

ONLINE LIBRARY

Empire State University's Online Library (<https://www.sunyempire.edu/library/>) is staffed by librarians who provide the following educational services:

- 24/7 reference help via live chat, email, and online form at Ask a Librarian (<https://askalibrarian.sunyempire.edu/>), or by phone at 800-847-3000, ext. 2222;
- live, online, library skills workshops (<https://subjectguides.sunyempire.edu/workshops/>); and
- support for accessing materials from other libraries (<https://www.sunyempire.edu/library/locate-libraries/>) –in-person through our SUNY Open Access (<https://soar.suny.edu/>) program, or via interlibrary loan (<https://subjectguides.sunyempire.edu/ill/>).

The SUNY Empire librarians have also created and curated the following resources:

- 1.5 million+ digital works of art and photography
- 250,000+ ebooks
- Full-text journals and newspapers to support programs and courses at SUNY Empire
- Tens of Thousands of streaming films and documentaries
- Many guides focused on course assignments, research help, subjects or majors, and other topics such as citation or how to find academic journals
- 75+ search tools encompassing millions of full-text articles, reports, and other research materials
- hundreds of online tutorials and FAQs to guide self-starters through the research process and the library's many resources

Normal office hours are:

Immediate assistance is available Sunday-Thursday, typically until 7:00 p.m.

Live chat is always available through our partnership with the AskUs 24/7 consortium of academic librarians.

In Person Access to Academic Libraries

SUNY Empire encourages students who may need access to print books to investigate the print holdings of academic libraries in their local communities as a way to supplement the Online Library's electronic resources. SUNY Empire's online library has hundreds of thousands of e-books, and can request book chapters, articles, and other digital materials for students via interlibrary loan. Students who wish to locate specific print materials not available in the Online Library can Ask a Librarian (<http://www.sunyempire.edu/AskALibrarian/>) for help, or find more information at the WorldCat (<http://www.sunyempire.edu/WorldCat/>) and SUNY Open Access Program (<http://www.sunyempire.edu/OpenAccess/>) pages.

Through the SUNY Open Access Program, Empire State University students and employees have access to the print materials of SUNY's two and four-year college and university center libraries. A similar agreement is in place with the City University of New York (CUNY) library system, covering all library facilities except the School for Graduate Studies.

To check out circulating books from these libraries, students must present a valid Empire State University ID card. All SUNY Empire borrowers agree to obey all rules, regulations and policies that are established by the lending library. In addition to overdue fines, borrowers who have lost or not returned library materials also will be charged processing and/or replacement fees. Students with outstanding fines to a SUNY or CUNY library have a hold placed on their student account and are not permitted to register, obtain transcripts or be cleared for graduation.

Copyrighted Materials: Their Reproduction and Use

Use of Copyrighted Materials

SUNY Empire State University complies with the U.S. Copyright Act of 1976 and the Digital Millennium Copyright Act of 1998.

SUNY Empire respects the intellectual property rights of those who create and/or publish original works of authorship in any tangible medium of expression, whether physical or digital media, and regardless of format or genre. SUNY Empire, therefore, authorizes use of copyrighted materials only under the following conditions:

- When permission is obtained from the copyright owner, or
- When reproduction, dissemination, creation of derivative works, performance or display of copyrighted materials falls within Fair Use guidelines, which are explained on the library's copyright website (<https://www.sunyempire.edu/library/copyright/>), or
- When performance or display of copyrighted materials in a face-to-face classroom environment falls within Educational Use guidelines.
- When performance or display of copyrighted materials in an online educational environment falls within TEACH act guidelines.

The library has answers to questions about Fair Use, Educational Use, the Digital Millennium Copyright Act and when it is necessary to get permission to use a copyrighted work. **The librarians cannot obtain copyright permission on behalf of faculty, staff or students, or give legal advice.** The bookstore manager can provide information on how to obtain permission.

Using Copyrighted Works Online

Reproduction, dissemination, performance, display and creation of derivative works from copyrighted works **may be** permitted under the Fair Use Exemption of the Copyright Act of 1976, if it passes the Four Factor Test (<https://subjectguides.sunyempire.edu/copyright/fairuse/>).

Neither the nonprofit status of the college nor the educational nature of the endeavor are sufficient to automatically judge something Fair Use. There is no set guideline for number of words, number of pages or percentage of a total work that can be used.

Making Copies in a Face-to-Face Classroom Setting

Making photocopies or other reproductions of copyrighted works to be distributed to students in a face-to-face classroom **may be** permitted under the Fair Use Exemption of the Copyright Act of 1976, if it passes the Four Factor Test.

Neither the nonprofit status of the college nor the educational nature of the endeavor are sufficient to automatically judge something Fair Use. There is no set guideline for number of words, number of pages or percentage of a total work that can be used.

Performance and Display in a Face-to-Face Classroom Setting

Performance and/or display of copyrighted works in a face-to-face classroom is permitted by the Educational Use Exemption of the Copyright Act of 1976.

There are certain restrictions: The university must be accredited and not for profit; the use must be part of teaching and learning, not for entertainment, extracurricular activities or other university business.

As long as those requirements are met, the Educational Use Exemption allows the instructor and/or students to perform musical works, poems, plays or speeches; others to come into the classroom to perform musical works, poems, plays or speeches; display of images, whether in physical or digital media; and playback of audio or video recordings of any kind.

Posting Multimedia in Online Courses Under the TEACH Act

As of January 2014, SUNY Empire is TEACH (Technology, Education and Copyright Harmonization) Act compliant. The TEACH Act allows educators to use some copyright protected multimedia materials in online courses without gaining prior permission and/or paying royalties. The content can be an image or audiovisual, but it must not be textual (the written word.) It also cannot be intended for the educational market (such as a video on a CD that accompanies a textbook.) The content can only be posted inside a course in the Learning Management System (Brightspace), and only for as long as the students of that course need to have access to it. It must be captioned with the copyright and citation information. If it is nonfictional and nondramatic, there is no limit to the amount that can be posted; however fictional or dramatic content is limited to brief clips. TEACH Act applies only to materials that are posted for learning activities that are analogous to mediated instruction during class time in a face-to-face classroom setting. The TEACH Act must not be used to post materials that are used for research, reading assignments, homework or extra-curricular activities.

For Copyright Information and Help, Consult the Library

Information on copyright can be found on the Copyright Information Resource Center (<https://www.sunyempire.edu/library/copyright/>) web page. Copyright questions can be directed to Librarian@sunyempire.edu.