PENNSYLVANIA INTERLIBRARY LOAN

PROCEDURES
MANUAL

GUIDELINES format CONTU
Due supplying Multimedia 2011
Print videos unmediated agreement fair use reciprocity policies CDs library
methods Confidentiality chapters CCL protocols Loan Date
Mediated agreement loan Interlibrary licensing Verification BOOK CCG
Consortia borrowing items copyright delivery published Policies recently length
PROCEDURES DVDs lending utilities ILL law popular ELECTRONIC
Digital

INSTITUTE *of*
Museum and Library
SERVICES

PREFACE

It is with pleasure that The Office of Commonwealth Libraries publishes the 2011 *Pennsylvania Interlibrary Loan Guidelines* and the 2011 *Pennsylvania Interlibrary Loan Procedures Manual*. These documents provide guidance for the exchange of materials between libraries. They replace the 1994 *Pennsylvania Interlibrary Loan Code* and the 1995 *Pennsylvania Interlibrary Loan Procedures Manual*. The revisions incorporated in these new documents represent the work of the Interlibrary Loan Code Committee and the Interlibrary Loan Resources Committee.

During 2010/11 the committees, acting as one body, met regularly onsite or electronically to draft the documents. SurveyMonkey surveys to academic, public, school and special libraries provided valuable feedback about the drafts while they were in process. The committees reviewed and discussed each comment and made changes to the documents when possible and applicable.

These documents are designed to address the need for increased flexibility and to better accommodate new technologies. They encourage libraries to share resources liberally and advise that restrictions of the past may no longer apply. Each library should create a written policy statement to share with staff and users that clearly states what materials may be borrowed and lent.

The resulting documents continue to reflect "a philosophy that strong and well-defined collections must be available in libraries of all types and sizes. Interlibrary loan is a service which may be used to expand and broaden access beyond the scope of local collections. However, it should serve as an adjunct to collections which meet most needs of an individual library's users." (Pennsylvania Interlibrary Loan Code, 1994)

The Office of Commonwealth Libraries wishes to express its sincere thanks to the members of the Interlibrary Loan Committees. Special recognition is given to their chair, Tina LaMark of the Carnegie Library of Pittsburgh who, through her leadership and an unflagging commitment to the importance of the project, ensured documents that will enhance and facilitate interlibrary loan in the Commonwealth.

M. Clare Zales, Deputy Secretary for Commonwealth Libraries
        Pennsylvania Department of Education

CONTENTS

INTERLIBRARY LOAN PROCEDURES MANUAL

I. INTRODUCTION

This procedures manual is to be used in conjunction with the 2011 edition of the *Pennsylvania Interlibrary Loan Guidelines*. It has been revised by a group of librarians (academic, public, school and special) selected by the Office of Commonwealth Libraries to serve as members of the Interlibrary Loan Code and Resources Committees. Although an attempt has been made to have uniform procedures for all Pennsylvania libraries, it is acknowledged that some institutions may have unique situations or protocols. Procedures will be reviewed on a periodic basis to allow for technological advancements as well as changing relationships among libraries within the Commonwealth. This procedures manual should be used in conjunction with local policies. It does not replace local policies.

II. PURPOSE

- To standardize interlibrary loan (requesting and supplying processes) in order to facilitate the sharing of needed materials; and
- To foster the systematic use of technology to enhance interlibrary loan service

III. SCOPE

A. Definition of Interlibrary Loan (ILL)

Interlibrary loan is the process by which a library requests material from, or supplies material to, another library. The interlibrary loan process is initiated by a user who may request items directly into an ILL request system or submit that request to ILL staff who place the request on his/her behalf.

Interlibrary Loan is a form of resource sharing. Resource sharing among libraries in Pennsylvania is in the public's interest and should be encouraged. Interlibrary loan is a privilege and should serve as an adjunct to, not as a substitute for, collection development.

B. Resource Sharing

Libraries are encouraged to share resources liberally to ensure Pennsylvania citizens have access to the materials they need. Each requesting library should create a written ILL policy statement to share with staff and users. This policy should clearly state any restrictions to interlibrary loan as determined by that institution. However, interlibrary loan is reciprocal and restrictions of the past may no longer be appropriate.

1. Items such as the following may be requested and lent if within the guidelines of individual library or consortium policy:

   a. Best sellers and popular items
   b. Bound volumes of periodicals
   c. Multiple copies
   d. Recently published titles
   e. Titles owned locally

2. Some items are unlikely to be lent, but sometimes reprints, scans, copies or microfilmed material can be supplied instead or other arrangements made. If unsure, contact the potential lending library or refer to its lending policy. Examples are items that are:

   a. Rare
   b. Fragile
   c. Unique
   d. Core reference material
   e. Course reserves

IV. DEVELOPING AN INTERLIBRARY LOAN POLICY

Sections 5.3 and 6.2 of the *Pennsylvania Interlibrary Loan Guidelines* encourage libraries to create both an ILL borrowing and an ILL lending policy. Such policies help clarify to users what they can expect from interlibrary loan service and define for other libraries what level of ILL services are offered. Below are some questions to assist in creating a policy. Check other library websites for additional interlibrary loan policy statements that may help in determining what should be included.

A. Requesting (Borrowing) Library Policy

1. Who can use interlibrary loan at your library? For example:

   a. Local residents
   b. Registered library users
   c. Faculty
   d. Graduate students and/or undergraduate students
   e. Alumni
   f. Include any exceptions such as out-of-region users with written permission

2. What are the requirements to use interlibrary loan? For example:

   a. The user needs to be a registered cardholder
   b. The user should be in good standing with the library (no fees or fines)

Sample policy (university):
>   *To use Interlibrary Loan you must be both:*
> ➢   *A current faculty, staff, graduate student, undergraduate student, post-doctoral student, or a retired faculty or staff with a valid institutional ID card*
> ➢   *A registered library user in good standing*

Sample policy (public):
>   *To use Interlibrary Loan you must be:*
> ➢   *A resident of the library's service area*
> ➢   *A library user who possesses a library card from another Pennsylvania public library that participates in the Access Pennsylvania program*
> ➢   *A registered library user in good standing*

Sample policy (school):
>   *To use Interlibrary Loan you must be:*
> ➢   *A teacher, employee or student with a valid school ID*
> ➢   *A registered library user in good standing*

Sample policy (special):
>   *To use Interlibrary Loan you must be:*
> ➢   *Affiliated with or employed by the organization*
> ➢   *A registered library user in good standing*

---

3. What does the user need to know about the interlibrary loan service? For example:

   a. Fee-based versus free use of interlibrary loan
   b. Interlibrary Loan office hours if they differ from the library's hours of operation
   c. The number of requests a user can submit – at one time, over a year, etc.
   d. Average estimated time for an ILL to be received
   e. Length of loan period
   f. Location where the user will pick up and return ILL items
   g. How the user will be notified about ILL material pickup
   h. How articles are delivered – by mail, pickup, electronically
   i. Consequences if material is not returned on time
   j. A general statement on copyright and fair use
   k. A general statement about user privacy (See Section IX, Confidentiality)

4. How does the user submit an interlibrary loan request?

   a. Direct the user to the method(s) of requesting. For example:

      1) Paper request form
      2) Web request form
      3) Databases with a direct ILL request link
      4) Phone number
      5) Office location

   b. Instruct the user to supply as much information as possible about the needed item

5. What information should be on the form? For example:

   a. First and last name
   b. Library card ID number
   c. Current address
   d. Loan title and author
   e. Journal title, author, article, and date

6. What can be requested?

   a. List the types of materials which can be requested. For example:

      1) Circulating material only
      2) Journal articles
      3) Book chapters
      4) Videos, Music CDs
      5) Microfilm
      6) Books owned by the library, but currently checked out

   b. Provide a list of difficult to obtain materials, such as special collections or rare items.

7. What should you communicate to your users about their responsibilities in using interlibrary loan? For example, users should:

   a. Abide by the library's policies
   b. Present a valid library card when picking up material
   c. Return material on time
   d. Be good stewards of borrowed material
   e. Respect the supplying library's due date and any use restrictions on the borrowed material
   f. Pay any costs incurred for lost interlibrary loan material

B. Supplying (Lending) Library Policy

1. Which libraries can request an interlibrary loan? For example:

   a. Libraries within the consortia
   b. Libraries in Pennsylvania
   c. Libraries located within the United States
   d. Any library, regardless of geographic location
   e. Public, academic, school (K-12), special (hospital, industry, business, government)

2. By which systems or methods can a requesting library submit a request? For example:

   a. Access Pennsylvania
   b. PALCI EZ-Borrow
   c. Local shared system
   d. OCLC WorldCat
   e. Webpage form
   f. Email
   g. Fax
   h. A paper request form through the mail

3. What information is required on a request? For example:

   a. Requesting library's shipping address
   b. Loan or journal title, date, article pages
   c. Maximum cost willing to pay for a loan or copy

4. What information about the ILL service should be communicated to the requesting library? For example:

   a. Library name, location, mailing address, email, office hours, system symbol
   b. Which libraries can use the service for free and which libraries are charged
   c. Fees for loans, copies
   d. Rush fees, special shipping fees
   e. How fees are paid. For example, by invoice or through OCLC's Interlibrary Loan Fee Management (IFM) system
   f. How the material is delivered. For example, books shipped UPS, books mailed, articles sent electronically or by fax or mail
   g. Average loan period and if a renewal is allowed
   h. Overdue fees

5. What can be borrowed? For example:

   a. Circulating books only
   b. All circulating material, regardless of format
   c. Certain format restrictions, such, as DVD, CD, or microfilm
   d. Material not available for loan, such as journal volumes, rare or special material

V. PROCEDURES FOR REQUESTING LIBRARIES

A. The ILL Process

1. Based on the type of library, some libraries review borrowing requests before they are sent to potential lenders. If requests are placed directly by users, ILL staff may become involved in the process if requests cannot be filled. Some sample review criteria are listed below:

   a. Whether the home library owns the item
   b. Availability of the item at the owning location
   c. Urgency of the requested item (time frame)
   d. Kinds and types of material needed
   e. Currency of the information desired
   f. Whether the user is familiar with the institution's policy and process for requesting an ILL which may be through a paper form, website or ILL utility such as Access Pennsylvania, DOCLINE or ILLiad (If appropriate, assist the potential borrower in creating the request.)

2. When applicable, make certain that the user is aware of:

   a. Any costs or fees
   b. The need to supply a maximum cost
   c. The length of time for requested material to arrive (turnaround time)

B. Verification

What is it? Verification is the process used by library staff to ensure that information about a requested item is correct and complete. There are two aspects of verification: bibliographic verification and location verification. If requests are placed into an interlibrary loan management system directly by the user, bibliographic verification may not be necessary unless a request is not filled. At that point, staff may become involved in determining whether some form of verification might facilitate receipt.

1. The verification process confirms not only that the item exists, but also that the correct bibliographic information about the item is known and included in the request or re-request. This is usually done by locating the item in an authoritative bibliography or online database. The minimum elements to be confirmed in bibliographic verification of books or other returnable materials are:

   a. Author
   b. Title
   c. Publisher
   d. Date of publication
   e. Format (print, audio, video, microfilm)

2. The minimum elements to be confirmed in bibliographic verification of periodical articles and other copies are:

   a. Title of the journal
   b. Volume, page numbers and issue, if available
   c. Date of the issue
   d. Author of the article
   e. Title of the article
   f. Source of citation (optional)

3. Location verification confirms the identity of libraries that own the item. For copies, location verification includes confirming that the supplying library owns the specific issue requested if at all possible. This can be done by using many methods such as:

   a. Access Pennsylvania
   b. DOCLINE
   c. Library Catalogs through web searching
   d. OCLC WorldCat
   e. PALCI EZ-Borrow

   Ideally, ILL utilities should reflect holdings that are updated in a timely fashion and correct in terms of format, particularly in the case of online vs. microfilm or print serial titles. Staff should be aware that inconsistencies may exist.

4. Why do we verify?

   a. To maintain speed and efficiency of interlibrary loan
   b. To expedite the receipt of requested material by enabling the supplying library to determine quickly and easily if it owns the item requested
   c. To maintain the good will of interlibrary loan personnel at supplying libraries who would otherwise spend valuable time trying to interpret incorrect, incomplete, vague or confusing requests

5. Who verifies?

   a. It is the responsibility of the ILL staff who are placing the request to provide verification for that request when necessary
   b. Unverified requests may be rejected by supplying libraries

6. What if you cannot verify an item?

   a. If possible, contact the borrower to ensure all information has been shared.
   b. Public libraries should contact their District Library Center (DLC) for assistance in verification
   c. Other types of libraries may seek help within their consortia as appropriate or within their cooperative agreements
   d. Send the request to a library known to have a strong collection in the subject area of the unverified item. Include your source of citation if available

C. Role of Interlibrary Loan Consortia in Successful Requesting

1. Interlibrary loan consortia most often are created because of commonalities among the members, such as geography, type of library, or use of a common database. Membership in one or more ILL consortia will improve the ILL service in a library.

2. Interlibrary loan consortia facilitate interlibrary loan as one aspect of service provided to their membership. Consortium members develop their own policies and procedures, which take precedence within the consortium. Consortia may set up delivery systems to speed the delivery of materials.

D. Use of Commercial Suppliers

Purchase or use of document delivery and other commercial suppliers are appropriate options under the following circumstances:

1. The request does not conform to copyright guidelines.
2. The materials may not be readily supplied by any library.
3. The materials may be frequently requested by a user. Interlibrary loan is not a substitute for collection development.
4. It would be cheaper to buy the item from a commercial source than to borrow it.

E. Compliance With Copyright Laws

1. The requesting library is responsible for ensuring that each request complies with or adheres to the following:

   a. "Fair use" provisions of copyright law
   b. Commission on New Technological Uses of Copyrighted Works (CONTU) guidelines. The CONTU Guidelines:

      1) Apply to periodical title, not issue
      2) Cover titles published within five years from date of request.
      3) Permit libraries to receive five (5) articles from a periodical title per calendar year ("rule of five")
      4) Permit the ILL requests to be excluded from the "rule of five" if the title is:
         i.   On order
         ii. Not on shelf, missing, at bindery

2. The requesting library must note copyright compliance on each request. This requires indicating CCG or CCL on the request form:

   a. Use CCG if the request is for material published within the last five years and meets the other CONTU guidelines shown above
   b. Use CCL if the request is authorized elsewhere in the copyright law

3. The requesting library must post the Warning of Copyright statement prominently in the library and place it on all ILL request forms

   "The copyright law of the United States (Title 17, USC) governs the making of photocopies or other reproductions of copyright material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be

**'used for any purpose other than private study, scholarship, or research.'
If a user makes a request for, or later uses, a photocopy for purposes in
excess of 'fair use,' that user may be liable for copyright infringement.
This institution reserves the right to refuse to accept a copying order if,
in its judgment, fulfillment of the order would involve violation of
copyright law." www.copyright.gov/title17**

4. The requesting library is required to keep records for all filled photocopy
   requests:

   a. Retain only those requests covered by the guidelines
   b. Keep requests for three calendar years AFTER the year in which the request
      was made

5. The requesting library should use the following options for requests which exceed
   the CONTU guidelines and copyright law:

   a. Purchase a copy from a commercial supplier who is paying the copyright
      royalty
   b. Join the Copyright Clearance Center which operates a centralized photocopy
      authorization and payment system. The Copyright Clearance Center (CCC)
      collects, processes and transmits authorization from owners to users, and
      royalties from users to copyright owners. If requesting copies beyond the
      guidelines, report the activity and pay the royalties. Find more information at:
      www.copyright.com
   c. Place a subscription to the needed journal
   d. Write to the copyright holder (often the publisher) or write to the author for
      permission to have the copy made
   e. Borrow or purchase a copy of the issue and let the user read the article
   f. Refuse to order the copy but provide the user with names of libraries that
      own the title

F. Identifying Potential Suppliers

Potential suppliers may be located through ILL utilities, such as Access Pennsylvania
and OCLC's WorldCat. Items may also be located through Internet searching or from
information supplied by the user. While "blind" requests (those made not knowing
whether the library owns the item) are not encouraged, requests sent to institutions
without verification of ownership may occur when those institutions hold collections
that may not be fully cataloged or have subject area expertise that may be able to
help identify or supply an item.

G. Factors to Consider When Selecting Potential Suppliers

1. *Type of library*: It is common practice for libraries to request from and share with
   libraries of their own type; *i.e.*, school to school, public to public. However, since
   ILL utilities such as WorldCAT and Access Pennsylvania comprise libraries of all
   types, requests are referred to all types of libraries through staff intervention or
   automatic system selection.

2. *Geographic location*: Select suppliers from Pennsylvania first, if possible, before
   going outside of the state. To reduce shipping time, it is wise to request
   returnable materials from nearby libraries. If the requested item is only available
   from sources outside of the United States it will be necessary to place an
   international ILL request, if permitted by local institutional policy. The methods of

doing this vary depending on the country holding the needed material. Consult the IFLA Guidelines for International Lending at **www.ifla.org/files/docdel/documents/international-lending-en.pdf.**

3. *Urgency of request and turnaround time*: When selecting a supplier for a rush request, attempt to locate a library that provides special handling without charging an excessive fee. Telephone, email or fax contact is recommended before placing the request.

4. *Reproduction quality*: When requesting copies, choose libraries with the materials in a format that can be copied the most clearly. For example, if the library has hard copy of a journal, select it over a library that owns the title in microfiche.

5. *Charges and/or fees*: Some libraries charge fees for lending materials; many charge fees for supplying photocopies. In many libraries, it is common practice to avoid libraries that charge fees when requesting materials. Potential suppliers may choose to "conditional" requests, indicating their fees. That practice allows libraries or their users to have the option of paying to facilitate receipt of an item that could not be borrowed free of charge. Work within the budgetary considerations and policies of your own institution.

6. *Number of requests already placed with a given library*: If selecting suppliers rather than using an automated selection process, choose suppliers equitably. If repeated requests must be made from one library because it is the best or sole source, then select other libraries for subsequent requests.

7. *Location of symbol in an alphabetical listing*: If choosing suppliers rather than using an automated process, be sure that libraries are chosen randomly, not always alphabetically.

8. *Past experience with a given library's service*: If past experience has shown that a library gives poor service, avoid sending requests to that library if possible.

9. *Reciprocity*: Supply to suppliers; request from requestors.

10. *Supplying library's policies*: For non-routine requests, check the supplying library's policies before requesting from them. For example, don't place a "rush" request with a library that does not provide rush service. Check any available print or online directory for this information or contact the library directly.

H. Transmitting Requests

Libraries with access to a variety of methods of sending requests have the most flexibility, are the most efficient, and have the capability of providing better service to their users. In Pennsylvania, most libraries use Access Pennsylvania and/or OCLC's ILL system where requests are transmitted automatically. In some cases, requests are sent via United States Postal Service (USPS), email, or fax on an American Library Association (ALA) or other sanctioned form. Some requests may be handled by telephone, although that is not a preferred method as there is no paper trail unless created by the supplying library. Email requests should contain all bibliographic information as well as contact and delivery information that would normally be on a request form (either print or electronic).

I. Delivery Methods for Requested Materials

Libraries with more than one delivery system can receive materials more quickly. For example, a library using Ariel or Odyssey can receive a journal article faster than one relying on the USPS. Odyssey software allows sites to send and receive electronic documents to other Odyssey sites, OCLC ILLiad sites, and other vendors' software that supports the Odyssey protocol. The software is free and can be downloaded from **www.atlas-sys.com/odyssey**.

Pennsylvania is fortunate to have the Interlibrary Delivery Service of Pennsylvania (IDS) a state-subsidized ILL delivery mechanism. This organization contracts with a commercial carrier to provide rapid delivery of library materials across the state from one member library to another. Information on IDS can be found at the Bucks County Intermediate Unit website at **www3.bucksiu.org/ids**.

J. Receiving Requested Materials

1. Unwrap materials carefully and remove the accompanying paperwork.
2. Match the materials received with the interlibrary request form to be certain that the correct material was received.
3. Update the item to "received" within the appropriate ILL system.
4. If applicable, file the accompanying paperwork and mailing label with the request form for later use.
5. Record any charges made by the supplier and arrange for payment.
6. Process the incoming material according to in-house procedures, clearly noting the due date.
7. Note any special conditions set by the supplying library and abide by them.
8. Notify the user of the arrival of the requested material and of any special conditions or fees.
9. For photocopies, make sure that the material supplied is legible and complete. Maintain one copy of the request form for statistics and copyright purposes if this information is not tracked by the library's ILL and or integrated library system.

K. Returning Requested Materials

1. Honor the due dates set by the supplier by returning interlibrary loan materials promptly.
2. Return the item to the supplier in the same condition in which it was received, with any accompanying material, if applicable, and update the item as returned in the library's online and/or ILL system.
3. Package and ship materials as required by the shipping service or lender.
4. Consolidate items in packages when possible, shipping back returns with outgoing items being lent to the same location. (Be mindful of due dates when holding returned items.)
5. Follow up on overdue materials by contacting users and arranging for the prompt return of the material.

L. Unsuccessful or Problem Transactions

1. Unsuccessful transactions:

   a. ILL utilities automatically route requests through a set of potential suppliers. If there has been no response from a potential supplier within a reasonable amount of time, request a status report by fax, phone, or email. Notify the supplying library if the material has not been received.

      b. If several potential suppliers deny a request, evaluate whether further attempts should be made taking into consideration:

         1) User's need-by date
         2) The type of material being requested
         3) The possibility of an incorrect citation

  2. Problem transactions:

      a. If an item is received and determined not to be the correct one, return the item to the owning library and immediately place a request for the appropriate item.
      b. For requests received with missing or unreadable pages, contact the supplying library indicating the problem and requesting a replacement.
      c. If an incorrect article was received, contact the supplying library to obtain the right article. If there were charges assessed and the supplying library cannot produce the correct article, the library that made the error is responsible.
      d. If a request is supplied by two libraries due to an updating error on the part of the first supplier, return the item to the first supplier with a note stating that the material was supplied too late and request that they cancel any charges that might have accrued.
      e. If the material arrives damaged in transit, notify the supplying library and determine if the shipment was insured. If there is no insurance to cover the costs, interlibrary loan guidelines dictate that the requesting library bears financial responsibility for repair to or replacement of the damaged item. If a user damages an item, notify the supplying library and determine their procedure for making restitution for damaged material.

VI. PROCEDURES FOR SUPPLYING LIBRARIES

Maintain an up-to-date statement of supplying policies and apply these policies fairly and consistently. Use the communication method (OCLC, Access Pennsylvania VDX, fax, mail, or email, etc.) most appropriate to meeting the needs of the requesting library. Plan for follow-through, including responding to status reports, receiving returned items, and keeping appropriate statistics.

  A. Responding to Requests

    1. Receiving requests:

      a. Process the request promptly, prioritizing "RUSH" requests.
      b. Check all photocopy requests for indication of compliance with the copyright law. This indication must be present before a request for a photocopy can be filled.

    2. Determine ownership of the requested material; if owned, record circulation status, call number and/or location information. Before supplying electronic material, check licensing agreements for permissions or limitations regarding the sharing of these formats through interlibrary loan.

    3. When requested material is unavailable:

      a. If an item is checked out, non-circulating, or unavailable for some other reason, provide a prompt negative response to the requesting library.

b. When appropriate, make negative responses using system supplied responses. For example, the International Organization for Standardization (ISO) lists these, which are used in OCLC/ILLiad:

1) In Use/On Loan
2) Not on Shelf/Missing
3) Non-circulating
4) Not Owned
5) On Order
6) Volume/Issue Not Yet Available
7) At Bindery
8) Lacking Volume/Issue
9) Poor Condition
10) Cost Exceeds Limit
11) Prepayment Required
12) Branch Policy Problem
13) Not Licensed to Fill
14) Technical Processing
15) Requested Delivery Services Not Supported
16) Preferred Delivery Time Not Possible
17) Other

Other automated systems, such as DOCLINE and Access Pennsylvania have variations of the above responses. In some systems, tables created in the system allow for the mapping of responses between the two.

4. Contact the requesting library if additional information is needed before processing its request.

5. Provide guidance to requesting libraries that make inappropriate requests to prevent repetition of mistakes.

6. Retrieve requested materials.

7. Match basic information on the ILL request to the item ensuring that the correct item is sent.

   a. Check for title/author
   b. Check the format
   c. Check the edition
   d. Check version if supplying electronically

B. Retrieving Materials and Processing the Loan

1. For loans, check the material out on the library's circulation system to the requesting institution, giving a long enough loan period to allow for transit, processing, and use. Charging libraries: be sure that the requesting library's maximum cost is equal to or greater than the established fee and include a notice of charges on an invoice with the material. If page numbers are ambiguous, supply entire article.
2. For article requests, verify that the article appears as cited before giving a positive response. Also, if applicable, verify that the requester's maximum cost is equal to or greater than the library's standard photocopying rates.
3. For photocopies, make a clear, legible copy of the requested material and, if applicable, include a notice of charges or an invoice with the copy.

4. The supplying library should include a copyright warning (according to the 1976 Copyright Act and the Digital Millennium Copyright Act of 1998):

   Notice: This material may be protected by copyright. Title 17 U.S. Code"

   More information on copyright for educators and librarians can be found at www.copyright.gov/circs/circ21.pdf

5. When supplying electronically, check your licensing agreement to ensure the material is allowed to be supplied through interlibrary loan. These agreements take precedence over any interlibrary lending rights in the law. Many publisher websites have this information.
6. Include a statement of the conditions of the loan or restriction on use, if any (these may include such conditions as "in library use only," "no photocopying" or "no renewals"). Minimize unnecessary restrictions.
7. Maintain at least one copy of the request for internal records and for statistical purposes according to your local records retention policy.

C. Preparing Items for Shipment

1. To prepare loans of original items for shipment to the requesting library:

   a. Include the following with loaned materials:

      1) A copy of the request with due date added
      2) Order number or other identifying information
      3) Self-addressed return shipping label (for libraries that ship by USPS)
      4) An invoice or notice of charges if applicable

   b. Wrap items to be loaned and accompanying materials carefully in protective packaging.
   c. Package items going to the same library together to reduce shipping cost.
   d. Address the package to the requesting library and label package prominently "Interlibrary Loan."
   e. Ship returns with outgoing requests to the same location (consider holding returns when circulation/due dates allow to reduce number of packages shipped).
   f. Insure any valuable materials and request that the item be insured upon return.
   g. Ship the material in the most appropriate fashion (see Section D below)

2. To prepare photocopies for shipment to the requesting library

   a. Include a copyright warning on each item being supplied. Libraries often use a stamp with a copyright disclaimer "Notice: This material may be protected by copyright law. Title 17 U.S. Code)" to facilitate supplying copied material.
   b. Supply a copy of the request.
   c. Indicate order number or other identifying information.
   d. Send an invoice or notice of charges if applicable.
   e. Ship the material in the most appropriate fashion.

D. Delivery of Documents

1. Selecting the appropriate delivery method:
   a. Use the delivery method (USPS, IDS, overnight shipping, Ariel, Odyssey, etc.] most appropriate for the material to be supplied and the needs of the requesting library.
   b. Make every attempt to comply with the delivery method stipulated by the requesting library. Notify requester if you cannot comply so that they can move the request on to another potential supplier.
   c. Be sure that the address being used is suitable for the delivery vendor selected. For example, post office boxes are appropriate for USPS but not FEDEX or UPS. UPS requires that addresses used match their system addresses exactly, and if not, assess address correction charges. Those charges accrue to the shipper directly, or indirectly, through IDS which adds an additional fine for errors.

2. Appropriate delivery methods:

   a. Proper delivery methods depend on a variety of factors, including cost, speed, preference of the requesting library, consortial arrangements or other organizational shipping agreements (such as IDS). At this writing, IDS is not considered an appropriate delivery mechanism for photocopies because it is not as cost effective as first class USPS. Photocopies can, however, be included in IDS packages containing loans of original materials going to the same address. The following are appropriate delivery mechanisms for photocopied materials:

      1) USPS
      2) Fax
      3) Ariel, Odyssey (or other full-text electronic delivery mechanisms) or as email attachments
      4) Local delivery systems

   b. The following are appropriate delivery mechanisms for loans of original materials:

      1) USPS
      2) IDS (membership is optional; the membership directory can be found at **www3.bucksiu.org/ids**).
      3) UPS, Federal Express, or other commercial delivery service
      4) Local delivery systems

E. Supplying Library Follow-Up

1. Follow-up procedures:

   a. Respond to status requests
   b. Be flexible in granting renewal requests
   c. Recall items needed by local users
   d. Send overdue notices when necessary

2. Receiving returned materials:

   a. Unwrap and inspect the item, notifying the requester if an item has been returned damaged and generate a bill to cover replacement

    b. Check in the item as returned in the library's integrated library system and/or ILL system

    c. Return item to shelf

    d. Update ILL records to reflect the return of the material

3. Maintain appropriate statistics on items supplied:

    a. Compile statistics required by consortia, state, or federal government

    b. Compile statistics required by local management

VII. UNDERSTANDING COPYRIGHT

Copyright affects many library activities, and it has specific implications for the requesting of ILL materials. The number and scope of interlibrary loan photocopy requests are governed by both the U.S. Copyright Law and the National Commission on New Technological Uses of Copyrighted Works (CONTU) guidelines. In addition, the Digital Millennium Copyright Act of 1998 amended Title 17 of the United States Code to extend the reach of copyright while limiting the liability of the providers of on-line services for copyright infringement for their users.

The issues surrounding copyright and its applications to interlibrary loan are complex and the answers are rarely straightforward. Maintaining an awareness of library-related copyright issues is an essential task for the ILL practitioner. Understanding the variety of issues—from copyright compliance on the ILL form to copyright issues related to faxing a copy of a journal article—is an ongoing task.

Whole books have been written on the complexities of the copyright law and its application to libraries. The following discussion of copyright is not intended as legal advice, but rather to provide the general framework in which the law operates with respect to interlibrary loan activities.

The current federal copyright law, Public Law 94-553 (the 553rd law enacted during the 94th session of Congress), became effective on January 1, 1978. The law on copyright is codified in Title 17 of the United States Code. Copyright can be described as a statutory privilege extended to the creators of works which are fixed in a tangible medium of expression. Copyright offers the copyright owner the right to reproduce, adapt, distribute, publicly perform and publicly display the copyrighted work as described in Section 106. However, these rights are subject to a series of limitations detailed in Section 107-118 of the Act.

One of the most important limitations on the copyright owner's right is that of fair use. Under certain conditions, fair use permits an individual to use a copyrighted work without prior permission. Section 107 details four factors that must be considered when determining whether the use of a copyrighted work can be considered fair use. They are:

1. The purpose of the use, including non-profit educational uses;
2. The nature of the work;
3. The amount of the work to be copied; and
4. The effect of such use on the potential market for or the value of the copyrighted work.

Section 108 details another important limitation on those exclusive rights: the reproduction by libraries and archives. Interlibrary loan photocopying is specifically

discussed in Section 108(d), although in general terms. ILL copying is also included in Section 108(g)(2). In most cases, other than those relating to preservation needs, copies may be made only for the use of an individual, for private study, scholarship, or research.

Because the 1978 Copyright Law did not specify the amount and scope of interlibrary loan copying permitted, and because more specific guidelines were desired, the National Commission on New Technological Uses of Copyrighted Works developed what is now referred to as the "CONTU Guidelines" in an attempt to clarify Section 108(g)(2). The Copyright Law and CONTU Guidelines can be found at **www.copyright.gov** and **www.cni.org/docs/infopols/CONTU**.

The requesting library is responsible for making sure that the ILL photocopy request conforms to the copyright law and guidelines. Requests for materials that will be returned to the supplying library do not need to indicate copyright compliance. All requests for photocopies must indicate copyright compliance. The ALA interlibrary loan request form, as do most ILL request forms currently in use, has provided a section to indicate copyright compliance:

"CCG" on the ILL form indicates that the request complies with the CONTU guidelines. "CCL" indicates that the request complies with other provisions of the copyright law. If a photocopy request does not indicate either "CCG" or "CCL," the supplying library may choose to return the request to the requesting library without processing it.

The CONTU Guidelines permit a requesting library to receive five articles annually from a journal title published within five years prior to the date of the ILL request (the "rule of five" guidelines). The CONTU Guidelines also require that records of all photocopy requests be retained for three calendar years after the year in which the request was made. Thus, photocopy requests made and filled during 2010 should be retained through December 31, 2013.

The requesting library keeps copyright records on items supplied; the supplying library is not required to do so. However, the supplying library should be aware of all of the provisions of the copyright law and may choose not to fill a request if it determines that the requesting library did not indicate copyright compliance.

The law requires, too, that a library "displays prominently at the place where orders are accepted, and includes on its order forms, a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation" [section 108(d)(2) and 108(e)(2)].

Although the copyright law is ambiguous, complex, and continually being interpreted by the courts, ILL librarians need to understand how the copyright law relates to interlibrary loan. There are many resources available online such as the U.S. Copyright Office's standard factsheet which explains fair use. This fact sheet can be found at **www.copyright.gov/fls/fl102**. Extensive information relating to libraries and copyright is also available at the ALA's Copyright Issues and Advocacy website, **www.ala.org/ala/issuesadvocacy/copyright**.

The United States Copyright Office Circular 21, "Reproduction of Copyrighted Works" by Educators and Librarians, found at **www.copyright.gov/circs/circ21.pdf** provides an overview of fair use in the copyright law. The "Medical Library Association Interlibrary Loan" FAQ on copyright is found at **http://mlanet.org/government/positions/illfaq**.

Maintaining a current awareness of copyright requires continual reading of a wide variety of professional literature.

VIII. UNDERSTANDING COSTS INVOLVED WITH INTERLIBRARY LOAN

A. Costs incurred

1. Interlibrary loan is not a free service. There are both direct and indirect costs associated with the requesting and supplying of library materials. Understanding these costs is a necessary part of planning because decisions must be based not only on policies or ideals but on financial realities or probabilities.

   Even though supplying libraries do not generally ask requesting libraries or their own users to pay all the costs incurred in providing interlibrary loan service, those costs must still be met. Certain kinds of charges, such as those for photocopies and postage, are frequently billed to the requesting library. Some libraries impose transaction charges to reduce the incoming request load. Recovery of these relatively minor charges does not nearly meet the actual costs of doing interlibrary loan.

2. Factors contributing to increased interlibrary loan costs:

   a. Improved bibliographic access
   b. Reduced purchasing power
   c. Availability of a broad range of suppliers, including both improved library consortium arrangements and delivery by commercial firms
   d. Improved electronic communication via networks, such as OCLC, DOCLINE, Access Pennsylvania's VDX and PALCI, ensuring efficient interaction both in placing requests and in adjusting to negative responses
   e. Speedier delivery: fax, Ariel and Odyssey are already commonly used, and electronic transmission of digitized information is developing, including ebooks
   f. Renewed emphasis by publishers on copyright and royalty issues requiring record keeping or payment of fees

B. Uses for Cost Data

Increased need for interlibrary loan makes an understanding of its economics essential to make the best choices for the library's users. Uses for properly calculated cost data are:

1. Developing methodologies for choosing the most appropriate suppliers
2. Determining service strategies in different budget situations
3. Determining whether to establish, raise, reduce or eliminate fees and charges
4. Evaluating the efficiency of the library's ILL operation by comparing cost data with that from comparable institutions
5. Preparing data for consideration in developing ILL reimbursement plans
6. Projecting costs for budget planning

C. Cost Studies

The calculation of ILL costs is complex and time-consuming, but the benefits of such a calculation, if applied to a particular library's situation, can be used in setting priorities, selecting suppliers, choosing membership, containing workload and for

numerous other purposes. In comparing data with other cost studies, be sure that the same cost elements are being measured. For example, some studies include administrative overhead while others do not.

D. Cost Factors

1. Staff costs
2. Network and communication costs (membership, transaction charges, telephone, etc.)
3. Delivery costs (postage, courier, UPS, IDS, etc.)
4. Photocopy costs
5. Supplies
6. Equipment and software costs (amortized over time)
7. Rental and maintenance costs
8. Direct and indirect charges from the supplier (royalties, postage recovery, transaction charges, etc.)

E. Costs for Requesting vs. Supplying Libraries

Costs differ for requesting and supplying transactions. All studies appear to agree that requesting is more costly than supplying, but they point out that a single transaction encompasses both requesting and supplying even though each part is carried out by a different participant. Any analysis should, therefore, provide for one overall cost and for separate requesting and supplying costs.

F. Cost Recovery

1. Costs for some parts of ILL may be covered outside the library's own budget or they may be recovered by the library, providing offsetting income. Examples of the first type are subsidized services:

   a. Delivery services supported by other budgets (such as a state grant).
   b. Electronic communications systems (such as the Internet) where no direct costs are charged to the library budget and set-up costs are met from grants or other parts of the institutional budget.

2. Examples of the second type are cost-covered services:

   a. Supplying, photocopying and faxing costs which are paid by the requesting library.
   b. Costs are recovered in part or in whole by charges levied on local users.

G. Cost Effectiveness

1. *Using cost data*: Knowledge of transaction costs makes it easier to determine whether it is more cost effective to use non-traditional sources, such as commercial suppliers, or traditional suppliers, such as Pennsylvania libraries. Equally, this knowledge can be used to set priorities, such as deciding the best way to handle rush requests. Cost data can be used to determine the mix of borrowing and purchasing that is appropriate to the library, or to balance the library's requesting and supplying transactions.

2. *Determining Charges*: If it is the library's policy to pass along ILL charges to its users knowing the cost of an average ILL borrowing transaction will allow the borrowing library to make the best service-oriented choices, and explain more

adequately the reason for the charges. Many libraries have established supplying charges either to recover costs or to reduce traffic, but most charges bear little relation to actual costs. As more libraries calculate actual supplying costs, charges may more closely reflect actual cost and lead to a reevaluation of fees and charges. However, ILL administrators must be aware that the associated costs of processing, recording and recovering fees may be as great as or greater than the amount recovered.

3. *Use of cost data within a consortium or network*: Within a consortium, a cooperative, or the state as a whole, knowledge of the actual costs of interlibrary loan transactions can be used to establish priorities (for example, the use of Ariel or Odyssey for urgent requests and fax for routine requests to direct internal traffic), or to develop appropriate subsidies or reimbursement plans for net lending libraries.

4. *ILL cost and the library's budget*: Developing budget projections requires detailed knowledge of interlibrary loan transaction costs, requesting and supplying trends, and the effect of changes in the balance between borrowing and buying. Cost data also helps the interlibrary loan unit make operational adjustments to keep within its budget or to provide a better level of service.

IX. CONFIDENTIALITY

A. **The Pennsylvania Library Code** [The Library Code of 1961 (P.L. 324), 24 P.S. § 4101 et seq.] provides for the confidentiality of patron user records including interlibrary loan transactions and can be found in Section 428 of Pennsylvania Library Laws. Records related to the circulation of library materials which contain the names or other personally identifying details regarding the users of the State Library or any local library which is established or maintained under any law of the Commonwealth or the library of any university, college or educational institution chartered by the Commonwealth or the library of any public school or branch reading room, deposit station or agency operated in connection therewith, shall be confidential and shall not be made available to anyone except by a court order in a criminal proceeding. (24 PA Cons. Stat Sec. 428:1)

B. **Electronic transmission of requests should occur through a secure server.**

C. **Record Retention and Privacy:**

While the confidentiality of user records does include interlibrary loan transactions libraries are encouraged to retain a minimum of interlibrary loan paperwork to ensure that user privacy is safeguarded. Records necessary for copyright and statistical purposes are exceptions. All libraries should establish a record retention policy for staff to follow.

GLOSSARY

Access Pennsylvania (Access PA): A joint project of the Pennsylvania Department of Education and the Office of Commonwealth Libraries, Access Pennsylvania provides a union catalog for the State of Pennsylvania. It was the first and remains the largest statewide union catalog that includes holdings of all types of libraries.

Ariel: Ariel is a document transmission system software that allows users to send electronic images to other Ariel workstations anywhere in the world, using either FTP or email, and converts them to PDF files for easy patron delivery.

"CCG": Conforms to Copyright Guidelines

"CCL": Conforms to Copyright Law

Copyright Clearance Center (CCC): This is a non-profit organization that provides collective copyright licensing services for corporate and academic users of copyrighted materials.

Digital Millennium Copyright Act (DMCA): The DMCA is U.S. Copyright Law that clarifies issues relating to the production and dissemination of technology, devices, or services that control access to copyrighted works, such as digital rights management and access control.

District Library Center (DLC): A DLC is an agency that is designated to facilitate and support library services within a defined public library district, such as a county or a region. Interlibrary loan is one of the basic services. There are twenty-nine district centers in Pennsylvania.

DOCLINE: DOCLINE® is the National Library of Medicine's automated interlibrary loan (ILL) request routing and referral system. The purpose of the system is to provide efficient document delivery service among libraries in the National Network of Libraries of Medicine (NN/LM).

Filled Request: An interlibrary loan request is counted as filled at the time it is lent. Requests which are canceled are not counted as filled items. Requests which result in placing a hold on material are not counted as filled until the material is actually sent to the requesting library.

FirstSearch: FirstSearch is the user interface developed by OCLC to access WorldCat for the purposes of interlibrary loan.

ILLiad: ILLiad is resource sharing software that can manage a library's interlibrary loan borrowing, lending and document delivery processes through a single, Windows-based, WorldCat integrated interface. The product also allows for direct user requests and ILL activity tracking.

Interlibrary Delivery Service of Pennsylvania (IDS): IDS is a state-subsidized membership organization that contracts with a commercial carrier to provide rapid delivery of library materials across the state from one member library to another.

International Federation of Library Associations and Institutions (IFLA): IFLA is an international body comprised of 1,600 members from over 150 countries representing the interests of library and information services and their users.

Interlibrary Loan (ILL): ILL is the process by which library materials or photocopies are requested, or supplied, from one library to another.

Interlibrary Loan Fee Management (IFM): IFM is a feature available in Worldcat Resource Sharing used to streamline payments for interlibrary loan activity when libraries charge for providing materials to other libraries.

National Commission on New Technological Uses of Copyright Works (CONTU): These are guidelines developed to assist librarians and copyright proprietors in understanding photocopying permitted under the copyright law through interlibrary loan.

Odyssey: This is document transmission software developed by Atlas Systems that allows users to receive or send electronic documents to other Odyssey sites, OCLC ILLiad sites, and other vendors' software that supports the Odyssey protocol.

Online Computer Library Center, Inc. (OCLC): OCLC is a nonprofit service and research organization offering a variety of services to libraries. More than 27,000 libraries in 86 countries and territories use OCLC to locate, acquire, catalog, lend and preserve library materials. OCLC serves as a vendor for products including ILLiad, Odyssey, WorldCat, FirstSearch and VDX.

PALCI EZ-Borrow: EZ-Borrow is PALCI's (Pennsylvania Academic Library Consortium, Inc.) web gateway that allows simultaneous searching of academic library catalogs in Pennsylvania. Many items found in PALCI can be directly requested by authorized users from participating libraries.

Referred Request: A request which cannot be filled within a library system may be referred, through proper channels, to libraries outside the system, and, in turn, outside the state, if necessary. In public libraries, referrals are handled through District Library Centers.

Requesting Library: The library which requests material from another library

Supplying Library: The library which supplies material requested from another library

VDX: This is a document delivery and interlibrary loan management system used by Access Pennsylvania to fully automate the requesting of books and journal articles within Pennsylvania.

WorldCat: WorldCat is a world-wide union catalog database used by libraries to facilitate shared cataloging and Interlibrary Loan.