The CLA Higher Education Copyright Licence

Good Practice Guide in the creation of course packs

Introduction

The purpose of this Guide is twofold:

- To clarify what is meant in Recital C of the licence, which states that *reproduction under the licence is not intended to substitute directly or indirectly for the purchase of original Licensed Material...*
- To assist HEIs in observing this.

This Guide has been jointly developed and agreed by the CLA Higher Education Copyright Licence Operation Working Group, comprising representatives of CLA, UUK, GuildHE and several major publishers.

The purpose of the licence

- The licence is intended to broaden and enrich students' learning experience, by enabling HEIs to provide greater and easier access to copyright materials than would otherwise be possible. Two ways in which they can do this is by creating course packs and by putting reading material on VLEs.

- Any material held by an HEI and covered by the licence may be used in these ways, subject to certain limitations that are explained in the User Guidelines (please refer to the section on CLA's website entitled 'UUK/GuildHE members').

- Course packs provide a particularly valuable way of enabling students to read around a subject, providing them with greater context and depth. Course packs may include chapters from student textbooks and are likely to include a substantial proportion of material in the form of extracts from learned/research journals/monographs.

- However, this provision is not intended to be used to create course packs comprising extracts that, as a collection, cover substantively the same material as a standard textbook – even if individual extracts are within the licence limits. Depending on the nature of the course, such use would offer students a real alternative to the likelihood of otherwise buying one or more textbooks.

- To assist, set out on the following page are some illustrations of course packs that show good practice in this regard, and some that do not. All are based on real cases.

Illustrations that show Good Practice

University A
Course: Women's Voices, Women's Vices
The course pack consists of 18 items making a total of 430 pages. However, most of the material is from monographs, and in addition there is no obvious textbook that could be replaced by the course pack.

University B
Course: Parties and Politics in Britain 1914-1974
The course pack consists of 16 items making a total of 503 pages. However, all the material is from monographs and out-of-print titles and there is no textbook that could be used instead.

University C
Course: The Modern World
The course pack consists of 17 items making a total of 477 pages. 111 pages are from textbooks; however, taken together the material included provides a 'taster' of the subject, and would not be sufficient on its own for a student seeking to answer questions on a history degree paper.

University D
Course: Government and Politics
The course pack consists of 13 items making a total of 261 pages. 85 of these are from monographs and the rest from textbooks. However, there is insufficient core material for any student taking the main Politics course to use the course pack as an alternative to buying a textbook. In addition, the course handbook sets out the reading requirements in detail, and explains carefully the relative importance of the reading materials (consisting of both textbooks and other formats) listed.

Illustrations that do not show Good Practice

University W
Course: Researching Media, Culture and Communication, Teaching and Learning Methods
The course pack consists of 14 items making a total of 271 pages; 30 of which are from monographs, 38 from out-of-print titles, and 203 from textbooks, covering all the key elements of the course. In addition, most items on the reading list are not categorized or annotated. As a result, it is highly unlikely that a student would need to purchase any textbook for this course.

University X
Course: Managing Employee Performance
The course pack consists of 13 items making a total of 310 pages, 24 of which are from monographs and the rest from textbooks. Because of the high proportion of textbooks included that are acknowledged "classics" In the field, all the key concepts for the course are covered and this might well reduce the incentive for students to purchase any textbook for the course. In this context, the format of the reading list (i.e. with no categorization) could also impact.

University Y
Course: Teach First Professional Studies
The course pack consists of around 13 items making a total of 1,134 pages; 161 of which are from monographs and the rest from textbooks. Many of these textbooks are 'classics' in their field, and there are often several excerpts from different textbooks with similar tables of contents. This suggests that a body of 'free' material may be being built up, rather than asking students to buy one or two of them. Included are 15 'pocketbooks' that are very short books intended to be affordable by students. As in the case of University X, the reading list is primarily a list of sources for 'reading around' the subject that are not categorized or annotated, and with no guidance as to which of the textbook sources are particularly important and/or which students would find useful to purchase.

University Z
Course: International Marketing Management
The course pack consists of 21 items making a total of 507 pages, most taken from standard textbooks on each topic covered by the course. Comparison of the course pack with the contents pages from the standard textbooks on the subject indicate that the course pack could easily substitute for purchase of one of a number of titles.

What to do if in doubt

- For most courses there will normally be at least one textbook (usually more) considered to be Required, Essential or Core reading. If there is no recommendation in this respect, it may be that the course pack would replace the need for a student to purchase any textbook.

- However, it is recognised and accepted that there are some courses not covered by a relevant textbook, or where there are only a small number of extracts from one or two textbooks that are relevant. Use of the licence to support courses of this nature is entirely appropriate.

- It is recommended that a comparison is made of the proposed course pack with those textbooks, if any, on the subject. If the course pack covers the same ground as the textbooks, and does so at the same level, then there is a need to consider carefully whether it is thought that a student with the course pack would still need a textbook.

- If it seems likely that he or she may not, then there may be a need to reconfigure the course pack - one way of doing this would be to remove some of the material from textbooks and replace it with journal articles or other material for 'reading round the subject'.

- The CLA Licence Co-ordinators at HEIs can offer further guidance and advice. If necessary, they will consult with CLA's Education Team, which has undertaken to provide support and assistance in a timely manner.