

Sharing of Media Collections; RSC Report to SOPAG

August 4, 2005

Summary

SOPAG has asked RSC to investigate the sharing of media collections. Recognizing the wealth of media owned by UC libraries, and the special concerns regarding sharing material in these collections, RSC investigated methods for increasing the sharing of media, whether through policy or technology.

To inform the investigation, RSC surveyed all campuses, asking them to briefly describe the nature of their media collections, to discuss their decision-making regarding sharing media material (primarily via Interlibrary Loan), and to speculate on technological solutions to barriers. While “media” could refer to a variety of types of material, the survey and this report focus mostly on videos (and increasingly DVDs), and some on audio formats. Video materials, in whatever format, make up the vast majority of interlibrary loan requests for media.

The surveys reveal that campuses are often willing to share their media, and indeed do so at present. Major barriers include the fact that some material is targeted for class use, and will not be loaned when such use is anticipated; some material is prohibitively expensive and difficult to replace, and therefore not always shared; and material degrades with each use, and has also been known to be damaged or destroyed in end-user’s equipment, both of which amplify the previous concerns and tilt a lending decision to non-lend. For audio formats, copyright concerns can also play a role, because of the ease of “ripping” a CD.

Campus responses and policies regarding media lending (appended to this report) do reveal some further, campus-by-campus barriers: various local campus issues can prevent loans on a more systematic basis. For instance, one campus does not provide ILL of videos to others’ undergraduates; another’s local policies assign 3-day checkout to most videos, a limit below their threshold for lending to another library; another has the bulk of their video collection outside direct management of the library, unavailable for off-campus loans. Further, a recurring sentiment indicates that reluctance to lend can be influenced by reciprocal treatment. In other words, small interlibrary lending trade wars may exist. If a campus is reluctant to lend, or perceived to be reluctant to lend, other campuses in turn may be more reluctant to lend. Finally, a number of campuses cite difficulty and frustration in getting material back in a timely manner, a frustration that hints that borrowing campuses might be able to do more to ensure proper care and timely return of borrowed media.

Whether technology could aid in media sharing efforts is still unknown. There is almost no fair use argument for duplicating copyrighted media items and sharing them electronically. Except for small clips, such practices are somewhat clearly forbidden.

The most promising technological solution would likely involve a new model of licensing access to video content, with rights to share and stream. Just recently, UC and Cal State announced an agreement involving licensing media content via private providers (Cidigix and Mindawn, with negotiations with Sony and Napster in progress). Although this effort appears motivated primarily to address piracy concerns, and details as to what may be downloaded, and whether the user or the campus will pay are unknown, the resource sharing implications and opportunities should not be overlooked. There are further, more 'academic' online music archives such as Classical Music Library, Naxos Music Library, Smithsonian Global Sound, and the Database of Recorded American Music (DRAM), all of which may function more like a typical, licensed UC Libraries database. In short, we may very soon explore acquiring media content much like we acquire electronic journals.

Recommendations

Specific **recommendations** for increasing interlibrary loans of media are listed below. It is important to note that the recommendations in many ways include a cultural shift in how media is viewed by the curators, interlibrary loan staff, and University Librarians. Patrons continue to have a different view from library staff – if it's available, lend it to me, if not available, find it and send it to me, and do it all quickly. RSC notes that their experience with the loaning of Special Collections materials has been fraught with controversy. It is easy to say that we encourage lending. It is much harder to enforce or even force lending to happen. Even when library administration provides a mandate to staff to increase lending, the actual decisions, and the interpretation of criteria for making such decisions, remains in the hands of staff, and little actual change may occur. Cultural shifts are not easy and sometimes not possible without significant effort on the part of library administration.

- SOPAG should encourage individual campuses to investigate methods to reduce local barriers mentioned in the report.
- Methods for increasing the timeliness of returns needs be addressed (another survey on how borrowing campuses manage loans, returns, fines, etc., for borrowed ILL materials), with the goal being adoption of policies to reduce the risk of damage and late or non-returns of media.
- University Librarians need to make a commitment to support and require the lending of materials under reasonable expectations. That commitment should be shared with all staff involved in the process and expectations clearly defined.

- UC should explore alternative models for purchasing and sharing of audio and media materials, especially licensing media content. Services such as Cdigix offer video content and have already begun to establish a relationship with the University of California. It may be time for the UC Libraries to take the lead in shaping how services such as Cdigix are used by the University community.

Charge from SOPAG, sent August 27, 2004:

Charge to Investigate the Sharing of Media Collections

At the July 23rd conference call meeting of SOPAG, we discussed briefly the issues related to the current restrictions which inhibit the sharing of media collections within the University of California Libraries. We understand that there are special concerns with regard to media collections, including: 1) many of the media collections are outside of the jurisdiction of the libraries; 2) media is fragile and its use on playback equipment contributes to the deterioration of its quality; 3) when media is loaned for use outside of the control of the owning agency, there is no assurance that the equipment used by the borrowing agency is of high quality and in good repair, and if not, could further contribute to the deterioration of the media; and 4) curators of media collections are reluctant to put the media in their care at risk through transportation, delivery, and use at a location outside of their control. Nevertheless, the University has rich holdings of media, and at any one time, most of that media is not in use. Faculty and students have registered complaints at the various campus libraries that media collections are generally inaccessible, particularly to users outside of the holding campus.

Given these factors, SOPAG would like to ask the Resource Sharing Committee to review the current situation with regard to the loan of media within the libraries of the University of California, to explore the possibilities for sharing media within UC, and to develop recommendations as to how the current restrictions could be overcome to make media more accessible to UC faculty and students. Would it be possible to share media by means other than physically sending it from one campus to another? For example, could some media be shared electronically, with due attention to the copyright issues such sharing may raise?

Definition of Media

For the purposes of this report, the primary definition of media

Type of media and format

Audio:

Interviews, speeches, music, oral histories
Format: Audiocassettes, audio CD, reel to reel tape, LS, digital files (MP3, etc.)

Image:

Pictures, illustrations, graphics, maps, posters
Format: Photographs, slides, digital (Tiff, JPEG, etc.)

Moving image:

Historical, entertainment, promotional, training, documentaries, distance learning, medical diagnostics
Format: VHS, CD-ROM, DVD, Laserdisc, Film strips, 8mm, 16mm, 35mm, digital moving image files (MPEG, etc.)

Types and Use of Media

- Instruction (in classroom, library, media center)
- Personal (in library or media center)
- Archival/preservation (in library or media center)

Media requests from both libraries and media centers (verify) are nearly exclusively for video materials. At this point, the large majority of requests are for VHS tapes, with increasing requests for DVDs. Music recordings are the other media format that is frequently requested. Requests for all other types of media are very rare.

Technological Solutions

Technological solutions – creating, sharing, or streaming digital versions of media – are interesting but, outside of specifically licensing permission, generally unrealistic because of copyright limitations. There is a small amount of UC-owned media for which we own the copyright. Beyond that, copyright law either requires permission from the copyright holder, or for the item to be unavailable for purchase, in order for it to be legal to copy the entire work.

- Section 108 on library copying allows libraries to make *preservation* copies of items, but prohibits libraries from distributing these copies, if *digital*, outside of the premises of the library.

- Section 108 on library copying allows for *replacement* of lost or stolen materials only if another copy cannot be purchased at a fair price.
- Section 108 on library copying discusses interlibrary lending, and allows copies of only a “small part” of a copyrighted work. We couldn’t copy and distribute a complete video or DVD anymore than we could a complete book.
- Nor would making a *circulating* copy in order to protect an *original* copy against potential loss be allowed under Section 108.

Fair use (Section 107) provisions of the law remain the best way to explore this copying. While fair use is famously vague, consideration of even a single of the four factors can be enough to scuttle an argument for fair use. In this case, factor number three is the amount of material copied. Copying an entire work would rarely be fair use, although if the item was out-of-print and impossible to buy, and nature of the use was educational, an argument in favor of fair use exists. But items for which fair use arguments can be made, or which are owned by the UC, or have received permission from the copyright holder, might be digitized.

Reminder of the “four factors” to consider whether or not a use is fair:

1. *What is the character of the use?*
2. *What is the nature of the work to be used?*
3. *How much of the work will you use?*
4. *What effect would this use have on the market for the original or for permissions if the use were widespread?*

A thin (but original!) argument would be that making inferior copies would lessen the strength of the third factor (i.e., instead of copying 15% of an entire work, we’ve copied an entire work at 15% of its quality!).

Fair use should allow, to some extent, *clips* to be copied and distributed, ala articles or book chapters, but trying to implement interlibrary lending of clips has many bibliographic, technological, and legal barriers, not the least of which is the questionable legality of copying *encrypted* materials (like many DVDs) regardless of the use. There is also the question of whether users would even want clips.

Fair use factor #2 also tends to consider uses more likely to be fair if the material is factual, rather than creative, making fair use arguments weaker (but not necessarily dead) for music or feature films.

Instead of making copies, we could consider streaming media. Because streaming media is more difficult for an end user to capture (although possible), it may be easier to secure copyright permission to stream contents of videos and DVDs, and this may be the future of some as-yet unborn licensing system. But it’s still not considered legal under

copyright law to stream copyrighted material. The TEACH Act makes provisions for streaming in real-time, to a classroom, under the supervision of an instructor, and with safeguards in place against copying. Note that the TEACH Act *only covers face-to-face in-class use*.

Again, streaming *clips* has more possibility from a copyright perspective, but not from an administrative (how to identify clips and make the requests) perspective nor a workload perspective. There is a significant workload to creating streaming clips.

The Conference on Fair Use (CONFU) came up with the following fair use guidelines for using multimedia in educational environments. Note that these guidelines are disputed and do not have the power of law, and as yet no legal cases address educational multimedia fair use:

- motion media - up to 10% or 3 minutes, whichever is less
- text - up to 10% or 1000 words, whichever is less
 - poem - up to 250 words, but further limited to:
 - three poems or portions of poems by one poet; or
 - five poems or portions of poems by different poets from an anthology
- music - up to 10% or 30 seconds, whichever is less
- photos and images - up to 5 works from one author; up to 10% or 15 works, whichever is less, from a collection
- database information - up to 10% or 2500 fields or cell entries, whichever is less

Audio and video material aside, questions remain about sharing of copyrighted images, too:

1. If in creating a slide collection “fair use” principles have been followed, does this imply that providing digital versions of those images is allowed?
2. Can digital images be shared legally between multiple institutions?
3. Are there different legal considerations when providing digital image reserves versus providing permanent digital image collections?
4. Should there be limits to public access of digital images because of copyright issues?

While the larger questions will continue to be addressed in the community at large, it will be necessary to continue to develop practical approaches to dealing with copyright and fair use. UC libraries can benefit from the experiences of the visual resource collections, special collections and Alexandria in developing policies and procedures for

their own operations as well as for advising faculty. But new models of licensing access to large audio and media collections remains the most promising technological solution.

Copying/Digitizing Media

While recognizing that copyright prevents most of the potential copying that we might do to support media sharing, items *can* physically be copied:

Audio:

Audio media on audiocassettes or audio CD, if not already digital, can be digitized easily into files that are compact and easily transferred via the Internet.

Image:

Copying/digitizing images can be easily done with delivery as simple as posting a file (compressed or not) on the Internet, providing password protection, notifying the user that material is available.

Video:

Copying/digitizing videos must generally be done in real-time. DVDs are encrypted, and copying requires circumventing the encryption, but it can be done. In each case, resulting files can usually be compressed from a typical 2-4 hour film (4-8 GBs) to less than 700MB (to fit on a CD)- with loss of quality.

Digitized videos and DVDs could also be streamed digitally. The files might be mounted on a dedicated server and password protected (much like current document delivery of articles), and streamed for viewing. This would allow users to play/view content, and copying is currently more difficult (but new software is making it even easier). Bandwidth requirements are significant, especially for feature length items.

In all cases, the files could either be burned to CD or other media, or made available via a document delivery type service (password protected, then download the file).

Metadata

Creating a digital object is more than creating a digital file. Without proper metadata to identify unique items the effort involved may not be worthwhile.

Special Concerns: (Barriers/Restrictions/Copyright Implications)

Libraries are sometimes reluctant to loan videos and DVDs. Primary reasons for this include:

- Many items are purchased on a campus for a specific class. Libraries and faculty members want the item to remain available for local class.
- Fear that items will become damaged in users' media equipment or that a user would directly handle a piece of media (vs. library mediation) is a concern.
- Commercial transportation of the materials and possible damage.
- Value of materials. Many media materials used at academic libraries are very expensive to replace (hundreds of dollars), often times not easily replaced or irreplaceable. Holdings include unique, academic-oriented content. Not material one would find at their local Blockbuster.
- Heavy use on home campus.
- Lack of timely return.

The ability to copy, digitize and deliver media, either via a copied disc or a file on the Internet does not preclude the restrictions surrounding use of these materials.

Appendix: Campus Media Surveys

Survey:

UC Survey on Sharing Media

Dear RSC members,

SOPAG has asked the Resource Sharing Committee to investigate the sharing of media between campuses. For RSC's report on the issues, RSC would like each campus to discuss (somewhat informally) their policies, procedures, and thinking regarding sharing of media. RSC members should coordinate the response with appropriate personnel, likely the media curator or librarian/bibliographer responsible for the collection, and the ILL manager. Note that while "media" could denote a wide variety of material, your responses may focus just on those media that are most requested, likely videos, DVDs, and audio CDs.

Specifically, the charge (John Tanno email, 7/28/04) states:

"We understand that there are special concerns with regard to media collections, including: 1) many of the media collections are outside of the jurisdiction of the libraries; 2) media is fragile and its use on playback equipment contributes to the deterioration of its quality; 3) when media is loaned for use outside of the control of the owning agency, there is no assurance that the equipment used by the borrowing agency is of high quality and in good repair, and if not, could further contribute to the deterioration of the media; and 4) curators of media collections are reluctant to put the media in their care at risk through transportation, delivery, and use at a location outside of their control. Nevertheless, the University has rich holdings of media, and at any one time, most of that media is not in use. Faculty and students have registered complaints at the various campus libraries that media collections are generally inaccessible, particularly to users outside of the holding campus.

Given these factors, SOPAG would like to ask the Resource Sharing Committee to review the current situation with regard to the loan of media within the libraries of the University of California, to explore the possibilities for sharing media within UC, and to develop recommendations as to how the current restrictions could be overcome to make media more accessible to UC faculty and students. Would it be possible to share media by means other than physically sending it from one campus to another? For example, could some media be shared electronically, with due attention to the copyright issues such sharing may raise? Basically, then, SOPAG is asking RSC to investigate the possibilities of adding media to the shared collections and services that are continuing to evolve within the UC Libraries."

With this charge in mind, please briefly summarize (one page or less) your library's lending characteristics and policies with regards to media. Include criteria and decision-making process (including personnel involved) for making decisions on whether or not

to lend. Include discussion of the nature of your library's media collections as it relates to lending decisions. Can you comment on any potential policy changes that might make media more likely to be loaned? Can you envision lending scenarios that might be served by digital solutions?

Please send responses to Eric Forte (forte@library.ucsb.edu) by Tuesday May 3.

SD

2 May 2005

To: Eric Forte and Tammy Dearie

From: UCSD members:

Leslie Abrams, Head, Arts Library
Laura Chipps, SSHL ILL Manager
Tammy Dearie, RSC representative
Stephen O'Riordan, Film Curator

Re: UCSD Survey on Sharing Media

Nature of collection:

The main collections of media on the UCSD campus are at the Film/Video Library (FVL), the Music Library, and the Visual Resources Collection (including analog slides and digital images), all part of the Arts Libraries group. The Music Library does not loan sound format materials and will not be included in this survey. Approximately 80% of the Visual Resources Collection has been digitized and is part of ARTstor. Other collections on campus include a small historical collection at the Scripps Institute of Oceanography Library, small photographic collections in the UCSD Mandeville Special Collections, the Learning Resource Center supporting the UCSD School of Medicine, and the Language Lab supplementing the campus language programs. The FVL is the focus of this survey.

The FVL collection supports the instruction and research needs of UCSD faculty and students. Because the FVL collection supports most academic programs at UCSD the collection includes material in all subject areas, however the collection is not evenly divided among subject areas. Some areas are more frequently represented in media and lend themselves to effective use of media in the classroom. The FVL does not support the UCSD Medical School or Scripps Institute of Oceanography.

Scope and Coverage of the collection

Emphasis is on materials appropriate for undergraduate level studies as well as graduate student and faculty study and research, mirroring curricula strengths at UCSD. All languages are collected.

Collection priority is given to authoritative documentaries produced within the last ten years. Classic examples of the documentary tradition are purchased regardless of date. Feature films from all periods are collected, as are experimental films and video from all periods. Hobby, vocational and self-help items are not collected.

The collection is strong in United States, European, Latin American, Russian and the former Soviet Republics, African, Pacific Rim, Melanesian, and Australian productions.

Most material is purchased on U.S. NTSC standard. The FVL does purchase material in PAL (European) and SECAM (Asian) standards when titles are not available in NTSC. Both Audio-Visual Services and FVR have the capability to play back all standards.

- * Videocassettes (VHS, 3/4)
- * Laser discs (CLV, CAV)
- * DVD
- * 16mm film prints.

Lending characteristics, criteria and decision making process

Interlibrary lending is active and supported by both the Library administration and the Curator of the film & video collection. Requests are evaluated on a case-by-case basis with most materials being made available for loan. Materials that typically are not lent include those on reserve and other material with heavy local use, film prints, and materials that are truly unique and cannot be replaced. All requests are reviewed and approved by the Curator.

Policies

ILL loan is restricted to faculty and graduate students at similar institutions (all UCs and other academic institutions who reciprocate). Use is designated "library use only" which may also include classroom use.

Potential policy changes to increase the lending of media

- Ability to digitize materials to create a lending copy
- Copyright changes
- Support for workload increases
- Support and compliance to lend on all campuses

- Standard policies and enforcement
- Development of shared collections with lending as a requirement

Digital solutions to increase the sharing of media

- Possibly a new role for the RLFs to store and digitize on demand
- Purchase of new services UC wide (digital music, ARTstor, Image Demonstrator)
- Focus on collections that are out of copyright
- Focus on collections produced by educational distributors who are selling digital access at reasonable rates

Additional comments:

- Need to review the use of “library use only” restrictions and possibly adding new status of “classroom use allowed,” if appropriate.
- Media collections are on the cusp of change: Media is geared to the consumer world, financial models are changing, vendors are interested in creating and cashing in on new models, and new licensing models may make it easier to lend, although at a cost.

UCR’s Response to the Interlibrary Loans of Media Materials

To: David Rios, AUL for Public Services and the Sciences

From: Jim Glenn, Head, Media Library

Date: May 4, 2005

In response to your inquiry about the interlibrary loan of media materials between the various University of California campuses, my understanding is that a policy to loan media materials within the UC system has been in place for a number of years. The Riverside Media Library has always cooperated with the requests from other UC campuses, and has on other rare occasions even honored requests from non-UC campuses. The only exceptions have been materials that could be easily damaged, like laserdiscs or DVDs. However, I am told by UC Riverside faculty that other UC campuses, specifically UCLA, do not reciprocate with their materials, which is very frustrating to our faculty.

One drawback to loaning materials to other campuses is the security of our materials. A few years ago, a U-matic video tape from the “Festival De Flor Y Canto” series, which was an Hispanic literary workshop held at USC many years ago featuring Hispanic authors, including UCR’s late Chancellor Tomas Rivera, reading selections from their works, was loaned to “UC Campus 1.” They lost the video. The UCR Library could not replace it. On another occasion, a video from the “Eye On Dance” series was loaned to “UC Campus 2.” When it was returned, it was discovered that someone had copied the

video and returned the copy to UCR. UCR's Interlibrary Loan Department was able to get the original copy back. As a result of these two incidents, I do not allow the loan of any of the "Festival De Flor Y Canto" or other materials that I feel are rare and may not be able to be replaced. I also will not loan dance videos to "UC Campus 2" any longer.

Another down side to interlibrary loan of media is the fact that many times, we never know what our faculty want to use in their classes until they walk in the door wanting a specific title. If it is not here, they insist that they must have it. When that title is requested to be retrieved from the borrowing campus, we are at the mercy of that campus getting it back from the person who has it and then returning it back to us in time for our faculty to use it. On a related vein, when interlibrary loan of media materials was first instituted, the understanding was that the turnaround time for an item to be loaned and returned was three weeks. That time frame rarely happens. Titles can be gone sometimes for months. Many times when a video tape has been out on interlibrary loan for an extended period, it is returned without the borrower having the courtesy to rewind it before returning it.

There was mention of the possible electronic transfer of media among the various campuses. This could open a large can of worms in regards to copyright issues. There is a lot of debate, and opinion, about the electronic transfer of media, but I have not heard anything concrete about the legality of such a practice, at least from one campus to another. The other major factor in the electronic interlibrary loan transfer of media among campuses is the cost and time involved in duplicating (digitizing) titles into a format compatible with electronic transfer. The cost alone would be tremendous and, I assume, there would have to be positions created to actually perform the digitalization. Someone in a legal position to interpret copyright laws would have to make the decision about the legality of copying a title from one format to another.

UCLA Media Lending Policies Survey

May 4, 2005

Social Sciences and Humanities

YRL & SRLF have some limited audio visual media materials in our regular stacks which are currently routinely loaned to other UC's. Music Library has audio materials that they will not lend. Management, Arts and College Library have little to no such material.

Law

The majority of the "media" in Law are in a video/dvd collection purchased specifically for a law classes, so these are always kept on reserve. We would consider lending them on a case by

case basis to another UC during a term the course is not being taught. A handful of items are in a circulating location, so are currently routinely loaned to other UC's.

Sciences

Biomed has about 1,200 video's, dvd's, tapes, etc. They are currently loaned to other UC's via ILL. SEL has little or no material.

The vast majority of UCLA's media collections are located in the UCLA Media Laboratory and UCLA Media Library. These organizations are not a part of the UCLA General Library organization. They charge fees for lending, and in the past have not agreed to lend to other UC's at no charge. In response to this SOPAG discussion, UCLA can revisit the issue with managers of the Lab and Library.

Claire Bellanti

UCLA RSC Representative

To: Eric Forte and Tammy Dearie

FROM: UCSB: Eric Forte and Gary Johnson

Re: Media sharing characteristics

At UCSB, ILL for media generally follows a simple rule: if the item circulates locally, it also may circulate via ILL. So of our 4000 or so videos/DVDs (amongst potential 'media' formats, requests are almost exclusively for videos/DVDs), some 95% of which may be loaned via ILL. The balance are non-circulating or on Reserve.

Note that our ILL loan periods for videos are short- generally 7 days- so that if a local patron needs a video for class use with little notice the item is not going to be off campus indefinitely.

Audio media generally does not circulate, even locally, so is not loaned via ILL. If an audio item is public domain or we have a right of reproduction, a copy will be made and loaned via ILL. But that's a rare case.

Decisions as to whether an item circulates locally (and therefore via ILL) are made by appropriate bibliographer/collection managers. With our policy, to further increase the percentage of items that could be loaned would require collection managers to reduce the number of media items they designate non-circulating.

Digitizing items *not* in copyright is a realistic option. For items still in copyright, a digital reserve might be created via which copies of media items would be made available electronically, and such copies would be tracked, acknowledged, and royalties paid- providing the existence of some new model whereby this made financial sense (convincing publishers that this copy somehow wasn't worth the entire price of the original item, and also dealing with potentially large costs of the copying operation).

Gary Johnson, ILL Unit Head, and Eric Forte, Head of Access Services, UCSB

For UC Davis:

For purposes of this report, I will comment on videos, DVD's and audio CD's.

Media is owned by all UC Davis general libraries. The Carlson Health Science Library, the Medical Center Library, and the Physical Sciences & Engineering Library have very small collections. The largest collection is in Shields Library, and it is housed in Reserve Services where we have controlled access; individual titles may or may not be used for course reserves. The largest collection of audio CD's is in the Music Library, which is not a part of the General library. Videos and DVD's are primarily purchased by selectors to support course instruction or to support collection development profiles in comprehensive areas (e.g., viticulture & enology)

Shields Reserves has various media: videos, computer files of all sorts, DVD's, a very small number of audio CD's, tapes, and 33rpm records. There are two primary reasons that prevent the ILL of media materials:

1. The loan period for media (3 days in most cases)
2. The frequent use of media for course reserves or in conjunction with a course where a specific genre is being studied, but individual titles are not placed on course reserve.

Loan Periods: Any UC Davis library item with a loan period of 1-week or less is not lent through ILL. Media in Shields Reserves has a 3-day loan period, so none will circulate through ILL without a special exception. Some media items at the PSE library have a 1-week loan period and are circulated through ILL. The library has no viewing equipment, so we allow a 3-day loan for UC Davis users to take the item home for viewing. Media that we own that a faculty member wants to "put on course reserve" is checked out to the Campus Media Distribution Lab who circulate it to students in the class for use on the Media Distribution Lab equipment.

SPECIAL ILL LOANS: If a special ILL request were made to borrow a media item that would not normally loan, the head of Reserves (LA IV) would make a decision based on (1) who was requesting it, (2) the likelihood of the item being needed for course reserves,

and (3) the ILL track record of the borrowing institution when it comes to returning short loans/recalled items. She might also consult with the bibliographer for that area.

ILL PROBLEMS: It is the experience of Shields Reserves that some UC campuses do not return recalled books promptly. The Reserves supervisor has gone a whole quarter without being able to get an item back from another UC campus in order to put it on course reserves. With this experience as a basis, she would be very concerned about loaning a media item that might not be returned promptly, especially since it would be going out with a short loan period.

The Reserves supervisor is also concerned about loss and damage to media. These are issues with regular local loans as well, but ILL introduces the additional element of shipping as another potential area for damage.

If a prompt and safe return could be ensured, she would be willing to consider UC ILL loans of media that is not readily available in local video rental stores; it doesn't seem worthwhile to us to loan materials that can be rented very inexpensively locally. We have a growing collection of popular culture DVD's and videos that she would not loan, because they could easily be obtained locally. She still would not be willing to loan items that have a history of being used for courses on short notice.

I discussed the perplexing situation we find ourselves in at UC Davis. We have an increasing number of instructors and researchers who want to borrow media, yet we don't loan what we own. I do not consider this a sustainable situation.

We do not have duplicating or systems resources at this time that would enable a digital solution. Most of our media items would have copyright provisions that would preclude making copies. We don't have many, if any, media items with restrictive viewing licenses.

In general, we do not make ILL loans for periods of time that would exceed the local loan periods available to UC Davis users. This is considered an issue of fairness to our primary users.

Gail Nichols
Head, Access Services Dept.
May 6, 2005

Irvine
UC Survey on Sharing Media

Currently, the Multimedia Resources Center (MRC) in the Langson Library and the Interactive Learning Center (ILC) in the Science Library at UCI lend videos, DVDs, audiocassettes and DVDs to our sister campuses whenever possible. Criteria and decision-making process (including personnel involved) for making decisions on whether or not to lend are as follows:

1. MRC/ILC staff receives requests from ILL staff.
2. MRC/ILC staff collects information regarding price, availability, and current demand for requested item.
3. MRC/ILC staff forwards collected information to MRC/ILC manager.
4. MRC/ILC manager reviews information, contacts appropriate subject librarian with his recommendation as to whether or not item should be lent.
5. Subject librarian responds affirmatively or negatively to recommendation.
6. Item is lent or ILL request is denied.

We usually do not lend our media in the following situations:

- We usually do not lend items that are in high demand for showing in UCI classes.
- We do not lend an item during the quarter a UCI faculty member or teaching assistant has requested that it be placed on Course Reserves.
- We do not lend film reels because they are archival copies.
- We do not lend computer files or digitized video when licensing restrictions prevent us from doing so.
- We usually do not lend an item if it recently has been acquired at the request of a faculty member for showing in a UCI class.
- We usually do not lend items, which are shown regularly in UCI classes, when the items are currently out-of-print.
- We do not lend material if there are restrictions on its use; this represents only a small part of our media collection. For example, the dance videos donated by the George Balanchine Foundation can not be lent via interlibrary loan per our agreement with the Foundation.
- We do not lend items that have a high replacement cost when the borrower is reluctant to pay the replacement cost if the item is lost.

We sometimes are reluctant to share our media for the following reasons:

- The borrowing institution rarely lends items to UCI.
- The borrowing institution disregards our loan periods and rules of use. When they do not return recalled items on time, they prevent our faculty from showing our videos to UCI classes.

Would it be possible to share media by means other than physically sending it from one campus to another?

Technologically, it is possible to share media with other campuses if we digitize it. However, most vendors licensing agreements prohibit UC campuses from doing that.

Could some media be shared electronically, with due attention to the copyright issues such sharing may raise?

We might be able to share media if our campus licensors permit us to do so. We might be able to share locally produced content we own at UCI. All of the UC campuses might be able to share media if all of them get together and buy system-wide licenses. However, I am afraid most of our licensors would be reluctant to do that. Nevertheless, two or three campuses that have the same needs may be able to band together and persuade the licensors.

Can you comment on any potential policy changes that might make media more likely to be loaned?

We would probably lend more media to our sister campuses if:

- Our licensors allow us to do that.
- Other UCs lend more to our affiliates.
- The borrowing institution complies with our loan periods, loan rules and return recalled items on time.

Survey completed by: Jose de Jesus Perez, Multimedia Resources Center Manager, and Jeff Schneidewind, Interactive Learning Center Manager. UC-Irvine

Berkeley

Materials in the UC Berkeley Media Resources Center are loaned on a case by case basis.

ⓄDecisions regarding whether or not to loan rest with the Head of the Center.

ⓄDecisions are based on the following criteria

ⓄUse patterns of material requested, including current course-related uses; use for current research projects; student demand, etc.

ⓄPhysical fragility of materials

ⓄDifficulty/expense of replacement

ⓄCopyright and/or licensing restrictions

I cannot envision policy changes which would make media more likely to be loaned.

Digital futures: If the issue of image resolution and infrastructure requirements are factored out (and they shouldn't be), it is possible that consortial licensing could be arranged to digitize and serve significant collections--particularly materials that are likely to have high consistent use (e.g. selected materials from independent distributors such as California Newsreel, First Run/Icarus Films; Women Make Movies; Films for the Humanities and Sciences). The materials in question are not (and probably never will be) available as commercial on-demand content: licenses are probably available, but the encoding and delivery of these materials would be the responsibility of institutional

end-users. This would require that one or more campuses take responsibility for selection, digitization; server maintenance; licensing; intellectual property control.

I definitely think this is worth pursuing! There are commercial enterprises such as Video Furnace who currently offer networked solutions for media delivery. While the initial investment in hardware and infrastructure would be relatively high, the long-term cost savings might be worth it...

Include criteria and decision-making process (including personnel involved) for making decisions on whether or not to lend. Include discussion of the nature of your library's media collections as it relates to lending decisions. Can you comment on any potential policy changes that might make media more likely to be loaned? Can you envision lending scenarios that might be served by digital solutions?

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SC

UCSC's media collection consists of 9700 videotapes, 2600 DVDs, 1100 laserdiscs, 6000 music compact discs, 3000 microcomputer applications and data files on CD-ROM, and a number of 16mm films, audiocassette tapes, and vinyl records. Greg Careaga, Media Development Librarian, is the primary decision maker for which items may be loaned. Lending decisions are based on the following criteria:

- Medium – The library will lend NTSC-VHS videotapes, region 1 DVDs, laserdiscs, audiocassette and music CDs. The library will not lend PAL or SECAM VHS videotapes, or DVDs encoded for other than region 1 since items are only collected in these formats if they serve a critical curricular need. CD-ROM applications and data files will not be loaned because of generally restrictive license agreements. The library will not lend 16mm films or vinyl records because of their fragility.
- Copyright – UCSC produced and holds the right to a small portion of the videotape collection, generally faculty lectures and campus events. When requested, the library will duplicate these tapes and either give or lend a copy to

a requesting agency. Some legacy items in the videotape collection are of dubious provenance. The library will not lend an item if there is any doubt that the title was legitimately acquired.

- Requesting agency – The library seldom lends media materials outside the UC systems.
- Curricular need – Items that are on reserve for the current quarter or for which there is a faculty booking in the current quarter will not be loaned. Items that are not on reserve but for which there is heavy intermittent demand will not be loaned. UCSC has an active Film & Digital Media program and an extensive collection in television and motion pictures. These items are not loaned.
- Availability – Documentary film distribution is an uncertain enterprise. For example, UC Extension's media center is closing next month after a century of operation. If the library is not confident that it can replace a title if it becomes lost or broken, then we will not lend it.

Video distribution is early in a transformative stage. Much as print research has migrated from paper indexes to remote database searching to CD-ROM index to web full text, emerging technologies present new opportunities to deliver video on demand. Improved compression algorithms and streaming technology are overcoming throughput and copyright obstacles. Set-top boxes for narrowcasting permit transmission of cable or telephone lines to television or computer monitors. Unfortunately, much of the current content in narrowcasting tends toward the public access television fare rather than the documentary content that we commonly do lend between campuses. What we lack is an organizational infrastructure and a compelling motivation for content creators to leave the old paradigm of single copy video sales in favor of a licensed based video on demand service.

SF

The survey is not very applicable to UCSF since we don't have any specific media collections. We do have some videos and CDs in the collection. We will send out anything in the general collection we send out if someone in the UC system requests it. We don't send out media that's on Reserve or in the Reference collection.

We have some videos in our special collections. If a UC person requests a special collection item, the Manager of Special Collections makes the decision on whether it should go out or not.

We do not have facilities to copy media we do not lend, so we cannot currently make

copies for UC patrons that might request them. The ability to copy media would definitely make it easier for us to lend a greater portion of our media collection, but since we have so few videos and CDs, it's probably not worth investing in copying facilities.

Let me know if you have any questions. Thank you.

Keir

M

Although not really relevant at this time, Eric Scott at Merced reports that Merced will be a very willing lender of media materials.