

## **UNIVERSITY LIBRARY USE AND CONTENT FEES POLICY**

The University Library is often asked to provide outside parties with copies of materials from its collections and/or to grant the rights to re-use these materials in new publications. These requests come from many a variety of users, ranging from independent scholars to large-scale commercial publishing houses. Below are the principles, policies, and procedures used by the University Library with regards to these requests.

### **Guiding Principles**

- The Library's business is to encourage and support scholarship.
- There is a substantial cost to long-term collection development and stewardship.
- Many parts of the "scholarship industry" are done for altruistic reasons while others are done in pursuit of profit. It is appropriate to expect compensation from those parties who will benefit financially from the use of our collections.
- Compensation is particularly justified when use of entire works or collections of material is being granted or when the request requires special time and handling by Library staff.
- The Library asserts the right to make determinations on a case by case basis about the appropriate fee for use of its collections.
- All charging policies must be in keeping with the Library's mission as a public good in support of research and scholarship.
- Any assessment of fees must be governed by copyright, licensing, and bequest constraints.
- Any charging structure must balance the administrative costs associated with charging fees with the money actually brought in.
- In all cases, the Library will be acknowledged as the holder of content.

### **Conversion of Single Images and Less than 10% of a Volume**

The Library will not assess a charge, other than direct cost, for the use of single images or portions of books that constitute less than 10% of an entire volume or up to twenty high resolution digital/photographic images to be used in a single project.

A flat fee of \$100 may be assessed, at the discretion of individual units, for work that requires extraordinary handling. The unit will notify the user of the fee and when the user has indicated a willingness to pay, the Finance Office will generate an invoice and will notify the unit when the fee has been collected. The fee will accrue to the unit's budget and used for collection-related efforts.

### **Conversion of More than 10% of a Volume (not previously digitized)**

Requests for conversion of more than 10% of a volume that has not previously been digitized are charged at the cost of converting the entire bound volume plus preparation costs as the Library deems appropriate and is consistent with existing recharge rates. A use agreement should be applied, which excludes the creation of reproductions in print or digital form unless otherwise negotiated. Direct cost will be returned to the units that provide the labor.

A copy of the digitized volume should always go into the Library online collections. This procedure should be followed only if the user wishes to obtain a copy of the digital file. If the user only wishes to view a digital copy, UM users should be referred to the appropriate selector who can make a request for digitization; non-UM users should be referred to ILL.

### **Existing High-Resolution Digital Files (more than 10% of a volume previously digitized)**

Requests for existing high-resolution digital files that represent more than 10% of a volume that has been previously digitized are charged at the conversion cost of the volume. A use agreement should be applied and should exclude the creation of reproductions in print or digital form unless otherwise negotiated. If the items are not in the public domain, it is the responsibility of the requestor to obtain necessary permissions. DLPS will notify the user of the fee and, when the user has indicated a willingness to pay, the Finance Office will generate an invoice and notify the unit when the fee has been collected. At that time, DLPS will deliver the electronic files to the user. The fee will accrue to a central collections fund and used to fund future digitization efforts.

### **Exchange Partnerships**

Barter offers for digital content should be assessed on a case-by-case basis, guided by the following principles:

- The content offered should be of value to the Library
- The content offered should conform to the standards and formats in use in the Library
- The content offered should be of comparable value to the content desired
- There should exist a letter of understanding documenting expectations, timeline and any use restrictions involved in the exchange
- The exchange of such content should be coordinated by the AUL for Collections and Scholarly Communication (AUL for C&SC), the head of DLPS and an appropriate selector.

### **Third-Party Publishing**

Requests to convert or obtain more than ten complete volumes from the collection or more than twenty single high resolution digital/photographic images for a single project are managed by the AUL for C&SC (or a negotiator appointed by the Library's Executive Council) and negotiated in accord with the following principles and procedures:

- The greatest concern of the Library is the safe care and handling of its collections. No transactions will be approved without reasonable guarantees as to the safe handling of Library materials, and guarantee replacement if loss or damage occurs.
- Our collections are acquired and maintained for the benefit of campus users, and projects to support outside bodies should be done in such a way as to minimize inconvenience to local users.
- The costs of staff time, materials, and attributable overhead must be recovered in projects to support outside entities.
- In addition, the costs of acquiring, processing, housing, or reformatting collections are represented in a "use fee" that is charged to outside entities

seeking to use University Library resources. The exact calculation of this “use fee” will vary based on the particulars of a project. It will be the responsibility of the AUL for C&SC, working in consultation with affected collection managers and Administration colleagues, to set and/or negotiate compensation. In most cases (with exceptions approved by Executive Council), we would expect as minimum compensation a copy of the digital files for institutional use.

- Payments for direct costs will be returned to the appropriate units. Use fees may accrue to either central collection funds or be divided among central collections and the unit(s) providing the content. The exact dispersal of fees will be determined by Executive Council and the AUL for C&SC, in consultation with the affected collection managers.
- Agreements for use of Michigan content will be documented in writing between the contracting parties. All Michigan agreements are signed on behalf of the Regents of the University of Michigan. Terms and timelines should be affirmed in these agreements, along with provision for compensation in case of loss of material or damage of materials. Agreements for the use of Michigan collections should be reviewed by General Counsel, and can be signed on behalf of the Library by the University Librarian or AUL for C&SC. Agreements may stipulate terms or limits upon the use of such resources, including limitations on redistribution or further reformatting of Library materials if that is not already understood as the underlying purpose of the request.

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