

TITLE: Compliance to the Copyright Act  
AUTHOR: Director, Library Services  
EFFECTIVE: September, 1983  
PURPOSE: To regulate in the library the photocopying of copyright materials to comply to the Copyright Act  
REVIEWER: Vice President for Academic Affairs

OPERATING DETAILS:

1. A teacher or staff member may make a single copy of the following materials for scholarly research or use in teaching or preparation to teach a class:
  - a. a chapter from a book
  - b. an article from a periodical or newspaper
  - c. a short story, short essay or short poem, whether or not from a collective work
  - d. a chart, graph diagram, drawing, cartoon or picture from a book, periodical or newspaper
2. A teacher may make multiple copies for classroom use, not to exceed more than one copy per pupil in a course, with the following stipulations:
  - a. the copying meets the test of brevity and spontaneity, as defined below
  - b. the copying meets the cumulative effect test as defined below
  - c. each copy includes a notice of copyright

Definitions:

Brevity:

1. poetry
2. prose
3. illustration
4. special works

Spontaneity:

1. The copying is at the instance and inspiration of the individual teacher.
2. A limited time element for acquiring the material makes it prohibitive to request permission.

Cumulative Effect:

1. The copying of the material is for one course only in the school in which the copies are made.
2. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work of periodical volume during one class term.
3. There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated in 1 and 2 above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.)
4. Notwithstanding any of the above, the following shall be prohibited:
  - a. Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Such replacement or substitutions may occur whether copies of various works or excerpts therefore are accumulated or are reproduced and used separately.
  - b. There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable materials.
  - c. Copying shall not:
    1. substitute for the purchase of books, publisher's reprints of periodicals
    2. be directed by higher authority
    3. be repeated with respect to the same item by the same teacher from term to term
  - d. No charge shall be made to the student beyond the actual cost of the photocopying.
5. The Library shall display a notice at the site of the copying equipment with a brief statement of copying restrictions and permissions, citing the Copyright Act. Displaying this notice exempts the library and its employees of responsibility for unsupervised use of reproduction equipment.
6. If a faculty member proposes to use material not covered by the "fair use" statement, a request along with a self-addressed envelope should be sent to the publisher. The request should include:
  - a. title, author and edition

- b. number of copies to be made
- c. use to be made of materials
- d. form of distribution (classroom, newsletter, etc.)
- e. whether the material is to be sold
- f. type of reprint

Townsend Hoopes to College and University Administrators, June 10, 1983.  
New York University Policy Statement, Appendix I & II. Mr. Hoopes is  
president of the Association of American Publishers, Inc.

United States Code, Public Law 94-553, 94th Congress, Copyrights Title 17,  
October 19, 1976.

