

Policy on Digitization of Aggregate Collections of Materials in Library Archives and Special Collections

The George A. Smathers Libraries at the University of Florida (“Libraries”) holds within its archival and special collections unpublished rare and unusual text and non-text materials that form unique aggregate collections with either a shared provenance or organization around a key topic or theme. To make these aggregate collections available for research and study by members of the University of Florida community and beyond, and consistent with an accepted community of practice,¹ the Libraries will digitize and make freely accessible online these aggregate and cohesive collections through its web site and in accordance with the following:

- Collections selected for digitization will be reviewed by the appropriate subject specialist librarians for high research value and user interest and a low risk of privacy rights and copyright infringement. Prior to digitization of the collection:
 - Subject specialist librarians will review the collection for student work and records, medical records or other sensitive information. If a collection contains sensitive or private information, that information will be redacted from the document. If redaction is not feasible, the item will not be digitized as part of the collection.
 - Permission will be sought from readily identifiable rights holders.
- Digitization of these aggregate collections, with the enhancement of metadata and addition of commentary by the subject specialist librarians, constitutes a fair use of the items within the aggregate collections.
- The digitized collection will include the following standard statement regarding rights and fair use and the contact information for the Libraries in the event a rights holder exists and chooses to come forward:

Digital reproduction of this collection from the George A. Smathers Libraries at the University of Florida is made available under an assertion of fair use (17 U.S.C. 107) for noncommercial educational and research purposes only. The Libraries respect the intellectual property rights of others and does not claim any copyright interest in these materials. Written permission from the copyright owner and any other rights holders must be obtained for any reuse of this item that extends beyond fair use or other statutory exemptions. Furthermore, responsibility for the determination of the copyright status and securing permission rests with those persons wishing to reuse the materials. The Libraries would like to learn more about these materials, and welcomes individuals or organizations with any additional information they can provide to contact UF Digital Library Center (ufdc@uflib.ufl.edu).
- In the event that a rights holder comes forward, an attempt will be made to obtain permission and to amend the metadata to reflect that permission has been obtained. If permission is not granted and the rights holder requests removal of an item from the digitized aggregate collection, the item will be immediately removed from online public access, but retained for preservation and permissible fair use.

¹ In 2010, OCLC Research published a report entitled “Well-intentioned practice for putting digitized collections of unpublished materials online.” (<http://www.oclc.org/research/activities/rights/practice.pdf>). This document has been endorsed by professional organizations, academic libraries, and scholarly communications officers. In 2011, the Triangle Research Library Network released its “Intellectual Property Rights Strategy for Digitization of Modern Manuscript Collections and Archival Record Groups,” which further builds upon the OCLC study and report (<http://www.trln.org/IPRights.pdf>). Finally, in 2012, the Association of Research Libraries published its Code of Best Practices in Fair Use for Academic and Research Libraries (<http://www.arl.org/bm~doc/code-of-best-practices-fair-use.pdf>). Principle #4 of the Code of Best Practices concludes that it is fair use to create digital versions of a library’s special collections and archives under the circumstances described in this policy.