

PENNSYLVANIA INTERLIBRARY LOAN CODE

June 8, 1994

Commonwealth of Pennsylvania

Robert P. Casey, Governor

Department of Education

Donald M. Carroll, Secretary

Commonwealth Libraries

Sara Parker, Commissioner of Libraries

Library Development Division

Gary Wolfe, Director

Pennsylvania Department of Education

Commonwealth Libraries

P. O. Box 1601

Harrisburg, PA 17105

1994

The Pennsylvania Department of Education will not discriminate in its educational programs, activities, or employment practices, based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership, or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws, including Title IX of the Education Amendments of 1972 and Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

PDE employees and participants who have an inquiry or complaint of harassment or discrimination, or who need information about accommodations for persons with disabilities, should contact Chalo Moreano, Affirmative Action Officer, 503/504 Coordinator, Education Building, 333 Market Street, Harrisburg, PA 17126-0333 (717-787-1953).

Persons wishing to receive additional copies of this publication should contact:

Pennsylvania Department of Education

Commonwealth Libraries

P. O. Box 1601

Harrisburg, PA 17105-0333

(717)783-5731 TDD (717) 772-2863

This publication has been partially funded with Library Services and Construction Act (LSCA) Title III funds administered by the State Library of Pennsylvania.

PREFACE

It is with pleasure that Commonwealth Libraries publishes this new edition of the Pennsylvania Interlibrary Loan Code. The revisions which have been incorporated into this new edition represent the work of the Interlibrary Loan Committee of the Council of Pennsylvania Library Networks.

The Committee began its work in February, 1993 outlining the strategies and procedures that would be followed in making the revisions. Several overriding factors needed to be considered. These included the increasing number of libraries whose catalogs were available electronically as well as the explosion, statewide, of the availability of telefacsimile machines. These two changes in technology have greatly changed the flavor of interlibrary loan in the years since the current code was issued in 1987.

The resulting work reflects 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.

Responsibilities of the requesting library as well as the supplying library have been reviewed and some guidance concerning materials inappropriate for interlibrary loan has been included. With the approval of the Code, Interlibrary Loan Committee has begun work on a companion Procedures Manual. This manual will give detailed guidance and instruction on many of the points included in the Code.

Commonwealth Libraries wishes to express its sincere thanks to the members of the Interlibrary Loan Committee of the Council of Pennsylvania Library Networks and to commend them for their dedicated work over the past two years. A special commendation must be given to Mary E. Jackson, Chair of the Interlibrary Loan Committee, for her leadership and ability to translate into text the wishes of the Committee.

Alice L. Lubrecht, Advisor
Academic Libraries and Networking

Mary E. Jackson, Chair
Interlibrary Loan Committee

Members of the CPLN Interlibrary Loan Committee were:

Mary Jackson, Chair
University of Pennsylvania

Dianne Howard (1994-)
Lord Corporation Information Center

Karen Albert
Fox Chase Cancer Center

Jim Jeffries
Penn Hills Senior High School

Alice Devers
Martin Memorial Library

Mary Klaue
Snyder County Library System

Joel Fishman (to 1993)
Allegheny County Law Library

Noelene Martin
Pennsylvania State University

Dan Gallagher (to 1993)
Marion Center Area
Junior-Senior High School

Paul Runyan (1994-)
Elderton Junior/Senior High School

Barbara Grippe (to 1993)
Edinboro University of Pennsylvania

Ex Officio:
Kate Hickey
CPLN Chair, to September 1993
Pennsylvania College of Technology

Julie Rinehart
CPLN Chair, October 1993-
Berks County Public Library System

Alice Lubrecht
Commonwealth Libraries Liaison
Commonwealth Libraries
Library Development Division
P.O. Box 1601
Harrisburg, PA 17105-1601
PHONE: 717-783-5731
FAX: 717-783-5728
INTERNET: lubrecht@shrsys.hslc.org

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1. Introduction	1
2. Definitions	2
3. Purpose	2
4. Scope	3
5. The Interlibrary Loan Process	3
6. Responsibilities of the Requesting Library	7
7. Responsibilities of the Supplying Library	10
8. Violation of the Code	11
9. Responsibility for Review and Revision	11
10. Confidentiality of Interlibrary Loan Requests	12
 APPENDIX A: Copyright Guidelines	 13
APPENDIX B: CONTU Guidelines on Photocopying and Interlibrary Loan	25
APPENDIX C: Bibliography of Additional Sources	27
APPENDIX D: Fax Guidelines for Pennsylvania Libraries	29
APPENDIX E: Model ILL Requesting Policy	33
APPENDIX F: Model ILL Lending Policy	35
APPENDIX G: Glossary of Terms	37
APPENDIX H: SAMPLE FORMS	41

PENNSYLVANIA INTERLIBRARY LOAN CODE

1. INTRODUCTION

- 1.1 Strong and well-defined collections are essential to libraries of all types and sizes because libraries promote and support research, scholarship, economic development, and the general quality of life. Interlibrary loan is a service that may be used to expand and broaden access beyond the scope of local collections. Interlibrary loan should serve as an adjunct to, not substitute for, collections to meet most needs of the library's users.
- 1.2 This Interlibrary Loan Code (hereafter referred to as the Code) is a voluntary agreement adopted by the endorsing libraries to govern interlibrary loan among libraries in Pennsylvania. Endorsement of this Code requires participation as both a requester and a supplier.
- 1.3 This Code is not intended to supplant other agreements or arrangements engaged in by Pennsylvania libraries.
- 1.4 This Code strongly encourages libraries to add and maintain their holdings in appropriate union lists in a timely manner because interlibrary loan is dependent on knowing the location of holdings.
- 1.5 Libraries endorsing this Code are encouraged to keep interlibrary loan fees to a minimum.
- 1.6 This Code is intended to serve as an outline of interlibrary loan procedures, protocols, and standard practices. It is not designed to function as a detailed operational handbook for interlibrary loan, but as a set of steps to consider to make the ILL process not only successful but also cost efficient and easily accomplished. An Interlibrary Loan Procedures Manual will include detailed operational procedures and guidelines.
- 1.7 The Code gives recognition to the fact a variety of acceptable mechanisms and systems can be employed in the interlibrary loan process. It is the responsibility of each library to evaluate available options, including purchase of the material for the collection and to use them in an efficient and effective manner in order to meet the needs of users. At the same time, libraries should remember appropriateness, equity, reciprocity, and economy are the pillars upon which responsible interlibrary loan is built.
- 1.8 The Code allows wide latitude to individual libraries to identify and locate materials. However, libraries engage in cooperative interlibrary loan consortia that include libraries of all types to accomplish common goals and to set up efficient methods for

borrowing and lending among members. Existing resource sharing structures will continue to serve as vehicles for fulfilling interlibrary loan and information needs.

- 1.9 Libraries should select the most efficient and effective means for interlibrary loan. Whenever feasible, local, regional or other resource sharing consortia should be utilized.

2. DEFINITIONS

- 2.1 The Pennsylvania Interlibrary Loan Code consists of policy statements, protocols, and general procedures.
- 2.2 An interlibrary loan is the process by which a library requests material from, or supplies material to, another library.
- 2.3 Interlibrary loan includes transactions among libraries that are not under the same administration, school district, or on the same campus.
- 2.4 Intralibrary loan, for the purposes of this Code, includes loans between main libraries and their branches, or among branches, or between corporate libraries in different locations of the same corporation, or between different libraries on a campus, within a school district, or between libraries of the same institution on several campuses. Intralibrary loan requests are not covered by this Code.
- 2.5 The term "library material" includes all formats of library material, for example, printer, audiovisual, and photocopies.
- 2.6 The term "library" refers to all types of libraries.
- 2.7 The term "user" refers to the individual who initiates an interlibrary loan request.

3. PURPOSE

- 3.1 The purpose of interlibrary loan is to obtain, upon the need of a library user, library material not available in the user's local library.
- 3.2 Interlibrary loan is not intended to substitute for collections.

4. SCOPE

- 4.1 Under the terms of the Code, a library may request a variety of types of materials as loans or in copy form from another library.

4.2 It is the responsibility of the requesting library not to request materials described in Section 6.7. The Procedures Manual gives reasons and additional details.

4.3 This Code does not cover requests that are not for the use of an individual user. The Code does not cover requests to borrow materials for exhibits, collection maintenance (replacement pages), nor requests to borrow for preservation copying or microfilming. Such requests fall outside the coverage of this Code and should be negotiated between the requesting and supplying libraries.

4.4 The supplying library has the right to decide on a case-by-case basis whether a particular item should or should not be provided, and whether the original or a copy should be sent.

5. THE INTERLIBRARY LOAN PROCESS

5.1 Interlibrary loan practices and procedures have changed considerably in the last few years, particularly as a result of library cooperative and networking activities, access to the Internet, and developments in bibliographic and location databases, services, and products based on new technologies.

5.2 The successful interlibrary loan process begins with the initial contact between the user and public services staff who should conduct a reference interview. At this interview, staff may determine exactly what the user wants and how much information the user has about the item requested. Several factors should be considered:

- A. Is there a deadline?
- B. Is there a limit on willingness to pay for interlibrary loan?
- C. For a title request, what specific information does the user have?
- D. For a subject request, exactly what information does the user want?

5.3 A number of factors are critical to a successful interlibrary loan transaction. Guidance on how to use these factors for successful interlibrary loan borrowing are included in the Procedures Manual.

- A. Interlibrary loan consortia
- B. Bibliographic verification of the requested material
- C. Appropriate to purchase or use document delivery service
- D. Identification of potential supplying libraries
- E. The means by which ILL requests can be sent
- F. The means by which requested materials can be delivered
- G. Other considerations as appropriate

A. Interlibrary Loan Consortia

- A.1 The interlibrary loan process may be more efficient and effective when performed between libraries organized together to promote common interests and achieve common goals.
- A.2 There are many methods set up among libraries to aid in the location and procurement of materials needed by users but not owned locally. These methods range from guidance included in this Code, to those arranged by libraries of similar type or interest, to fee-based information services.
- A.3 Each library should examine its information needs and participate in those consortia it deems necessary to fulfill the needs of its users. Each library should make use of those structures of which it is a member to fulfill those needs before going beyond them.

B. Bibliographic Verification of the Requested Material

- B.1 Requesting libraries should verify interlibrary loan requests fully and accurately. Verification is the process of establishing the existence of the requested item and the development of a complete bibliographic citation. Complete and accurate verification will enable the supplying library to determine quickly and easily if it has the item requested. Requesting libraries should verify the potential lender's serial holdings in an online or print union list.
- B.2 Libraries without the resources to verify requests or identify locations should refer their users or the requests to other libraries in local cooperative arrangements.
- B.3 Some reliable tools for bibliographic title verification, many of which also contain location information, include the following:

ACCESS PENNSYLVANIA database
CATLINE
Internet-accessible library catalogs
MEDLINE/Index Medicus
National Union Catalog (NUC)
New Serial Titles (NST)
Newspapers in Microform (NIM)
OCLC (Online Computer Library Center)
Pennsylvania Union List of Serials (PaULS)
Research Libraries Information Network (RLIN)
SERHOLD
Union Library Catalog of Pennsylvania (PULC)
Union List of Serials (ULS)
United States Government Publications Monthly Catalog

U.S. Newspaper Project
library and/or union catalogs

- B.4 The following tools may also be used for bibliographic verification, but do not include location information:

American Book Publishing Record
Booklist
Cumulative Book Index (CBI)
InfoTrac
Library Journal
Magazine Article Summaries
Periodical Abstracts
Reader's Guide to Periodical Literature
H.W. Wilson catalogs and databases

- B.5 The following tools should be used only as a last resort:

Books in Print
Paperbound Books in Print

- B.6 Libraries should use as many of these tools as possible. It is important to provide as much verification as possible. However, if a request cannot be verified, indicate "Unable to Verify" on the request with a notation as to which sources were checked. When not able to verify the request, be sure to include the specific source of reference from which the user learned about the item, including a photocopy of the specific source of reference, if possible.

C. Identification of Potential Supplying Libraries

- C.1 The requesting library is expected to use all the sources available to determine the location of the material being requested.
- C.2 Sources of location information include:

ACCESS PENNSYLVANIA database
Chemical Abstracts Service Source Index (CASSI)
Health Sciences Libraries Consortium Union List of Serials
Internet-accessible library catalogs
National Union Catalog (NUC)

New Serial Titles (NST)
OCLC (Online Computer Library Center)
Pennsylvania Union List of Serials (PaULS)
Research Libraries Information Network (RLIN)
SERHOLD (National Library of Medicine)
Union Catalog of Medical Periodicals (UCMP)
Union Library Catalog of Pennsylvania (PULC)
Union List of Serials (ULS)
Local/regional catalogs/union lists

- C.3 If the requesting library is unable to identify a location for the material requested, the request should be referred according to the protocols of the resource sharing consortia.
- C.4 If more than one location for the needed material has been identified, the choice of lending library to which the request should be sent should be based on a number of other considerations listed in F.1.

D. Means By Which ILL Requests Can be Sent

- D.1 The requesting library should send requests using the most efficient and effective system/service available.
- D.2 The sending or transmission of requests can be achieved using several different systems/services, including:

DOCLINE (National Library of Medicine)
Electronic Mail
Fax
Internet
Local delivery systems
Messenger
OCLC ILL System
RLIN ILL System
Telephone (by special arrangement)
U.S. Postal Service

E. Means By Which Requested Material Can be Delivered

- E.1 The supplying library should have an obligation to respond to a request in a timely manner and should deliver the requested material using the most efficient and effective delivery system/service available to it, based on the nature of the material to be delivered and on any cost restrictions indicated by the requesting library on the ILL form.

- E.2 A number of different delivery systems/services are available to libraries for delivery of the requested material, including:

- Ariel, or other Internet-based delivery systems
- Fax
- Interlibrary Delivery Service (IDS)
- Local delivery systems (such as District Library Centers or Intermediate Units)
- U.S. Postal Service
- Commercial services (e.g., Federal Express, UPS)

- F. Other considerations in selecting from multiple locations for an item may exist. Additional guidance is included in the Procedures Manual. Some considerations include:

- Type of library
- Size of the supplying library's collection
- Geographic location
- Urgency of request
- Turnaround time
- Reproduction quality
- Lending charges and/or fees
- Whether too many requests have already been sent to a given library
- Past experience with a given library's service
- Whether the requesting library has lent material to a given library

6. RESPONSIBILITIES OF THE REQUESTING LIBRARY

- 6.1 The requesting library should provide the resources to meet most needs and interests of its primary clientele. The library should make every effort to utilize its own resources before resorting to interlibrary loan.
- 6.2 The requesting library should establish and maintain an interlibrary loan borrowing policy, making it available to its users. The library must carefully screen all requests for loans, rejecting those that do not conform to this Code or its own borrowing policy.
- 6.3 The requesting library should inform its users of the availability and purpose of interlibrary loan. Any member of the borrowing library's primary clientele should be eligible for interlibrary loan.
- 6.4 The person(s) responsible for interlibrary loan must be familiar with, and use, this Code and other relevant documents and aids. The person(s) responsible for interlibrary loan

should also abide by accepted protocols and statewide procedures.

- 6.5 The requesting library should make every effort to buy material or transmit requests to potential lenders within one working day of receipt from the user.
- 6.6 In-Print material requested from another library under this Code should be limited to those items that do not conform to the library's collection development policy or for which there is no recurring demand.
- 6.7 The requesting library should NOT request a loan of the following types of material on ILL. Requests for photocopies of excerpts may be requested.
- Best sellers
 - Just-published titles
 - Multiple copies of the same title
 - Titles in recurring demand at the requesting library
 - Titles owned locally
 - Issues and volumes of periodicals and journals (requests for copies of articles are appropriate)
 - More than five articles from five different journal issues published within the past five years (as stated in the CONTU Guidelines) unless a subscription to the title has been placed or copyright royalties have been paid
 - Locally-specific materials (i.e. request for a loan of a microfilm of a newspaper from the library in the city in which it was published)
 - Rare books, special collection materials, and archival materials
 - Course materials, including course reserves
 - Core reference materials (including encyclopedias and dictionaries)
 - Licensed computer software datafiles
 - Dissertations from the granting institution (unless it is known that the institution will lend its own dissertations)
- 6.8 The requesting library should review interlibrary loan requests and add frequently requested material to its collection.
- 6.9 Libraries using interlibrary loan to support fee-based document delivery services (services provided to users not affiliated with that institution) should notify the supplying library of the practice by indicating such transactions on the request.
- 6.10 The requesting library should verify all items in standard bibliographic tools and sources of verification. If the bibliographic citation or location information is incorrect, incomplete, or unverified, the supply library may return the request unfilled without taking any special effort to identify the reference, unless special agreement provides otherwise.
- 6.11 The requesting library will make every effort to determine specific locations before

sending requests. Only when efforts to locate material have failed to identify a specific holding library should a request without location information be sent.

- 6.12 The requesting library must comply with the copyright law (Title 17, U.S. Code) and its accompanying CONTU Guidelines, and should inform its users of the applicable portions of the law. An indication of compliance must be provided on all copy requests. Copyright files should be maintained as directed in the CONTU Guidelines. See Appendix A for additional information on copyright compliance.
- 6.13 The requesting library is responsible for all costs charged by the supplying library unless restrictions or cost limitations were indicated on the original request. The requesting library should attempt to anticipate charges and authorize them on the initial request.
- 6.14 The safety of borrowed materials is the joint responsibility of the requesting and supplying libraries. Ultimate financial responsibility for borrowed materials resides with the requesting library.
- 6.15 The requesting library and its users must comply with the conditions of the loan established by the supplying library. Unless specifically forbidden by the supplier, copying by the requesting library or its users is permitted provided that it is in accordance with the copyright law and guidelines, and no damage to the original material will result.
- 6.16 A renewal request, if permitted by the supplier's policy, should be sent in time to reach the supplying library no later than the due date. If the supplying library does not respond, the requesting library may assume that the renewal has been granted for the same length as the original loan period.
- 6.17 The requesting library should return materials by the due date and respond immediately if the item has been recalled by the supplying library. The supplier's due date is the date on which the library user must return the borrowed item to the requesting library. The duration of loan is the period of time the item may remain with the requesting library, disregarding the time spent in transit.
- 6.18 The requesting library should encourage library users to travel to other libraries for on-site access to materials when extensive use of a collection is required or the nature of the material requires special handling. The requesting library may wish to assist the user in making the necessary arrangements.

7. RESPONSIBILITIES OF THE SUPPLYING LIBRARY

- 7.1 The supplying library should establish and maintain an interlibrary loan lending policy, make it available in paper and/or electronic format, and provide copies of it upon

request.

- 7.2 The supplying library should complete or respond to requests within four working days.
- 7.3 The supplying library has the right to decide on a case-by-case basis whether a particular item should or should not be provided, whether the original or a copy should be sent, and the limits on the number of volumes or reels to be sent.
- 7.4 The supplying library has the responsibility to be aware of the requesting library's indicated requirements or cost limitations. If the supplying library fills a request and imposes a lending fee that exceeds the requester's stated cost limit, the requester is responsible for only its stated cost limit.
- 7.5 The supplying library should state the due date or the duration of loan on the request forms or with the material. The due date is the date on which the library user must return the borrowed item to the requesting library. The duration of loan is the period of time the item may remain with the requesting library, disregarding the time spent in transit.
- 7.6 The safety of borrowed materials is the joint responsibility of the requesting and supplying libraries. The supplying library should include a copy of the original request or information sufficient to identify the request with each item. Conditions of loan and any special return packaging or shipping requirements should be stated clearly. Material should be packaged carefully.
- 7.7 When charges must be levied for interlibrary loan, notification of the charge should accompany the material. Invoices should clearly indicate the item to which the charge applies.
- 7.8 The supplying library should notify the requesting library when unable to fill a request, whenever possible stating the reason for not filling the request.
- 7.9 The supplying library should respond promptly to requests for renewals.
- 7.10 The supplying library is responsible for informing any borrowing library of its apparent failure to follow the provisions of this Code and, if necessary, invoke the provisions stated in Section 8.

8. VIOLATION OF THE CODE

- 8.1 Interlibrary loan is a privilege, not a right. Each library is responsible for maintaining the provisions of this Code in good faith. Continued disregard of any provision of this Code is sufficient reason for suspension of borrowing privileges after prior warning.

8.2 The supplying library may suspend borrowing privileges of a library that violates the provisions of this Code.

9. RESPONSIBILITY FOR REVIEW AND REVISION

9.1 The Council of Pennsylvania Library Network's Interlibrary Loan Committee will review the Code and Guidelines on a periodic basis and submit a report and recommendations to the Council and to the Commissioner of Commonwealth Libraries.

10. CONFIDENTIALITY OF INTERLIBRARY LOAN REQUESTS

- 10.1 By endorsing this Code, libraries accept the interpretation that interlibrary borrowing and lending records fall under the legal guaranties of confidentiality as specified in The Library Code, Act of June 14, 1961, P.L. 324, as amended through July 1, 1985, Section 428.

CONFIDENTIALITY OF LIBRARY CIRCULATION RECORDS

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.

APPENDIX A
COPYRIGHT GUIDELINES

LIBRARIAN'S GUIDE TO THE
NEW COPYRIGHT LAW

This publication may be reprinted. Additional copies are available for \$2.00 each from the Order Department, American Library Association, 50 East Huron Street, Chicago, Illinois 60611

ISBN: 0-8389-3197-9
Fourth printing, December 1977

APPENDIX B

CONTU Guidelines on Photocopying and Interlibrary Arrangements

PHOTOCOPYING - INTERLIBRARY ARRANGEMENTS

INTRODUCTION

Subsection 108 (g) (2) of the bill deals, among other things, with limits on interlibrary arrangements for photocopying. It prohibits systematic photocopying of copyrighted materials but permits interlibrary arrangements "that do not have, as their purpose or effect, that the library or archives receiving such copies or phonorecords for distribution does so in such aggregate quantities as to substitute for a subscription to or purchase of such work."

The National Commission on New Technological Uses of Copyrighted Works offered its good offices to the House and Senate subcommittees in bringing the interested parties together to see if agreement could be reached on what a realistic definition would be of "such aggregate quantities." The Commission consulted with the parties and suggested the interpretation which follows, on which there has been substantial agreement by the principal library, publisher and author organizations. The Commission considers the guidelines which follow to be a workable and fair interpretation of the intent of the proviso portion of subsection 108 (g) (2).

These guidelines are intended to provide guidance in the application of section 108 to the most frequently encountered interlibrary case: a library's obtaining from another library, in lieu of interlibrary loan, copies of articles from relatively recent issues of periodicals - those published within five years prior to the date of the request. The guidelines do not specify what aggregate quantity of copies of an article or articles published in a periodical, the issue date of which is more than five years prior to the date when the request for the copy thereof is made, constitutes a substitute for a subscription to such periodical. The meaning of the proviso to subsection 108 (g) (2) in such case is left to future interpretation.

The point has been made that the present practice on interlibrary loans and use of photocopies in lieu of loans may be supplemented or even largely replaced by a system in which one or more agencies or institutions, public or private, exist for the specific purpose of providing a central source, for photocopies. Of course, these guidelines would not apply to such a situation.

Guidelines for the proviso of subsection 108 (G) (2)

1. As used in the proviso of subsection 108 (g) (2), the words "... such aggregate quantities as the substitute for a subscription to or purchase of such work" shall mean:

(a) with respect to any given periodical (as opposed to any given issue of a periodical), filled requests of a library or archives (a "requesting entity") within any calendar year for a total of

six or more copies of an article or articles published in such periodical within five years prior to the date of the request. These guidelines specifically shall not apply, directly or indirectly, to any request of a requesting entity for a copy or copies of an article or articles published in any issue of a periodical, the publication date of which is more than five years prior to the date when the request is made. These guidelines do not define the meaning, with respect to such a request, of "...such aggregate quantities as to substitute for a subscription to [such periodical]".

(b) With respect to any other material described in subsection 108 (d), (including fiction and poetry), filled requests of a requesting entity within any calendar year for a total of six or more copies or phonorecords of or from any given work (including a collective work) during the entire period when such material shall be protected by copyright.

2. In the event that a requesting entity -

(a) shall have in force or shall have entered an order for a subscription to a periodical, or
(b) has within its collection, or shall have entered an order for, a copy or phonorecord of any other copyrighted work, material from either category of which it desires to obtain by copy from another library or archives (the "supplying entity"), because the material to be copied is not reasonably available for use by the requesting entity itself, then the fulfillment of such request shall be treated as though the requesting entity made such copy from its own collection. A library or archives may request a copy or phonorecord from a supplying entity only under those circumstances where the requesting entity would have been able, under the other provisions of section 108, to supply such copy from materials in its own collection.

3. No request for a copy or phonorecord of any material to which these guidelines apply may be fulfilled by the supplying entity unless such request is accompanied by a representation by the requesting entity that the request was made in conformity with these guidelines.

4. The requesting entity shall maintain records of all requests made by it for copies or phonorecords of any materials to which these guidelines apply and shall maintain records of the fulfillment of such requests, which records shall be retained until the end of the third complete calendar year after the end of the calendar year in which the respective request shall have been made.

5. As part of the review provided for in subsection 108 (i), these guidelines shall be reviewed not later than five years from the effective date of this bill.

APPENDIX C

BIBLIOGRAPHY OF ADDITIONAL SOURCES

Boucher, Virginia. Interlibrary Loan Practices Handbook. Chicago: American Library Association, 1984. (2nd. edition expected in 1995).

"Confidentiality of Library Records," Sec 52.4 "ALA Policy Manual," ALA Handbook of Organization, 1992-93, p. 145-146.

Copyright Act of 1976. (Title 17 U.S.C.) Public Law 94-553 (90 Stat. 2541).

"Guidelines and Procedures for Telefacsimile Transmission of Interlibrary Loan Requests," RQ, Winter 1990, pp. 266-67.

"Guidelines for Packing and Shipping Microforms." ALA, Association for Library Collections and Technical Services, 1989. Available from ALA Headquarters Library.

"Guidelines for Preservation Photocopying of Replacement Pages." ALA Association for Library Collections and Technical Services, 1989. Available from ALA Headquarters Library.

"Guidelines for the Loan of Rare and Unique Materials." ALA Association of College and Research Libraries, Rare Books and Manuscripts Section, Ad Hoc Committee on the Interlibrary Loan of Rare and Unique Materials. Draft 1993.

Intellectual Freedom Manual. Compiled by ALA Office of Intellectual Freedom. 4th ed. Chicago, ALA, 1992.

"Interlibrary Loan Training and Continuing Education Model Statement of Objectives," ALA Reference and Adult Services Division, Interlibrary Loan Committee. RQ v. 31, Winter 1991, pp. 177-184.

"Library Bill of Rights," Chicago, ALA, 1980.

International Organization for Standardization. Bibliographic Data Element Directory - Part 1: Interloan Applications. International Standard, ISO 8459/1. 1986.

Morris, Leslie R.; Brautigam, Patsy F. Interlibrary Loan Policies Directory. 4th ed. New York: Neal-Schuman, 1991 (5th edition expected in 1995).

National Information Standards Organization. Interlibrary Loan Data Elements. (Z39.63-1989). New Brunswick, NJ: Transaction Publishers, 1990 (revision expected in 1994).

"National Interlibrary Loan Code for the United States," Chicago, ALA, 1993.

Reed, Mary Hutchings, The Copyright Printer for Librarians and Educators. Chicago, ALA, 1987.

"Reproduction of Copyrighted Worked by Educators and Librarians." Circular 21. Washington, D.C. Copyright Office, Library of Congress. Available from the Library of Congress.

In addition the following are necessary:

- ** procedure manuals for online interlibrary loan systems
- ** lending policies of all libraries to which requests are sent
- ** all applicable consortia codes
- ** standard bibliographic tools and services necessary for verification and/or location
of requested materials

APPENDIX D

FAX GUIDELINES FOR PENNSYLVANIA LIBRARIES

I. PURPOSE

Libraries within the Commonwealth of Pennsylvania have installed digital fax equipment in order to facilitate rapid document delivery among a variety of libraries within Pennsylvania and with other regional telefacsimile consortia. The intent of these guidelines is to establish a set of formal telefacsimile protocols to be used when sending interlibrary loan and subject requests to libraries within Pennsylvania.

These fax guidelines are also intended to detail procedures not included in the following sources:

Pennsylvania Interlibrary Loan Code (1994)
National Interlibrary Loan Code for the United States (1993)
Guidelines and Procedures for Telefacsimile Transmission of Interlibrary Loan Requests (1990)
Virginia Boucher's Interlibrary Loan Practices Handbook (ALA, 1984 with 2nd ed. expected in 1995)
Interlibrary Loan Data Elements (National Information Standards Organization, 1989, with revision expected in 1994).

II. PROTOCOL

Requests should be sent to members of local and regional consortia before submitting requests to other libraries within the Commonwealth. Potential lenders should be selected on criteria listed in Section 5, The Interlibrary Loan Process.

III. REQUESTS

A. Transmissions

1. Whenever possible, requests for telefacsimile transmission of items should be submitted on the OCLC ILL System, RLIN ILL System, or other electronic transmission system. Some of these transmission systems provide the ability for a request to be forwarded to another potential lender when the material is not available. The requesting library should place a note in the Borrowers Notes field requesting that the material be sent via telefacsimile.

2. Requests may be sent via fax when requesting material from a library not participating in any of the online ILL systems, when consortial members agree to send rush requests via fax, or when priority delivery is needed.

3. Individual consortia may establish their own internal fax guidelines.

B. General Format

1. The ALA Interlibrary Loan Request Form or the ACCESS PENNSYLVANIA ILL form or the Information Request Form must be used when requesting material via fax.

2. Forms should be typed or printed using high quality printers and fresh ribbons/cartridges.

IV. RESPONSES

A. General Guidelines

1. The supplying library will provide fax responses for:

- a. All rush requests which have the notation: "Supply copy via fax."
- b. Renewal requests for items originally requested via fax.
- c. Any item which cannot be supplied for requests originally requested via fax.
- d. Inquiries for status of requests originally requested via fax or U.S. Postal

Service.

2. The supplying library will send the material via local delivery systems, U.S. Postal Service, or IDS unless "Supply copy via fax" is indicated.

3. The supplying library should provide a copy of the request with the supplied material.

B. Response Time Guidelines

1. Requests received via fax will be filled or answered within four working days. The supplying library will notify the requesting library via fax when this timetable cannot be met.

2. RUSH requests will be answered within one working day of their receipt.

Requests for rush service by the requesting library will be made only at the need of the library user. The supplying library will be responsible for informing any requesting library of their apparent inability to follow these RUSH guidelines.

C. Charges

Unless prior agreements to waive charges have been reached, requesting libraries should be aware that the fees established by the supplier will be incurred and that it is the responsibility of the requesting library to confirm payment amount. Supplying libraries should not impose a fax surcharge.

V. TIPS FOR EFFICIENT USE OF FAX EQUIPMENT

- A. Keep machine turned on at all times.
- B. To ensure legibility when sending, take care to use clear, high contrast photocopies with one-half inch margins on all sides.
- C. Supplying libraries may wish to retain the original photocopy for several days to avoid recopying if the transmission was not successful.
- D. The requesting library will notify the supplying library immediately if the transmission received is of poor quality and cannot be used. The supplying library will try one additional time to transmit via fax. If still unusable, the photocopy should then be sent by local delivery systems, U.S. Postal Service, or IDS.

VI. REVISION

These guidelines will be reviewed at appropriate intervals by the Council of Pennsylvania Library Network's Interlibrary Loan Committee.

APPENDIX E

MODEL INTERLIBRARY LOAN BORROWING POLICY

A typical interlibrary loan borrowing policy statement will include the following elements. Copies of the borrowing policy should be made available at all service desks at which ILL requests are accepted from users. The audience for this policy is the library user with a need for materials not owned locally.

1. What is interlibrary loan
 Brief description of the process
2. Where is ILL physically located
 --multiple offices/dropoff points?
3. What are the service hours
 --include normal suspensions for vacations, holidays, semester breaks
4. Who is eligible to use ILL
 --include categories of users not eligible for ILL
 --include statement on responsibilities of users
5. How are requests submitted
 --phone, fax, electronic mail
 --different forms for loans, copies, dissertations, etc.
6. What types of materials may be requested
 --are subject requests accepted?
7. What types of materials should not be accepted
8. Availability of special services
 --fax delivery
 --full-text ordering/delivery
 --commercial document delivery
9. If users are charged, how are they charged
 --for loans, copies, both
 --damaged or lost materials
 --flat fee, or what the lender charges
10. How long does it take for material to arrive
 --normal range for regular, for rush
11. How are users notified of arrival of material
 --phone call, mail notification, electronic mail, fax
12. How long may users keep borrowed material
13. How can renewals be requested
 --how many days before the due date should a renewal be requested
14. Where should material be returned
15. Existence of direct borrowing or reciprocal ILL arrangements
16. Copyright compliance

APPENDIX F

MODEL INTERLIBRARY LOAN LENDING POLICY

A typical interlibrary loan lending policy statement includes the following elements. Libraries should send copies of their current lending policy upon request. Whenever the lending policy is updated, libraries should distribute copies to all libraries that regularly request materials. A current lending policy should also be maintained in the ILL policy directory of all online ILL systems that are used.

1. Contact information, including
 - name of department
 - name of library/organization
 - address(es)
 - mailing address
 - delivery address
 - voice telephone
 - fax number
 - Ariel address
 - electronic mail address
2. Codes and symbols, including
 - ACCESS PA
 - DOCLINE
 - National Union Catalog (NUC)
 - OCLC
 - RLIN
3. Methods by which ILL requests are accepted
4. Methods by which materials are delivered
 - include IDS membership
5. Charges, including
 - for lending materials
 - for supplying photocopies
 - for expedited delivery
 - for lost or damaged materials
6. Billing methods
7. Types and categories of materials that circulate on ILL
8. Types and categories of materials that do not circulate on ILL
9. Duration of loan
10. Policy on renewals, including normal length of renewal
11. Types of reproduction provided, including
 - photocopies
 - hard copy-to-microform
 - microform-to-paper
 - fiche-to-fiche

- microfilm-to-microfilm
12. Regular service suspensions

APPENDIX G

GLOSSARY OF TERMS

ALA INTERLIBRARY LOAN REQUEST FORM - Four-part paper form, approved by the American Library Association and the National Information Standards Organization, used by a library to request an interlibrary loan from another library.

ACCESS PENNSYLVANIA - Statewide program of several parts, including a statewide library card that permits library users to borrow materials from participating libraries.

ACCESS PENNSYLVANIA DATABASE - CD-ROM statewide database project that includes an interlibrary loan program.

ARIEL - Electronic document transmission software, developed by the Research Libraries Group, that integrates a scanner, PC, laser printer, and communication software to send and receive scanned images via the Internet.

BORROWING LIBRARY - See Requesting Library

CCG - Requesting library's indication on a photocopy request that the request conforms to the CONTU "Guidelines for the Proviso of Subsection 108(g)(2)."

CCL - Requesting library's indication on a photocopy request that the request conforms to the U.S. copyright law, Title 17 U.S.C.

COMMONWEALTH LIBRARIES - Formerly known as the State Library of Pennsylvania; this state agency serves public, academic, special and school libraries throughout Pennsylvania as well as maintain a research library for state government.

CONFIDENTIALITY OF LIBRARY RECORDS - Section 428 of the Pennsylvania Code that provides legal guaranties of patron confidentiality of circulation of library materials. Circulation records shall not be made available to anyone except by a court order in a criminal proceeding. See Section 10 for the complete text of Section 428 of the Library Code.

CONSORTIUM - Group of libraries formally organized to promote common interests and achieve common goals, of which interlibrary loan and resource sharing activities are typical examples.

CONTU GUIDELINES - "The Guidelines for the Proviso of Subsection 108(g)(2)," known as the CONTU Guidelines, were developed by the National Commission on New Technological Uses of Copyrighted Works. The CONTU Guidelines suggest quantitative restrictions, the "guideline of 5,"

to requesting libraries for the number of articles or other contributions that can be requested from a periodical issue or other copyrighted work. Guidance on how to apply the CONTU Guidelines is found in the Procedures Manual.

COPYRIGHT COMPLIANCE - Requesting library is responsible for making certain that the interlibrary loan request conforms to the copyright law or the accompanying guidelines. A supplying library may choose not to process a photocopy request if an indication of copyright compliance is not included. See "CCG" and "CCL."

COPYRIGHT LAW - Federal copyright law, Public Law 94-553, last revised effective January 1, 1978 and codified in Title 17 of the United States Code (U.S.C.), is intended to bring about a balance between the rights of creators and owners of copyrighted works and the needs of users of those works. The copyright law limits what may be copied, sold, and distributed with and without the consent of the copyright owner. The rights of owners are enumerated in Section 106, and the limitations on the owner's rights are listed in Sections 107-118.

COUNCIL OF PENNSYLVANIA LIBRARY NETWORKS (CPLN) - Organization whose purposes are to advance and promote the development of library services and interlibrary cooperation among the public and private library networks, cooperatives and consortia in the Commonwealth of Pennsylvania.

DATE DUE - Either the year, month, and day by which the user must return the loaned item to the requesting library or the period of time the item may remain with the requesting library disregarding the time spent in transit.

ELECTRONIC MAIL (email) - Transmission of memos and messages over a network.

EXCERPT - Small piece or portion of a larger work, such as an article from a magazine, a chapter from a book, or a paper from a conference proceedings.

FAIR USE - Fair use, described in Section 107 of the copyright law, permits limited uses of copyrighted works by individuals who do not own the copyright to the work. The four criteria used to determine fair use are: the purpose of the use; the nature of the copyrighted work; the amount of the work used; and the effect of the use on the potential market.

FAX - Electronic transmission of text or graphics using telephone lines.

FEE-BASED DOCUMENT DELIVERY SERVICE - Library-based service designed to provide document retrieval, photocopying, online searching, and/or research from its own collection or other sources worldwide. Fee-based services are generally marketed to non-primary users of the library and may be marketed to specific categories of users.

IDS - (Interlibrary Delivery Service of PA) - Membership organization that manages a delivery service via a commercial firm to transport interlibrary loan materials among member libraries.

INTERLIBRARY LOAN (ILL) - Interlibrary loan is the process by which a library requests materials from, or suppliers materials to, another library.

INTERNET - International "network of networks" that uses protocols to provide file transfer, remote login, electronic mail, listservs, and other services.

LENDING LIBRARY - See Supplying Library

LIBRARY BILL OF RIGHTS - A document, developed and available from the American Library Association, that outlines a user's rights to library services.

LOCATOR TOOLS - Print and online sources used establish the correctness of the bibliographic citation and/or identify potential lenders. Locator tools include national bibliographic databases such as OCLC, CD-ROM union catalogs such as ACCESS PA, and print sources such as the National Union Catalog or Books in Print.

NATIONAL INFORMATION STANDARDS ORGANIZATION (NISO) - Organization accredited by the American National Standards Institute to develop and promote technical standards for library, publishing, and information services. Z39.63, Interlibrary Loan Data Elements, is the NISO standard that covers ILL transactions.

PENNSYLVANIA LIBRARY CODE - Laws relevant to libraries in Pennsylvania.

PROTOCOLS - Protocols, originally intended to establish a rigid set of rules that dealt with any activity in strict order of superiority, class, and adherence to formal laws, are now considered rules of performance of a given interlibrary loan code, resource sharing, or consortial agreement.

RARE BOOKS - Books, because of their age or rarity, that have been separated from the general library collections.

RECIPROCAL BORROWING AGREEMENTS - Arrangement by which libraries agree to exchange materials with others. Such agreements may include use of special delivery services, provision of material without charge, or direct borrowing privileges.

REQUESTING LIBRARY - Library that initiates an interlibrary loan request on behalf of a user. Other synonymous terms include borrowing library and borrower.

RESOURCE SHARING - Variety of library or consortial activities that are designed to improve library services and/or reduce costs. Interlibrary loan and direct borrowing privileges are two examples of resource sharing.

SPECIAL COLLECTIONS - Collection of materials, separated from the general collections, composed of items that are rare, old, valuable, fragile, in a special format, or about a certain subject,

or of a certain period or geographical area.

SUPPLYING LIBRARY - Library that fills an interlibrary loan request by either loaning the item supplying a copy of the item. Other synonymous terms include lending library and lender.

TELEFACSIMILE - See Fax.

U.S. Code (USC) - See Copyright Law.

UNION CATALOG - Print, CD-ROM, or online catalog that includes a collection of bibliographic entries for monographic and/or serials and the local, regional, state, or national libraries that have reported owning the titles. The Access PA union catalog, which include books and periodicals, is one example.

UNION LIST - Print, CD-ROM, or online listing of serial and periodical titles and the local, regional, state, or national libraries that have reported owning the titles. The Pennsylvania Union List of Serials (PaULS) is one example.

USER - Individual that initiates an interlibrary loan request. Other synonymous terms include patron, client, customer, and library user.

VERIFICATION - The process to determine the correctness of bibliographic and location information by the use of standardized sources, such as OCLC, ACCESS PENNSYLVANIA, or Books in Print.

APPENDIX H
SAMPLE FORMS

I. Sample ALA loan request.

II. Sample ALA photocopy request.

III. Sample ACCESS:PA request.