section 107 of the U.S. Copyright Act of 1976 or in the Digital Millennium Copyright Act of 1998.

Note that there is no current legal requirement for formal copyright registration, symbols, or notices. Most works, whether it is a book, article, music, photograph, or a web page begin life with automatic copyright protection.

Summary of Fair Use under Section 107 (U.S. Copyright Act of 1976)

The factors to be considered in determining whether a particular use constitutes “fair use,” and thus does not require prior copyright permission, are the following:

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.

ECC Library Rules for Electronic Reserves

As with traditional reserve materials, instructors and students must comply with U.S. copyright regulations and “fair use” guidelines. The following are ECC Library’s copyright rules on electronic reserves.

- Material for educational use may be added to the ERes system if it meets one of these criteria.
  - It is in the public domain (i.e. not copyrighted. Note that copyright law also governs the use of materials, including images, you might find on the Internet, just as it governs the use of printed books, for example.)
  - It was created by you, the instructor
  - It is an article, a film/video, or other material from a Library subscription database (EBSCOHost Academic Search Premier, Films on Demand, etc.)
  - Your use of the material falls under “fair use” guidelines.
    - Under “fair use” guidelines, the material cannot exceed these limits. One chapter from a given book
    - One article from an issue of a journal, magazine, or newspaper
    - One short story, essay or short poem from a single author
    - A chart, graph, diagram, cartoon or picture from a book or journal/magazine/newspaper issue
— A link to another website’s home page is usually permitted, unless the website indicates a no-linking policy.

• You are using material that has a Creative Commons license that allows for works’ non-commercial use by others as long as attribution/credit to the creator is provided. This may be particularly relevant to items copied from Internet sources.

• If the material does not meet the criteria noted above, it may still be added if the faculty member obtains written permission from the copyright holder. Faculty are responsible for ensuring the copyright compliance of materials they submit for ERes.

• Access to course reserve material is password-protected and limited to students enrolled in the course.

• At the end of each academic term, all ERes courses will be archived. Copyrighted material cannot be used again unless it is available in Library databases or copyright permission has been obtained by an instructor which allows use of the material for more than one semester.

• Faculty members are responsible for ensuring the copyright compliance of materials they submit for the ERes system.

• ERes users assume liability for any infringements of copyright law in their use of the system.

Please keep in mind that if, for example, an instructor would like to continuously use a copyrighted journal article for a course or courses, the instructor is highly encouraged to search for that article or similar article in our subscription databases. The Library’s paid subscriptions to the databases allow users with valid ECC I.D. and library privileges to have on-going access to database materials, even if they are copyrighted. The librarian(s) on duty at the Reference Desk on the Main Level, East Wing of the Schauerman Library can provide help in the database search process.

**Some Recommended Copyright Websites**

The ECC Library strongly advises that you educate yourself further on the wider topic of “fair use.” Across the nation, a notable trend has developed in recent years, involving more aggressive prosecution of a wide range of perceived copyright infringements, including those at colleges/universities.


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