

# Media Services Policy

## University Libraries

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### **Media Services Policy**

University Libraries Media Services provides support to student learning activities that require access to and use of library media materials and media equipment.

#### ***I. Support of Student Learning***

Media Services provides the following services in support of student learning:

- 1) facilities within the library with appropriate equipment to support student use of the media collection and faculty media reserves;
- 2) equipment for circulation to authorized students and faculty for their use in classroom related student learning activities;
- 3) assistance to students and faculty in the proper use of media equipment;
- 4) assistance to students and faculty in the scheduling of media equipment for classroom presentations and course media activities; and
- 5) support services including the repair, maintenance, and planned replacement of such equipment, as needed, and as resources are available.

#### ***II. General Information***

General information about use of library media services, collections, facilities, equipment and services is provided here.

- 1) Checkout and use of equipment and/or facilities is restricted to authorized students, faculty, or staff who are currently enrolled in or employed by SBU and present their current SBU identification card at the time of checkout.
- 2) Checkout and use of some equipment and/or facilities requires special authorization. To gain authorization, the user may be required to:
  - a) be trained by the Media Services staff in the use, care, and safety of the specific equipment and/or facilities—before checkout and use;
  - b) be enrolled in or have successfully completed certain courses (i.e. television production, etc.)—before checkout and use; or
  - c) meet other proficiency qualifications before checkout or use.
- 3) Media Services does not provide support of equipment and/or facilities that belong to other departments or units of the university.
- 4) Media Services assistance may be limited in some instances to providing physical access to library facilities and/or equipment without additional service support.
- 5) Some facilities and equipment must be reserved in advance.
- 6) Some facilities and equipment are available on a first-come-first-served basis.
- 7) Equipment and facilities are for short-term use only and will be restricted to a limited period of checkout for use.

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- 8) Requests for reservations of equipment or facilities must be submitted to Media Services in advance.
- 9) Media Services may limit or restrict access to some or all of the media services collections equipment, facilities, and services.
- 10) Users who checkout equipment for extended periods will be required to sign a statement acknowledging legal and financial liability for loss or damage incurred while checked out to them and agreeing to pay for resulting repair or replacement costs.
- 11) Access to and support of library media activities is dependent upon the availability of sufficient facilities, equipment, supplies and trained personnel.

### **III. Library Media Collections**

The selection and collection management of library media collections are guided by and subject to the University Libraries Collection Development Policy (see Section 4 of the *Southwest Baptist University Libraries Policy Manual*).

### **IV. Library Media Equipment**

#### **A. General Information**

General information about use of library media equipment is provided here.

- 1) Checkout of equipment is restricted to authorized students, faculty, or staff, currently enrolled in or employed by SBU, who must present their current SBU identification card at the time of checkout.
- 2) Checkout of some equipment requires special authorization. To gain authorization, the user may be required to:
  - a) be trained by the Media Services staff in the use, care, and safety of the specific equipment and/or facilities—before checkout and use;
  - b) be enrolled in or have successfully completed certain courses (i.e. television production, etc.)—before checkout and use; or
  - c) meet other proficiency qualifications—before checkout or use.
- 3) Media Services does not provide support of equipment that belong to other departments or units of the university.
- 4) Assistance with equipment may be limited in some instances to providing physical access to the equipment.
- 5) Some equipment must be reserved in advance.
- 6) Some equipment is available on a first-come-first-served basis.
- 7) Equipment is for short-term use only and will be restricted to a limited period of checkout.
- 8) Requests for reservations of equipment must be submitted to Media Services in advance.
- 9) Media Services may limit or restrict access to some or all of the media services collections equipment, facilities, and services.

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10) Access to and support of library media equipment is dependent upon the availability of sufficient facilities, equipment, supplies and trained personnel.

### B. Authorized Uses

1) Circulating equipment may be checked out to authorized users to the extent that it complies with:

- a) the *Library Media Services: General Information* section of this policy;
- b) reservation requirements or time limits currently authorized by the Media Services Technician and the Dean of University Libraries; and
- c) is being used for university academic or business purposes.

### 2) Non-Authorized Uses

Some uses of media equipment are not authorized, including but not limited to, the following types of uses:

- a) Use by individuals, organizations, institutions, or churches external to the university;
- b) Use for events on- or off-campus which are not official university business or sponsored by the university; or
- c) Use which would put the equipment at a high risk of damage or theft.

### 3) Other Equipment

Service and support is provided for equipment that is owned by Media Services. Users will be referred to *Information and Technology Services* for all matters involving equipment other than that which belonging to Media Services.

### 4) Rentals

Providing equipment rentals is not within the scope of the mission of Library Media Services, nor University Libraries, and generally conflicts with the efforts to support student-learning activities funded by student tuition. Therefore, Media Services will not directly rent equipment to anyone for any reason.

Media Services previously rented media services equipment to campus guests that had rented university facilities through the SBU Conference Center. That service will no longer be supported after July 1, 2007.

## ***VI. Library Media Services: Fee-based***

Media Services will own and operate Media Services equipment for fee-based services (examples: lamination, audio or video duplication, plastic-comb binding, transparencies, etc.) in support of student learning and university business, as authorized by the dean of University Libraries.

- 1) Priority will be given to requests from SBU students and employees.
- 2) Some, but not all, fee-based services may be available as a courtesy, on a limited basis, to guests. For more information about services available to guests, see section X. *Library Media Services - Availability to Guests*.

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- 3) The dean of University Libraries will set the fee structure for these services with input from the Media Services Technician and the Library & Archives Policies Advisory Committee.
- 4) Fee-based services are not intended to replace nor compete with commercial services.
- 5) Fees for available services will be posted in the Media Services facility and are subject to change.
- 6) Availability of services is subject to change and services may be discontinued at any time.
- 7) Some jobs may require that the job be left with the Media Services personnel and picked up at a later date/time by the patron.
- 8) Media Services personnel will provide an estimated time of completion for fee-based service jobs.
- 9) Media Services cannot guarantee a completion time for fee-based service jobs.

### ***VII. Library Media Services: Availability to Guests***

Media facilities, media equipment, media collections, and media services are not available to guest patrons or other individuals, organizations, institutions, or churches—with the following exceptions:

- A. Fee-based Services Provided by Media Services Personnel
  - 1) Lamination
  - 2) Transparencies, Black & White and Color
  - 3) Plastic-comb binding
- B. Self-Service, Subject to Priority Use by SBU Students & Employees
  - 1) Self-services use of the Ellison Die Cutting Machine
  - 2) Self-services use of the color photocopier
- C. Facilities, Subject to Priority Use by SBU Students & Employees
  - 1) L121 Media Production Lab

Services will be charged on a “per item” or “per measure” basis plus the cost of any expendable materials supplied by Media Services. Media Services will provide the expendable materials used in fee-based services. Individuals, organizations, institutions, churches, and guest patrons who use services will pay all fees at the time they pick up the completed job. Provision of media services to guests is subject to change and services may be discontinued at anytime.

### ***VIII. Charges for Lost or Damaged Equipment or Facilities***

The person who checks out or uses Media Services facilities or equipment will be legally and financially responsible for damage or loss of any part(s) or the whole of the facilities, furnishings, equipment, computing systems, network connections, software, internal or external components, accessories, or peripherals.

- 1) Users who checkout equipment for extended periods will be required to sign a statement acknowledging legal and financial liability for loss or damage incurred while checked out to them and agreeing to pay for resulting repair or replacement costs.

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- 2) Users will be informed, at the time of checkout, of this policy and of the estimated replacement cost that will be charged to them if loss or damage occurs while the equipment (or other property) is checked out to them.
- 3) If an incident of loss or damage occurs, the Media Services Technician will document the damage or loss in writing, will determine the repair or replacement cost(s), and report the information to the dean of University Libraries in writing.
- 4) The dean will report any vandalism or theft related to the incident to SBU Safety and Security personnel.
- 5) In the case of loss or damage while Media Services equipment (or other property) is checked out to a user, the dean will either:
  - a) Communicate the repair and replacement charges to the accounting department to place charges against the student or employee account, or
  - b) Take other appropriate actions to recover the costs of repair or replacement.
- 6) In the case of loss or damage while checked out by university personnel for another university unit or department, the unit or department will be responsible for reimbursing Media Services for resulting repair or replacement costs.

### ***IX. Television Studio, Editing Booth and Equipment***

Media Services will schedule reservations for the television studio and editing booth facilities for authorized users. Media Services personnel will make every reasonable effort to keep these facilities secured when not in use by authorized persons.

Media Services is not responsible for service or support of the equipment housed within these facilities. Questions about this equipment will be referred to the *SBU Derryberry School of Communication Arts or Information & Technology Services*.

Television studio and editing booth facilities and equipment are only available:

- 1) to those authorized students and employees whose names are provided to the Media Services Technician by the department chair of the *SBU Derryberry School of Communication Arts*;
- 2) to other currently enrolled students or current employees who have been authorized by the Media Services Technician and who have reserved the facilities in advance for taping or viewing session using the library media equipment; and
- 3) during regularly scheduled Media Services hours.

### ***X. Copyright Compliance***

Media Services, as well as all other library employees, will not provide any services or support that conflict with any applicable law or policy including any of the following:

- 1) The U.S. Copyright Act, 17 U.S.C 101-810 (1976)
- 2) Digital Millennium Copyright Act (DMCA 1998)
- 3) The "Teach Act" Section of 110(2) of the U.S. Copyright Act (2002)
- 4) Berne Convention for the Protection of Literacy and Artistic Works

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- 5) Universal Copyright Convention as revised at Paris on 24 July 1971
- 6) No Electronic Theft Act (1977)
- 7) Other applicable laws or treaties
- 8) University or University Libraries policies

In order to support the student learning activities of the university Media Services will provide access to copyright information.

All university employees will be required to demonstrate “fair use” compliance with Section 107 of the U.S. Copyright Act if written permission is not provided for their duplication requests. The Media Services Technician will assist requestors in applying the following four-factor text from section 107’s “fair use” requirement to evaluate the request.

- 1) Factor One: The character of the use
- 2) Factor Two: The nature of the work to be used
- 3) Factor Three: The amount used
- 4) Factor Four: The effect of the use on the market for or value of the work

This evaluation will be done with using the “*University Libraries Copyright Fair Use Compliance Evaluation Form*”. If the evaluation clearly demonstrates “fair use,” the requested service will be provided. If the evaluation demonstrates a copyright compliance conflict or fails to demonstrate “fair use,” the activity will not be supported. In either case, the completed evaluation form will be kept on file in the Media Services Technician’s office for a period of five years.

### ***XI. Library Media Services: Duplication Services***

Media Services provides limited duplication services to SBU students, faculty and staff for the purpose of supporting academic classroom activities and the business activities of the university. Duplication services are defined as those services that involve the copying of audio, video, multimedia, or other media materials which yield any type of reproduction either in physical or electronic format.

#### **A. Compliance Issues**

- 1) Media Services personnel will abide by all applicable policies and laws.
- 2) Persons using any equipment that belongs to Media Services are liable for any copyright infringement if the equipment is used to unlawfully reproduce, publish, display or distribute copyrighted materials in any format.
- 3) See section *X. Copyright Compliance* of this policy for more copyright information.

#### **B. Duplication Requests**

- 1) Media Services reserves the right to refuse any duplication request.
- 2) Media Services does not provide duplication services for personal recordings such as, but not limited to, weddings, parties, anniversaries, etc.

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- 3) Media Services will assess all duplication requests on the assumption that all materials are copyright protected. Therefore Media Services personnel will not duplicate any material, in whole or in part, unless the:
  - a) item is clearly marked by the publisher to be free of copyright protection;
  - b) item is identified as being in public domain;
  - c) item's copyright has expired; or
  - d) patron presents written permission from the copyright holder.
- 4) Permission to duplicate must be in writing:
  - a) Claims of "public domain" status or of "expired copyright" status by a patron must be clearly established by documentation provided by the patron.

### C. Permission to Duplicate

In order for copyrighted material to be duplicated it is necessary to obtain written permission from the copyright holder or holders. Media Services must have a written copy of the permission from the copyright holder(s) to place on file. The written permission must meet legal standards, should give absolute assurances of the authority to grant permission and should clearly describe the scope of the permission granted.

- 1) Media Services personnel are not responsible for researching the copyright status of media materials involved in duplication requests.
- 2) Permission to duplicate must be in writing.
- 3) It is the responsibility of the person who is making the duplication request, not Media Services personnel, to obtain written permission from the copyright holder(s).
- 4) Duplication services will be provided only for the type of duplication request that is stated in the written permission.
  - a) Example: Permission granted for creating one copy of a video of a theater production for use by a faculty member in class would not cover a request to copy the same video for individuals appearing in the theater production.
- 5) In the case of multiple copyright holders, written permission must be given to Media Services from all copyright holders.
  - a) Example: One song on a CD might require permissions from the composer, the lyricist, the performer and the arranger.