

Policy on Digital Camera Use in Binghamton University Libraries Special Collections

The use of personal cameras in Special Collections is managed by the Department of Special Collections and University Archives. Camera use by researchers occurs only with departmental permission. **Digital surrogates taken by researchers are for private research or classroom teaching purposes only and not for publication.** Images cannot be reproduced, transferred, published or posted on the internet. Images for publication or distribution must be ordered through Special Collections. **Special Collections reserves the right to deny requests or revoke permission for any reason.**

Fragile, damaged or restricted items may not be duplicated in any way. Entire or substantial portions of books or entire or substantial portions of manuscript boxes may not be digitally reproduced. Photography is meant to reduce the need for photocopies and to supplement note taking, not to create a complete personal copy.

The Department grants researchers the privilege of using their personal digital cameras to make digital surrogates of materials in the reading room under the following conditions:

- 1) **Permission required.** Researchers must request permission from the Department of Special Collections for digital camera use before beginning to photograph. Requests to reproduce university archival materials must be authorized by the University Archivist. Researchers must properly fill out and sign the *Request to Photograph or Film Collection Materials* form detailing the exact images they wish to digitally reproduce. It is the responsibility of each reader to keep complete and accurate citations for all items photographed. Requests for permission to quote, or subsequent orders for high-resolution images will not be processed without this information. Patrons may be required to use a paper flag to be placed on the materials which will read, "Original materials housed in the Binghamton University Libraries Special Collections. No copies may be made."
- 2) **Location.** Digital camera use will take place only in the Huppé Reading room or the Link Room of the Department of Special Collections in the Glenn G. Bartle Library under the supervision of Special Collections staff. Other researchers are not to be disturbed while photography occurs (patrons are asked to turn off flash and sound). Taking pictures of the room, other researchers or library staff is prohibited.
- 3) **Material review.** Not all material may be photographed and the Department of Special Collections reserves the right to deny permission. Digital camera use is subject to the material's condition, copyright laws, donor-imposed restrictions,

and specific conditions and arrangements for preservation. Staff must review all material before photography occurs. Patrons must allow sufficient time for approval and photography. Oversize items, records or documents in fragile condition, or those already available in microfilm or digital form, are not typically available for digital copying. If an item's condition dictates that a digital photocopy can be made by staff only, departmental charges will apply.

- 4) **Items to be photographed.** Only materials reviewed by staff may be digitally photographed. The Department reserves the right to obtain a digital copy of any images obtained by the researcher under this policy. If an item has a publicly accessible digital surrogate, patrons will be referred to that online surrogate.
- 5) **Handling and care.** The preservation needs of the material outweigh the technical limitations of the camera. Researchers must be familiar and experienced in the proper handling of material or receive instruction prior to the start of their appointment. Patrons may not push on the bindings, hold materials up, or otherwise jeopardize materials in order to obtain a better quality picture. Archival and manuscript material must remain flat on the table inside its folder and kept in order at all times. If leaves are fastened together, please see a Special Collections staff member before proceeding. If books are placed in cradles, they must remain there. **FLASH PHOTOGRAPHY IS PROHIBITED. Any instance of flash photography, mistreatment and/or damage to materials during an appointment will result in an immediate termination of the session with no option to reschedule in the future.**
- 6) **Equipment requirements and restrictions.** Cameras should have a manual setting and allow a long exposure since flash photography is prohibited. The following equipment cannot be used to make digital reproductions: personal scanners, tripods, supplementary lighting, extension cords, and flash photography. Patrons may not under any circumstances stand on reading room chairs or place materials on the floor in order to obtain a better photograph. Staff may request that a test shot be taken before an appointment begins in order to ensure the flash is disabled.
- 7) **Copyright compliance.** It is the policy of Special Collections that no entire manuscript collection or book can be copied or photographed. Special Collection staff may provide researchers with a mode of copyright notice (transparency or paper strip) that must be included on each digital image. Patrons are responsible for citing all images as follows:
Title of Collection/Book
Binghamton University Libraries' Special Collections and University Archives
Binghamton University
- 8) **Copyright declaration.** Patrons agree to use digital surrogates made in the reading room for private study, scholarship and research only. Images of materials made in the reading room may not be reproduced; transferred to

any other individual, institution or collection; exhibited; performed; broadcast; published; posted on the Internet; or used commercially without express permission in writing from the department. Patrons must sign a copyright declaration form acknowledging that it is their responsibility to obtain relevant permission from copyright owners in the event they decide to publish their work.

- 9) **Interlibrary Loan materials.** Special Collections materials lent to Binghamton University Special Collections and sent via ILL will not be digitally photographed in the Huppé Reading Room or Link Room or reproduced in any way by Special Collections staff. Special Collections materials borrowed from Binghamton University Special Collections and sent via ILL to another institution cannot be digitally photographed in any way.

NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted 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 other 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 photograph, photocopy or reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement.

A copy of the *Request to Photograph or Film Collection Materials* form will be given to the patron prior to entering the reading room. By signing this document, the user agrees to indemnify, defend and hold harmless the Binghamton University Libraries, its agents, officers, directors, employees, representatives, associates, and affiliates and each and all of them against all claims, demands, costs and expenses incurred by copyright infringement or any other legal or regulatory cause of action arising from the use of these photographs of the Library’s materials, whatsoever, whether or not groundless, which may arise directly or indirectly, for which no permission or authorization was granted.

Each user who signs the *Request to Photograph or Film Collection Materials* form must have this form displayed at his/her seat at all times.