Electronic Reserve (E-Reserve) Policy

ALA recommends that libraries apply the four factors of fair use to determine whether digitizing specific materials and repeatedly placing them on E-Reserve is permissible.

According to the Music Library Association's interpretation of the fair use provisions of the Copyright Law, which permits multiple copies to be made of copyrighted works for classroom use, libraries may make digital copies of sound recordings in their entirety and transmit these works electronically through course reserve pages. Use of these electronically transmitted recordings for the purpose of scholarship or research is also considered to be fair use.

The policies governing E-Reserves are based on the provisions of fair use (17 U.S.C. 107). All materials placed on E-Reserve will be at the request of Molloy College faculty members for the expressed purpose of non-commercial educational use. Authorized access to E-Reserve material is available free of charge to Molloy College faculty and students (on and off campus) under one or more of the following conditions:

- Access is limited to the faculty member who placed the material on reserve, the students enrolled in that course and the library staff members responsible for maintaining the electronic reserve system.
- Access to E-Reserve material for a particular course is limited to the duration of that course.
- The material on reserve is available in a database to which the library subscribes electronically.
- The material is available in the public domain.
- An individual chapter from a book or an article from a periodical that is placed on E-Reserve is from an item legally obtained by the faculty member placing it on reserve or by the library (Note: An entire book, collection, or course pack may not be placed on E-Reserve).
- The total amount of material made available on E-Reserve for a specific course, as a matter of fair use, is limited to a small portion of the total assigned reading for that particular course.
- Digital transmission of A/V materials for a specific class is limited to the amount needed to satisfy the pedagogical needs of that class.
- No small portion(s) of any DVD may be reproduced and placed on E-reserve when this is considered to be "interfering with technological access controls that a copyright holder place on a copyrighted work" as such duplication may be interfere with the anti-circumvention provision of the Copyright Act.
- No material will be placed on E-Reserve without copyright permission when the nature, scope or extent of this material is judged by the Molloy Library to exceed the reasonable limits of fair use.
- Permission must be obtained from the copyright holder by a faulty member who intends to keep any reserve materials for a specific course on E-Reserve for consecutive academic terms, or if the reserve item in question is a required or
optional reading for an individual course taught in multiple sections by many instructors.

- Material in electronic format may be retained on E-Reserve while permission is being sought or until the next academic term in which the material will be used, but in no event for more than three calendar years, including the year in which the materials were last used.