THE UNIVERSITY OF NORTH CAROLINA PRESS

UNC PRESS GUIDELINES FOR ART AND PERMISSIONS

Contents

I.   Overview

As an author or as an editor of a collective work your contract with UNC Press places responsibility on you for obtaining the necessary permissions for publication. You may need to seek permission for use of any material in your book that you do not hold the rights to and is protected under copyright law.

Such material falls into two general categories: images and text.

This guide is meant to help you understand when you may need to obtain permission for images or text. UNC Press encourages you to consider your options for **fair use** and to understand the terms of **public domain** before embarking on the permissions process.

By ensuring that you have the proper permissions in place and maintaining clear documentation of your process, you help protect yourself and UNC Press from facing legal action for copyright infringement.

The permissions process can take some time, especially if you are planning to include more than a few illustrations in your book, or if your book anthologizes previously published works. Because **all rights information must be checked by Press staff before copyediting can begin, any necessary permissions paperwork must be submitted with your final manuscript**. We

encourage you to start the process early to avoid delaying your book's publication date.

Please read the "Definitions" section carefully and contact your editor early and often with any questions.

II. Definitions

Before we get into how to find images and obtain permission, it's important to understand a few key terms:

- public domain
- fair use
- copyright holder
- licensing agreements for high-resolution files

You'll want to consider whether an image or text is in the public domain or falls under fair use before seeking permission.

Public domain

Works in the public domain are not protected by copyright, generally because either the work was never under copyright (e.g., works produced by the U.S. government) or the copyright period has expired. You can reproduce works that are in the public domain without permission (although you should credit the source of the material). As of January 1, 2025, **all materials published in the United States before January 1, 1928, are in the public domain**. For more information, please see **https://copyright.cornell.edu/publicdomain**

Note: Some public domain or fair use works will still require a licensing agreement from the source for a high-resolution file (see below).

Fair use

Fair use is a set of exemptions built into U.S. copyright law meant to safeguard the right to use copyright-protected materials for the purposes of criticism, commentary, news reporting, and scholarship. There is no single litmus test for determining whether something qualifies as

fair use. Determining whether you can claim fair use **for a copyrighted image or text extract** requires attention to complex rules.

For an overview of fair use and the "four factors" that are considered in a fair use analysis, see https://copyright.cornell.edu/fairuse. **Should you claim fair use for a copyrighted image or text extract, we ask that you submit a brief statement explaining the rationale for your claim**. Many of our authors have found the language in the **Cornell Fair Use Checklist** helpful in articulating their rationale.

UNC Press strongly supports fair use doctrine and encourages you to assert fair use of materials where appropriate. That said, Press staff cannot offer legal advice or guidance on the merits of fair use claims. Ultimately the responsibility to make a claim rests with you, so you should seek advice from legal experts or campus copyright officers if necessary.

Copyright holder

If an image or text extract (e.g., previously published material, including poetry and song lyrics) does not fall under fair use or public domain, you'll need to contact the copyright holder and ask for permission. A copyright holder owns the rights to such material, and it is not uncommon for a copyright holder to charge a fee for use.

Note: Such a fee for permission may be separate from the cost of providing a reproduction of an image for use by the Press in producing your book. If the copyright holder cannot provide a high-resolution reproduction of an illustration for the Press's use, you may need to secure a separate licensing agreement from the party providing the reproduction. See the next definition for more about this.

Licensing agreements for high-resolution files

A licensing agreement for a high-resolution file allows you to obtain and use a digital, high-quality version of an illustration. For most photographic illustrations to be reproduced in

black-and-white, the Press requires a high-resolution file at **a size of at least 5 × 7 inches at 300ppi.**

Like a copyright holder, the owners of primary source materials like letters, personal journals, archival documents, and rare publications and photographs, as well as artworks, archival media, and other objects of study may also grant permission or issue licenses to reproduce their material in your work, but their authority is based not copyright law but on their ability to provide access to the material you need. For this reason, **some public domain or fair use works will still require a license to obtain and use a high-resolution image file of the work.**

Please read **the Press's Digital Art Guidelines** now so that you fully understand our digital art requirements. If you have any questions, contact your editor and editor's assistant. Asking questions early will save you time and effort later.

III. Minimum and preferred permissions requirements

Minimum requirements

At minimum, **all interior text and art must have non-exclusive world rights for print and ebook**. Ebook rights are primary publication rights and are therefore not optional. We cannot permit the use of an image or text in a book if ebook rights are not clearly provided in permissions/licensing documentation.

Preferred language

In addition to world, print, and ebook rights, we recommend that authors also secure permission for subsidiary rights and promotional rights. These rights allow us to use illustrations in future or alternative editions of your book (e.g., translations into foreign languages) and in advertising and publicity related to the project. Our preferred permissions language for interior text and art is as follows:

> world rights for all editions (including electronic/ digital formats), use in promotional materials (such as our catalog), in subsidiary licenses (such as translations or book clubs), and versions made by nonprofit organizations for blind or physically disabled persons.

We provide a form with this language for you to use with rights holders (see UNC Permissions Form under "IX. Additional Resources"). You're welcome to edit the top portion as needed for each text and image situation but leave intact the rights request language at the bottom.

If a third-party permission form (see Non-UNC Press permissions forms section) is required, the Press prefers rights granted to include **all editions of the book, with no limits on duration or print run**, whenever possible.

Non–UNC Press permissions forms

Some copyright holders and institutions will not sign the UNC Press permission form and instead ask you to sign their own use agreement. This is fine, but please **consult with your editor <u>before</u> you sign and pay for a scan**. We need to ensure that the agreement meets our minimum permissions requirements and doesn't include restrictive grants of rights/use.

Rights holders will frequently specify permission for "one-time use" in their grant of rights. The Press generally interprets "one-time use" to mean use in a single edition of the book published in any format. So it would cover a print copy, a digital copy, and so on, as long as it is the same edition of the book.

IV. How to obtain permission for illustrations: a step-by-step guide

1. Select an illustration you'd like to include in your book. Make sure your selection has been discussed and approved by your editor. (Generally, your editor will want to review with you all illustrations at once.)

2. Select a source for a high-resolution reproduction, ideally one that won't demand a high fee or include use restrictions (e.g., a good research library or nonprofit organization). Remember that you must **share all outside licensing agreements with your editor <u>before</u> you sign and pay for a scan.**

3. Consider whether use of the image qualifies as **public domain** or **fair use** (see discussions above).

   - If you wish to claim fair use, remember to describe in writing a brief justification; you'll need to submit this justification to the Press when you turn in your final manuscript, illustrations, and permissions.

   - If an image is in the public domain, please **provide proof of public domain status** when submitting permissions forms. This can take the form of a screenshot of the source website indicating the rights status of an image, an email from an archive stating that the item is public domain and free to use, or a brief written explanation similar to a Fair Use statement indicating the age and provenance of the image.

   - **Determine whether you will need a license** for a high-resolution file. If you do, you'll need to submit that license and its terms to the Press when you submit your final manuscript

4. If necessary, seek permission from the copyright holder. As with licensing agreements for high-resolution files, we strongly encourage you to **share with your editor and editor's assistant all outside agreements <u>before</u> you sign and pay for rights**.

v.   What about text permissions?

For use of copyrighted text, you should apply the **fair use guidelines** that support your argument for claiming fair use or are involved in your analysis. You do not need to write a justification for your fair use of primary or secondary text used for these purposes. Nor do you need to secure permission for brief quotes of primary and secondary sources. These should be cited using conventional standards of attribution.

The following do NOT require permission to reproduce:

- Your own previously published work, to be reprinted in verbatim or close-to-verbatim form, where the publication agreement specifies that you may reuse the material in your own authored book;
  - Publication agreements will often include required credit language if you reuse your material. Please include a copy of any publication agreement with your permissions documentation so the Press can verify that all use and credit requirements have been met.
- Your own previously published work where you have retained publishing rights;
- Your own previously published work where you have made substantial revisions to an earlier version; and
- Brief quotations of copyrighted primary or secondary source material that is appropriately cited and used in support of your argument/analysis.

The following situations DO require permission to reproduce text:

- Your own previously published work where the publishing rights are held by someone else (for example, a journal publisher);
- A contributor's new or reprinted essay (in the case of new work, UNC Press will take care of the permission through a contributor agreement);
- Extended passages (i.e., more than 3 lines) from poems, song lyrics, or other literary works that are not analyzed within the text (for example, in an epigraph);

- Unpublished archival material (letters, diaries, etc.) does not fall under fair use. **Contact the source library or archive to determine rights status**. Generally, unpublished materials will require permission from the rights holder.
- Interviews require permission for material that has been directly quoted and in which the interviewee is named (see UNC Press Interview Release Form). For interviews where a pseudonym is used, permission is not required. For interviews that have been previously published, cite according to normal scholarly convention.

VI.   Permissions documents and forms

When you submit your final manuscript to the Press, you'll also need to submit the following materials:

1. The **Art and Permissions Log, which** will help you (and us) keep track of permissions. Below you'll find instructions for completing the logs.

> **The Permissions Log (Excel file) is available on the Author Portal (www.uncpress.org/author-portal/—password: 01author40).

2. Documentation of all copyright and/or license information either with a permission letter, license agreement, fair use justification (usually one paragraph per fair use item), or proof of public domain, or by explanation in the Comments column of the Arts and Permissions Log that neither copyright nor use is controlled by another party.

- **For illustrations**, please label each permission form, proof of public domain, or fair use justification with the corresponding illustration name and number(s). If one permission covers several images, include all numbers in the file name.
  Be sure to name electronic files with the corresponding figure/map/etc. number. The file naming and numbering system for art should include the type of illustration, the number, the author's last name, and "Permission". Please do NOT use long file names/descriptors, and do not use spaces. (See the UNC Press Digital Art Guidelines for further guidance on how to number your illustrations.)

Illustrations included in permission form	File name
Figure 1.2	Fig_1.2_Lewis_Permission
Figures 1.3, 1.5, and 1.6	Fig_1.3_1.5_1.6_Lewis_Permission

- **For text permissions**, write the chapter number(s) in which the text appears at the top of the permission form**.** <u>Be sure to name electronic files with the corresponding chapter number, like this:</u>

    Ch6_Lewis_Permission

VII.   Art and Permissions Log instructions

The UNC Press Art and Permissions Log is where you will track all of the **information about illustrations** to be used in your book, including their rights status, any cropping instructions from either you or the rights holder, and associated captions and credit lines. This log will also be where you track any **text that requires special permission to reprint,** such as poems, song lyrics, or large excerpts from other published works.

Use these tabs on the bottom of the Art and Permissions Log to navigate the spreadsheet. Do not edit the PROD DEPT. ONLY or LL ONLY tabs, in red.

List each item on a separate line **in the order in which the items will appear in the manuscript.**

Below are instructions for filling out each column of the log on each tab. Selecting the heading of each column will also trigger a pop-up with these instructions for your reference. At the top of each column is a gray row with example text.

Do not edit or input information on the PROD. DEPT ONLY or LL ONLY tabs. These two tabs are for use by UNC Press or Longleaf Services staff only.

	A	B	C	D	E	F
	Chapter/ Section	Type	No.	Alt Text (Required)	Caption and Credit Line	Source that Provided the High-Res Image
	Example	Figure	1.1	A herd of elk lounge and graze in a grassy meadow surrounded by autumn foliage at the base of a mountain.	The elk herd, mostly females and their young, gathers at the entrance to the Great Smoky Mountains National Park. Courtesy of the Library of Congress	Library of Congress, https://www.loc.gov/item/12345678

Refer to the gray Example line to see how each column should be filled out.

Art Permissions Tab

A	B	C	D
Chapter/ Section	Type	No.	Alt Text (Required)
Example	Figure	1.	

Number art consecutively by chapter (i.e., 2nd figure in chapter 1 is Figure 1.2). Number maps and graphs separately from figures (e.g., Fig 1.1, Map 1.1). If 2 or more images are grouped together, list them on separate lines (e.g., Fig 2.1A, Fig 2.1B).

Select column heading for a description of what information should go in each column.

Column A, Chapter/Section: The chapter or section in which the illustration appears. Please use only the chapter number or title (i.e., "1" or "Conclusion"). Do not write "Chapter 1," "Ch. 1," et cetera.

Column B, Type: Using the dropdown menu, select the type of illustration. (i.e., Figure, Map, or Graph). Note that historical maps (i.e., maps taken from historical or archival sources rather than drawn by a modern cartographer) are considered Figures, not Maps. Tables are considered text (not Graphs) and should not be included in the Art & Permissions Log. Refer to the UNC Press Digital Art Guidelines for further information.

Use the dropdown mention, as shown above, to select the appropriate illustration type.

Column C, No.: The illustration number. Art should be numbered consecutively by chapter throughout the manuscript (e.g., map 6.2 would be the second map in chapter 6). The different kinds of art should be numbered independently; for example, figure numbers do not affect map numbers. If two or more pieces of art are grouped together, please list each separately, *on its own line* (e.g., Figure 1.1a, Figure 1.1b, Figure 1.1c, etc.).

A Chapter/Section	B Type	C No.
Intro	Figure	0.1
Intro	Figure	0.2
1	Figure	1.1
1	Figure	1.2
1	Map	1.1
1	Figure	1.3
2	Figure	2.1

Illustrations should be numbered consecutively in the order they appear. Numbering should restart with each chapter and each illustration type, as shown in the sample above.

Column D, Alt Text: A short description of the appearance or function of the image. *This is not a caption*.

- **What is alt text and why is it important?**

  Alt text (alternative text) describes the appearance or function of an image. These text descriptions are visually hidden, but when a blind or visually impaired reader encounters an image while using a screen reader, the alt text will be read out loud.

- **Why are we requesting alt text from authors?**

  For ebooks to be accessible to everyone, they need to have accurate and meaningful image descriptions. Authors are best positioned to write and provide these descriptions to ensure they convey the intended meaning. The more accessible a book is, the more likely it is to be understood and enjoyed by the widest possible audience.
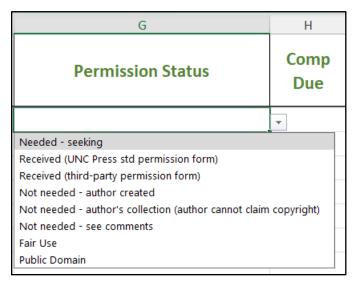
- **Best Practices for Writing Alt Text**

  - Keep it short, clear, and concise, usually 1–2 sentences (less than 150 characters).

  - Do not repeat text that is adjacent to the image (e.g., caption, surrounding main text).
    Alt text is similar to a caption but is intended to describe the visual content of an image. Do not repeat information that's in the caption. Instead, ensure that the caption and alt text complement each other to provide a complete description.

  - Consider the context for which you chose the image and describe only the details that are important to the context.

  - Use present tense and action verbs to describe what is happening in the image.

  - Purely decorative images (e.g., decorative drop cap) do not require alt text.

  - Omit "image of" or "picture of." Do say if it's a logo, illustration, painting, or cartoon.

  - For informational images, start with "A graph shows," "A map shows," etc. Summarize the key data points and conclusions to be drawn from the information. Ignore the visual presentation (e.g., size, color) and relay only what is significant.

  - Transcribe text that is part of an image. If the image includes a sign, poster, or other object bearing text that is important to the context, the text should be included.

  - A longer version of alt text can be supplied in addition to the short description if the image conveys complex information or if an accurate description cannot easily be expressed in less than 150 characters. Long alt text should be used sparingly.

- Images that are public domain or are obtained from a university or other collection may have a description available online. If so, use the description as the basis for the alt text (and amend as needed).

- See the Resources section of this guide for further information

Column E, Caption and Credit Line: The caption for the illustration as you would like it to appear in the final product, and the appropriate credit line per the permissions documentation.

Column F, Source that Provided the High-Res Image: The organization or person from whom you acquired a high-resolution image file and permission to use it. If image was downloaded online, provide a link.

Column G, Permission Status: Using the dropdown menu, select the appropriate option:

Use the dropdown menu to select the appropriate permissions status of an illustration.

- **Received (using UNC Press standard permission form):** you used the UNC-supplied permission form, and a rights and/or license holder signed it. In this case, select "Yes" for columns I, J, K, L, and M.

- **Received (using third-party permission form):** a rights and/or license holder supplied its own form. In this case, you should have shared the agreement with your editor or their assistant and together you made sure it grants the rights the Press needs

without imposing restrictions we can't abide by. Fill out columns I, J, K, L, and M accordingly.

- **Public domain:** Works in the public domain are not protected by copyright. If a license agreement *was not needed* to obtain the high-resolution file, select "Yes" for columns I, J, K, L, and M. If a license *was* required, fill out columns I, J, K, L, and M according to the terms of the license.
    - For more: https://copyright.cornell.edu/publicdomain
    - **Works in the public domain may require a license to obtain and use a high-resolution file**; that is, copyright is not an issue, but you may have to pay for and agree to terms of use for a high-resolution file. If a license is necessary to obtain a high-resolution file of a public domain work, that license needs to follow UNC Press's requirements for non–public domain permissions (i.e., world rights, print rights, and electronic rights at minimum, with a preference for no limit on print run or duration).
- **Fair use:** Fair use is a set of exemptions built into U.S. copyright law designed to guarantee the right to use of copyright-protected materials for the purposes of criticism, commentary, news reporting, and scholarship.
    - If you use this option, select "Yes" in columns I, J, and K. Select "No" for columns L and M. Fair use does not cover promotional use and subsidiary rights.
- **Not needed—author created:** You took the photograph, drew a map, created a graph, etc. In this case, select "Yes" for I, J, K, L, and M.
- **Not needed—author's collection (author cannot claim copyright):** You own a copy of the image but are not the copyright holder. In this case, select "Yes" for columns I, J, K, L, and M. (This distinction between author-created and author-owned art is necessary for copyright submissions to the Library of Congress).
- **Not needed—see comments:** Use this for less frequent situations in which copyright doesn't apply—for example, if you are using a personal family document or the item is something you commissioned (such as a map).

- **Needed—seeking:** Ideally, you will not use this option. Permissions must be in hand when you submit your final manuscript and supporting materials to UNCP. However, if a rights holder is being particularly slow, let us know when you expect to receive the permission.

Column H, Comp Due: Using the dropdown menu, select Yes or No to indicate whether the permission-granting institution or individual requires a complimentary copy of the finished book. **Providing complimentary copies is the author's**, not UNC Press's, **responsibility**.

Columns I, J, K, L, and M: Using the dropdown menus, select Yes or No to indicate whether you have obtained the specified rights for an illustration:

- **I, World Rights (required):** allows the Press to sell the book with the image throughout the world
- **J, Print Format (required):** allows the Press to sell the book with the image in print format
- **K, Electronic Format (required):** allows the Press to sell the book with the image in electronic formats (including ebook and databases)
- **L, Catalog & Promotional (recommended):** allows the Press to use the image in catalog and/or promotional materials
- **M, Subsidiary Rights (recommended):** allows the Press to sublicense the book with the image for translation, audio, or reprint, at no extra charge.

Column N, Comments: Use this space to note any questions you have about an image or to record complimentary copy requirements, permission limitations, or background information that might be useful. *Do not* list cropping or design instructions in this column.

H	I	J	K	L	M	N
Comp Due	World Rights (Required)	Print Format (Required)	Electronic Format (Required)	Catalog & Promotional (Recommended)	Subsidiary Rights (Recommended)	Comments
No	Yes	Yes	Yes	Yes	Yes	
No	Yes	Yes	Yes	Yes	Yes	
Yes	Yes	Yes	Yes	No	Yes	1 comp copy to archive, 1 comp copy to photographer
No	Yes	Yes	Yes	No	No	

Select yes or no to indicate which permissions have been granted for an illustration. Use the comments column to list comp copies or other pertinent information.

Cropping Instructions Tab

Column A and B, Type and No.: Automatically copied from the Art Permissions tab. If you need to make changes to illustration types or numbering, do so in the Art Permissions tab.

Column C, Cropping Instructions: Any information about how an illustration is to be cropped or otherwise altered. If you do not want a certain image cropped or altered, indicate that as well (e.g., "do not crop out archival caption"). Layout instructions can also be included here (e.g., "fig. 1.1. and 1.2 should be on the same page or on a spread"). <u>Please also note any restrictions or requirements from the rights holder about cropping or alterations</u>. *If cropping instructions are not provided, images may be reasonably cropped at the designer's discretion.*

A	B	C
Type	**No.**	**Cropping Instructions**
Figure	0.1	
Figure	0.2	Crop out newspaper headline
Figure	1.1	
Figure	1.2	
Map	1.1	
Figure	1.3	No cropping or alterations
Figure	2.1	
Map	2.2	

Illustration Type and No. will automatically be copied over to this tab of the spreadsheet from what you have entered in the Art Permissions tab. List any instructions for cropping or other art prep in the Cropping Instructions column.

Text Permissions Tab

Authors should apply the **fair use guidelines** to copyrighted textual quotations. Record only those quotes for which you found it necessary to obtain written permission.

The text log operates just like the art log, except that the contents are for text permissions. Fill out the Text Log using the Art Log instructions.

One special item:

- **Column C:** The full citation for the original source of the text or the work it was published in.
    - o If you have obtained permission to reprint your own previously published work, make sure you include a complete citation for the original work. If the original publication does not supply you with this credit line, you will need to recreate the citation on your own.

VIII. FAQs

What if I have hard copies of illustrations but no digital files?

We're happy to make digital scans of your materials. Just send them to your editor well in advance of your final manuscript submission deadline.

What about maps, graphs, and charts?

Any illustrations that you (or a contributor in an edited collection) did not produce yourself or were created as a "work for hire" may require permission to include in your book.

For all art—and especially maps and graphs—please read the Press's Digital Art Guidelines now so that you fully understand our digital art requirements. If you have any questions at all, contact your editor and editor's assistant—we're more than happy to help, and asking questions early will save you a lot of time and effort later.

Do I need special permission if my book will be Open Access?

Yes. Open Access requires all permissions either to be public domain or fair use or include language that explicitly gives permission to use a work in an Open Access publication. *Blanket electronic rights do not cover Open Access publication.*

IX. Additional resources

Helpful websites

Association of University Presses Permissions FAQ

Cornell Copyright Center—Fair Use

Cornell Copyright Center Fair Use Checklist

Cornell Copyright Center—Public Domain

Alt Text Resources (with Illustrative Examples)

Write Helpful Alt Text to Describe Images (Harvard University)

Alternative Text > Step-by-Step Instructions for Writing Alt Text (University of South Carolina)

Guide to Image Descriptions (AccessiblePublishing.ca)

Sample Textual Descriptions for Illustrative Materials (University of Michigan)

Permission Request Form

REQUEST FOR PERMISSION TO REPRINT

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I request permission to reprint the following selection(s) from: Author(s): _____

Title: _____

Copyright year: _____   Journal volume/date: _____

Selection: _____

Illustrations/other: _____

The material will be reprinted in a volume tentatively titled:

_____

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I have provided the release below for your convenience. Please return the signed original request to me. Be sure to include your email address or phone number in case we need to contact you.

Sincerely,

****

PERMISSION GRANTED:

Authorized Signature _____   Name (Please Print) _____   Date _____

Email address (or phone number)