Guide to Online Use of Published Material in SNHU Courses

The following is a guide prepared by the Shapiro Library for the use of published material in support of SNHU courses through a learning management system. This is intended for educational purposes only and does not constitute legal advise or SNHU policy. SNHU employees are responsible for adhering to U.S. copyright law and applicable SNHU policies.

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Providing students with links to material available on the internet or in library databases is not the creation of a copy and may be done unless there are specific licensing agreements in place prohibiting linking (Harvard Business Review articles are a notable instance in which licensing prohibits linking). Linking to illegally created material that infringes on copyrights can, however, be considered contributory copyright infringement and should be avoided.

Fair Use allows for the copying of copyrighted material in certain circumstances based on the balancing of several factors:

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.

Under Fair Use it is generally permissible to post:

- One chapter from a book with more than 10 chapters, or 10% of a book with fewer than 10 chapters
- One article from an issue of a periodical or newspaper
- A short story or short essay (less than 2,500 words) or short poem (less than 250 words)
- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

If you wish to use a portion of a copyrighted work in excess of the limitations listed above you may do so under Fair Use if: there is not a reasonable method for obtaining copyright clearance

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AND the amount duplicated does not constitute a replacement for purchasing the original work. Otherwise, copyright clearance is required.

**When making copies, the following apply:**

- When using an excerpt the portion of the material used should not be “the heart of the work.”
- Access to the material must be limited to students enrolled in the course and must not persist beyond the end of the course.
- Students must be reminded of the limitations of the U.S. Copyright Law and must be expressly told that policy prohibits re-distribution of copied material.
- Copied material “must fill a demonstrated, legitimate purpose in the course curriculum” and be narrowly tailored to accomplish it.
- The duplication of works that are consumed in the classroom, such as standardized tests, exercises, and workbooks, normally requires copyright clearance.
- It is permissible to use the same materials from semester to semester without seeking copyright clearance.
- Materials purchased on an individual basis, such as case studies, cannot be posted without copyright clearance.
- Material borrowed through interlibrary loan cannot be posted without copyright clearance.

Clearance can be obtained through vendors such as the Copyright Clearance Center: [http://www.copyright.com/](http://www.copyright.com/).

If you have questions regarding the copyright status of a particular work please contact your library liaison: [https://my.snhu.edu/academics/Library/Pages/ContactLibrarian.aspx](https://my.snhu.edu/academics/Library/Pages/ContactLibrarian.aspx).

For more information on Copyright please visit the library’s copyright guide: [http://libguides.snhu.edu/content.php?pid=5411](http://libguides.snhu.edu/content.php?pid=5411)