Scanning of copyright material for use in courses

The CLA Photocopying and Scanning HE Licence

This licence came into effect on 1 August 2008.

On this page:

- [Overview](#)
- [What can be copied: checklist](#)
- [The University's reporting requirement](#)
- [How to comply: departmental requirements](#)
- [How to comply: requirements and guidance for lecturers](#)

Next deadline for department/centre responses:

3 June 2016 (covering the period 1 June 2015 to 31 May 2016)

Overview

The CLA Photocopying and Scanning HE Licence covers [photocopying](#) and the digital scanning of copyright material for use in courses. The University of Essex has signed up for this licence.

The licence places a number of constraints on what can be done as well as administrative obligations for authorising and reporting digital scanning.

Amongst other issues, the licence and the guidelines deal with the following.

- What material can be scanned.
- How much can be scanned.
- Format and integrity of digital copies.
- How digital copies can be supplied and accessed.
- Who can prepare and distribute digital copies.
- Who can access digital copies.

Background information, the full HE licence agreement, and the guidelines are available on the [CLA website](#).

What can be scanned: checklist

You may scan material for teaching purposes for supply to students on a course of study under the Licence if you meet all of the following requirements:

- The amount of an item scanned must be below the relevant threshold:
  - up to **5%** or **one chapter** of a **book**

- up to **5%** or **one article** of a **journal issue**

- up to **5%** or **one paper** of one **set of conference proceedings**

- up to **5%** or **one report** of a **single case** from a **report of judicial proceedings**

- up to **5%** or **one scene** from a **play**

- up to **5%** of an **anthology** of **short stories**, **poems** or **plays** or **one short story**, **one poem** or **one play** of not more than **10 pages**

- The source must be published in the UK, in one of the international territories party to the agreement, or by one of the non-excluded US publishers. For details of these, see the lists of International Territories (these are the same territories as covered by the CLA photocopying guidelines) and excluded US publishers on the CLA website.

- The source must not be on the list of excluded categories and works included on the CLA website.

- The source must not be on the list of excluded categories:

  - works published outside the United Kingdom and the International Territories;

  - works published by US publishers that are listed on the 'Excluded US Publishers List';

  - maps, charts or books of tables;

  - printed music (including the words);

  - works specifically excluded by a special notice mentioning CLA, either on the work itself or by inclusion on the list below;

  - tests or public examination papers whether published individually or in a collection;

  - all newspapers;

  - privately owned documents issued for tuition purposes and limited to clientele who pay fees (except those published by the Open University or the National Extension College);

  - workbooks, workcards, or assignment sheets;

  - industrial house journals;

  - unpublished material, eg theses, dissertations, assignments and ephemera (such as company reports, retail supplier catalogues, in-house brochures and pamphlets, etc).

- The Licence covers scanning from printed publications only, both types of digital copies should be reported a) those made by scanning from print and b) those made by copying from digital originals. Please note, the source does not include digital copies made from website material - this means material in a digital format available via a website that cannot be identified by an ISBN and/or ISSN. This would include most websites that are free-to-view (but are not free-to-copy).

- Licensees should not scan from a printed book, journal or magazine where they also subscribe to or own an electronic version of the publication, provided that the desired use of

the electronic product is technically possible and is permitted under a relevant licence. Where an electronic equivalent of a printed book or journal is available, but a digital copy is made from the printed source instead, the department or centre's Scanning Return should be annotated to indicate why scanning was the preferred option.

- In exceptional circumstances where an HEI cannot acquire a printed book, journal or magazine on the retail market (or the second-hand market) and cannot acquire a copyright fee paid copy and where no suitable digital version is available, an HEI may make copies from a copy owned personally by an academic or administrative member of staff, provided the reason for doing so is noted.

The University's reporting requirement

The University is required to report on scanning every year in May (previously August). In order to manage this task, the University will gather data from departments and centres two or three times a year.

From 1 June 2014 to 31 May 2015 reporting period all HEI's will need to report all new Digital Copies only (produced by scanning from print or by copying from Digital Material, except website material) that have been made during this time. Once every three years in rotation the University will be required to report to CLA all Digital Copies (produced by scanning from print or by copying from Digital Material, except website material) that have been made available in the particular reporting period 1 June to 31 May. This should include any renewals which are available but were produced in a previous reporting period.

For the reporting period 1 June 2015 to 31 May 2016 the University will need to report all new Digital Copies only (produced by scanning from print or by copying from Digital Material, except website material) that have been made during this time.

New return: all new digital copies that have been made available ie either a newly created digital copy from scratch as well as a new course entry which may include a previously created digital copy which has not yet been reported for a new course.

How to comply: departmental requirements

Every department and centre is required to provide, for each reporting period (next reporting deadline: 3 June 2016 (covering the period 1 June 2015 to 31 May 2016)), information relating to digital scanning of copyright material (nil return if none) in order for the University to prepare its institutional return. The requirement this year is to report each Digital Copy distributed to a group of students on a module, unit or course, notwithstanding that the copy may have been reported as distributed in the previous reporting year. If a module is taught for more than one course, the Digital Copy will have to be reported for each course. If a module applicable to any one course has several modes of delivery, the Digital Copy does not have to be reported for each mode of delivery (eg campus based/distance based); the number of students reported should be the aggregate of all the modes of delivery.

- For **each** digital copy made, the CLA require bibliographic and course details as follows.

  o module code for course of study

  o module title

  o module of study duration (weeks)

- o number of registered students on module

- o ISBN/ISSN of copyright material

- o title

- o journal year or volume number

- o author(s) of chapter/article

- o page numbers from

- o page numbers to

- o source (code: A - from paper original owned by Institution; B - from digital original licensed to Institution [not applicable under this version of the licence]; C - from copyright fee paid copy; D - other: from another HEI under Sharing Provision (include name of supplying institution)

- Please would you ensure that your department makes an email return by 3 June 2016 (covering the period 1 June 2015 to 31 May 2016) to the IT Services Secretaries it.office@essex.ac.uk.

- If no digital scanning has been done by your department please respond stating "nil return".

- If your department will be unable to make a return by the deadline then please would you also advise Sue Goldsmith it.office@essex.ac.uk.

.

- If your department has undertaken a significant amount of digital scanning it may be easier to enter the information directly onto the CLA spreadsheet - Digital-Copy-Record-Form-NEW (which we can then merge with other returns). Completed spreadsheets should be returned to Sue Goldsmith it.office@essex.ac.uk.

- If the amount of digital scanning being undertaken across the University is significant then we will investigate whether an online recording system could help streamline the administration of the reporting process and also take steps to formalise the authorisation aspects.

How to comply: requirements and guidance for lecturers

- Staff scanning printed material for learning and teaching purposes must ensure that they comply with the guidance provided here, and that every such instance of scanning is recorded by their department so that it can be included in the institutional return to the CLA. It is recommended that an at-a-glance one-page notice for staff (.pdf) is displayed next to fixed-location copying machines and made available on your staff intranet.

- Before undertaking copying or scanning from print or digital material, you may also want to consult our Good Practice Guide in the creation of course packs.

- Access to the digital copies must be restricted to members of the University and printing restricted to students on the course for which the material was copied. These access restrictions can be implemented, for example, by placing scanned material in a /restricted folder in the CMR, or by making the scanned material available through WebCT or Moodle.

- Scanned images of book pages or printed material must be kept as an authentic representation in a whole or part page format. No alteration, manipulation or editing of the source text and/or images is allowed.

- Full CLA guidelines (PDF) are available on their website.