

ASERL Webinar  
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# Licensing Principles for e- Resources

A word cloud graphic containing the following terms: licensing, rights, law, perpetual, principles, users, terms, and conditions. The words are arranged in a cluster, with 'licensing' and 'rights' at the top, 'law' on the left, 'perpetual' in the center, 'principles' on the right, 'users' at the bottom left, 'terms' at the bottom right, and 'conditions' at the very bottom.

licensing  
rights  
law  
perpetual  
principles  
users  
terms  
conditions

# If you had to travel here – (or one benefit of a webinar)

Flood watch through tonight as deluge continues in Tampa

Flood watch remains in effect until Wednesday

Flood watches, more rain for Tampa Bay

Flood watch extended as more rain falls

Flood watch, more rain for Tampa Bay area



# Our environment

licensing  
rights  
law  
principles  
users  
perpetual  
terms  
conditions

- 12 universities and 28 colleges by FTE – 211,354 and 350,109, total 561,463
- ICUF, 153,071
- Potential FTE: 714,534
- New organization, July 2012
- Personnel behind licensing of content
- Licensing challenges



# FLVC Licensing Principles: The Document

- Borrowed concept
- Involved standing committees
- Revisions based on new formats, limits of liability, new organization
- Three parts to this document
- Underlying theme: protecting rights of the library and user community



# Under the hood of the document; licensing terms

- authentication
- authorized users
- authorized site
- authorized uses
- confidentiality of terms
- course reserve
- interlibrary loan
- interlibrary loan and ebooks
- scholarly sharing
- course management systems
- course packs
- commercial use
- online reference
- perpetual access
- archival access/back-up copy
- privacy
- quality of service
- usage statistics
- withdrawn materials
- notifying users
- indemnification
- breach
- governing law
- limitation of liability
- early termination due to insufficient budget



# The Survey & Interview

- What is the value behind the principles?
- How are the principles used institutionally/within the consortia?
- What are the limitations of the principles, if any?





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# What is the Value?

- Vetted terms among the institutions
- Comprehensive review by legal counsel
- Serves a guide and model for institutional agreements
- Functions as a resource for specific terms, sample clauses
- Helps to derive the most benefit from our licensed resources
- Centralizes documents specific to licensing

# How are they used?

- Simplify licensing that allows a shift of focus to collection building, pricing, and more
- Externally with vendors, provides leverage
- Internally with review of institutional agreements





# Any limitations?



- Dynamic environment, keeping current
- Depth of specific terms
- Arriving at a common denominator
- Usefulness depends on institutional expertise
- Serve as guide, not requirements
- Consortia specific
- What are the deal breaker terms?
- Institutional review of big deal agreements may still be a requirement



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# References

- The Florida College System. *FTE Enrollment: Funded, Lower and Upper Division, 2012-13*.  
<http://edr.state.fl.us/content/conferences/communitycolleges/EnrollmentbyProgram.pdf>
- State University System of Florida. Board of Governors. *State University System of Florida Facts and Figures*.  
<http://www.flbog.edu/resources/factbooks/factbooks.php>
- ICUF: Independent Colleges & Universities of Florida. *ICUF Accountability Reports, 2011*.  
<http://www.icuf.org/newdevelopment/wp-content/uploads/2010/06/2011-2012-ICUF-Accountability-Report.pdf>
- Florida Virtual Campus. *Guidelines for E-Resource License Agreements, January 11, 2013*.  
[https://fclaweb.fcla.edu/uploads/FLVC\\_Licensing\\_Guidelines\\_Version\\_III\\_Final.pdf](https://fclaweb.fcla.edu/uploads/FLVC_Licensing_Guidelines_Version_III_Final.pdf)



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