A Detailed Guide to the Annual Copyright License for Higher Education
Technology has dramatically changed the way faculty, staff and students use and share information. Learning management systems and e-reserves are fixtures on campuses and are the primary means of sharing content for instruction. While textbooks and other printed materials are still widely used, the use of electronic content continues to grow more quickly than the use of print materials is expected to decline. This new reality, while positive in many ways, nonetheless presents unique challenges to college and university administrators concerned about the risk of copyright infringement. Whereas a decade ago copyright-educated librarians controlled how content was obtained and distributed on campus, the process today is much more decentralized, with faculty, staff and many others administering course management and other delivery systems.

To meet the unique copyright challenges faced by colleges and universities, Copyright Clearance Center (CCC) developed the Annual Copyright License for Higher Education. Designed with input from hundreds of academic professionals from more than 50 colleges and universities, the license provides comprehensive, institution-wide coverage to reuse text-based copyrighted content in learning management systems, print and electronic coursepacks, traditional library reserves and e-reserves, research collaboration and more.

To determine if the Annual Copyright License for Higher Education is right for your institution, CCC recommends you conduct a formal, cross-campus assessment of the license. This guide, based on the evaluation processes conducted by a number of colleges and universities, serves as a guide to assist your institution in your assessment.

License Coverage

The Annual Copyright License for Higher Education covers the reuse of print and electronic content across campus. This includes the library, reprographics center and other high content use areas, as well as all of the various departments, schools, programs and associated systems and applications within the institution.
The Annual Copyright License for Higher Education differs from the limited reuse rights (e.g., e-reserve rights) often negotiated with individual publishers as part of subscription agreements. These agreements rarely allow photocopying for coursepacks and tend to differ from publisher to publisher, thus creating tracking difficulties for librarians, coursepack producers and others. The Annual Copyright License for Higher Education provides a uniform set of reuse rights from millions of titles across a wide array of publications from journals, newspapers, and magazines, to newsletters, books, and more. Some of the more popular uses covered by the annual license include:

- Coursepacks (print and electronic)
- E-reserves
- Classroom handouts
- Library reserves
- Email
- Learning management system postings
- Research collaboration
- Administrative communications

Other uses are allowed as well; the license was designed to be open and flexible to support current, traditional uses as well as creative and/or future uses that may come into play.

For example, faculty, students, researchers and staff can share and store, for academic purposes of the institution, electronic content covered under the license on mobile devices as well as desktops, laptops and servers.

In addition, the Annual Copyright License for Higher Education extends beyond the four walls of the institution to cover content produced for a university or college by off-campus copyshops and national coursepack providers, such as Cognella, LAD Customer Publishing, and XanEdu. Should your institution use off-campus coursepack providers, CCC will help you introduce the license to your vendors so they are aware of the license and understand how to use it. This helps ensure unnecessary costs are not passed on to students.

While the Annual Copyright License for Higher Education is comprehensive and covers many content reuse rights, as is the case with most licenses, there are a few exclusions that you should be aware of. These exclusions include:

- **Interlibrary Loan (ILL)/document delivery** – The license does not cover ILL borrowing or lending, or any other type of document delivery. However, once copyrighted content is in the hands of the institution — via purchase, Section 108-compliant interlibrary loan or other authorized means — it may be used within the scope of the license in coursepacks, class handouts, electronic postings, etc.

- **The reproduction of an entire work** – The reproduction of all, or substantially all, of an entire work is excluded under the license, but the it otherwise allows an institution to set its own policies regarding the appropriate proportions that may be reproduced from a book or other work, unless limited by individual rightsholders

- **The creation of a repository or database of copyrighted works intended to replace a purchase or subscription** – The license does not allow the creation of a widely accessible repository or database of copyrighted content. However, it does allow small, password-protected repositories for use on campus by individuals or small groups of faculty, researchers and students.
Operational Efficiencies

In a survey conducted by Primary Research Group, a firm that conducts and publishes research reports, surveys and benchmarking studies, college and university librarians were asked to estimate the number of hours they spend obtaining copyright permissions. Some librarians from larger institutions reportedly spent in excess of 2,000 hours securing permissions over a two-year period. Other staff across the campus can spend as much time or more obtaining rights. A reprographics center manager at a large Midwestern university reported that two of her department’s full-time staff members spend 75% of their time clearing permissions for content used in coursepacks.

Included with the Annual Copyright License for Higher Education is RightFind Academic, an easy-to-use, online tool staff can use to quickly verify whether a publication is covered by the license. For librarians and staff who post hundreds or even thousands of articles or other works to e-reserves, learning management systems or on intranets, the time savings afforded by this simple process can be considerable. This is amplified when you consider that, under the license, staff members are not required to take the content down at the end of the semester and then repeat the process of securing permissions and posting the content for the next term. With the license, content can be used for the duration of the license agreement, freeing librarians and staff to focus on higher-value activities that can result in hard dollar savings. Likewise, on- and off-campus copyshops that produce coursepacks under your license will also benefit from a more efficient process for securing copyright permissions, translating into additional administrative cost savings that can be passed on to the institution or students.

Below is a comparison of the steps and time associated with obtaining copyright permissions on a transactional basis and with the Annual Copyright License for Higher Education.

**Transactional Licensing Model Step**

(Process assumes desired work is available for licensing)

1. Access CCC Marketplace (at marketplace.copyright.com) and log-in to account (30 seconds)
2. Search for and identify publication you plan to use content from (15 seconds)
3. Obtain a price quote (30 seconds)
4. Purchase permission (fill in data fields based on type of use and institution information) (1 minute)
5. Post/distribute/photocopy content for the specific academic term (3 minutes)
6. 60 days after start of term, account for student adds/drops in the course (electronic uses) or number of copies not used (photocopies) (30 seconds)
7. End of semester reconcile invoice and forward to accounts payable (1 minute)
8. Remove “posted” content/stop using photocopies (1 minute) Time spent to use work for one academic term: at least 7 minutes, 45 seconds
9. Repeat above process for subsequent use of content within the academic year

**Total time spent to use work for two academic terms: at least 15 minutes, 30 seconds**

“Faculty are very happy that we got the Annual Copyright License for Higher Education from CCC because it opens up the ability for them to use far more content than they had previously been able to use. There were times in the past when I had to tell an instructor that they couldn’t use an article because the copyright permission was expensive. Getting the license has enabled us to improve the quality of the materials that we offer to students because there’s no longer a barrier.”

Lori Christianson
Director of the Electronic Campus, Cummings Graduate Institute
Verifying Annual Copyright License for Higher Education Coverage with RightFind Academic

Included with the Annual Copyright License for Higher Education is RightFind® Academic, an easy-to-use, online tool that makes it easy to verify coverage under your CCC license. Here are the steps to verify license coverage. The process assumes desired work is covered under the license.

1. Access rightfind.copyright.com, no log-in required (30 seconds)
2. Search for and identify publication (15 seconds)
3. Post/distribute/photocopy content for the entire academic year (3 minutes)

Total time spent to use work for the academic year: 3 minutes, 45 seconds

As you can see, the difference in time required is substantial. With the Annual Copyright License of Higher Education, an e-reserve librarian should be able to reduce the time spent on a typical permission by 75% or more, leaving time to address the many other tasks that the library needs to have done. Saving up to 12 minutes time per transaction, especially when multiplied by the 1000 or more transactions that an e-reserve librarian may need to address in a year and the cost per hour of that person’s time, also saves the institution money. And don’t forget: Most institutions also handle permissions at many other locations other than the e-reserves desk, such as in academic departments, at coursepack production centers and within learning management systems. The same savings in time and money are available at all these locations when you adopt the license. Calculating the savings across the institution helps make clear the value that the Annual Copyright License for Higher Education offers.

Is the License Right for You?

Colleges and universities depend on information. It’s essential to every academic institution – from the classroom to the president’s office. But when that information is copyright-protected, it can be challenging to ensure that faculty, researchers and other staff members have the rights they need to use and share it. Quite often there is confusion or misunderstanding about copyright and the intellectual property (IP) rights of authors and other content producers. The Annual Copyright License for Higher Education helps reduce this confusion by offering a comprehensive, uniform set of reuse rights so faculty, researchers and other staff members can collaborate freely while respecting the IP of others. When you adopt the license from CCC your institution is making a statement that, just as it wants its IP rights to be respected, it respects the IP rights of others. This sends the right message to tomorrow’s doctors, lawyers, scientists, engineers, teachers and every other student. While the license was designed to meet the diverse needs of today’s institutions — and has been adopted by institutions Carnegie classifications — we recognize that it may be advantageous for some institutions to continue to license content on a pay-per-use basis. In order to make this determination, we recommend you conduct an evaluation as follows:

Speak with a CCC representative

The best way to kick-off your evaluation is to speak with a CCC representative. He/she helps other institutions evaluate licensing options and select the right solutions for them. A CCC representative can also help you determine how the
Annual Copyright License for Higher Education aligns with your institution’s copyright policy. Contact a CCC licensing representative for information on the annual license, including the license agreement, a list of participating publishers, the license service description and customer testimonials. You can contact a CCC representative via email at licensing@copyright.com.

**Establish an evaluation team**

The Annual Copyright License for Higher Education provides benefits across the institution. Therefore, the decision to purchase the license should be made by a cross-functional team representing the primary content users on your campus. The team members can provide feedback on the license based on their areas of expertise and/or their use of copyrighted content. They can also determine how they may benefit from the license.

Suggested members of the license evaluation team include:

- Head librarian/library director/dean of libraries
- E-reserve librarian
- Copyshop, reprographics, or book store manager
- Provost/assistant provost
- Dean of faculty or academic affairs
- General counsel
- Learning management system administrator or IT director/manager
- Distance education director/manager
- Representatives from major colleges/schools programs that are heavy users of copyrighted content (e.g., medical school dean)

**Conduct a content audit**

While the Annual Copyright License for Higher Education provides coverage for millions of titles, as well as improved operational efficiencies and other benefits, it is only truly valuable to your institution if it includes the content your institution uses most frequently. CCC recommends a coverage analysis to compare the content you licensed during a particular time period through our Pay-Per-Use Services and directly from publishers and other content providers, to the publishers and titles in the license repertory. This analysis should cover content usage institution-wide, not just what was used in library reserves; that is, it should also cover uses within learning management systems and coursepacks produced by both on- and off-campus providers.

**Conduct a cost analysis**

Using the information gathered to conduct the coverage analysis, determine what your institution spent over the same time period on royalty fees as well as the administrative costs associated with searching for, obtaining and reconciling permissions. For guidance in determining administrative costs associated with permissions, please see pages four and five in this guide. Be sure to include costs for content usage from all areas across the campus, including on- and off-campus copyshops and coursepack producers. Also, remember to factor into your analysis any copyrighted content that may have been used without permission.
Consider funding options

The annual per-student cost for the license ranges from the price of a cup of coffee to the price of a large pizza, depending on the size and type of institution. In working with the many institutions that have adopted the license, we've seen a variety of ways institutions pay for the license and subsequently recoup the cost. Some examples include:

- **Central funding** – The library or other central organization funds the cost and then either absorbs it or passes on some or all of the costs to various departments across the institution.

- **A coursepack surcharge** – Some, most, or all of the copyrighted content included in a coursepack will be covered by the license. Therefore, the royalty fees for the use of that content will be prepaid. Even with the addition of a surcharge, the cost of the coursepack will be considerably lower because there’s no need to include the royalty fees for the content that’s covered by the license.

- **Student fee** – The price-per-student cost of the license is paid by a portion of or all of the students.

- **Off-Campus Provider** – If you include an off-campus copyshop, national coursepack provider or custom publisher within the scope of your license (CCC can help you do this), then you may consider including that third party in the funding process, perhaps by having the provider advance some funds to you and recoup them through incremental charges on the materials produced for students.

- All of the above or a combination of several of the above.

Talk to our customers

We have many customers — of all types and sizes across Carnegie classifications — who are more than happy to speak with you about their experiences in both evaluating and using the Annual Copyright License for Higher Education. We have also prepared a number of customer testimonials that we can share with you. Contact a CCC representative at 1.978.750.8400 (option 3) or via email at licensing@copyright.com if you’d like to talk with a customer and/or receive a customer testimonial.