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Jeffrey D. Graveline

University Of Alabama At Birmingham, jgraveli@uab.edu

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Copyright and Academia: Launching a Successful Copyright Education Program

Jeffrey D. Graveline, JD, MLIS
Mervyn H. Sterne Library,
University of Alabama at Birmingham, USA

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ABSTRACT

Librarians, and particularly academic librarians, deal with copyright issues on almost a daily basis. It makes sense, therefore, that libraries and librarians should be the “go to” place on campus for copyright information. I am often asked by colleagues for suggestions on launching copyright education programs on their campuses. In this column, I provide steps and ideas to help you get started with a copyright education program, or at least to make you feel more confident in your efforts by providing advice from my own experiences, from educating yourself to implementing local workshops.

In academic writing, timing is important. There is often a long delay between submitting your work and final publication. Sometimes the delay works to your benefit. Other times it does not. In this case, the timing was just right. As I sit to write this column in early November, I know that it will reach readers’ hands mid-way through the spring semester. As academic librarians, our professional lives revolve around the academic calendar. Students arrive back on campus in early fall and we do not slow down again until the late spring. Sure, there are short breaks here and there but they only provide enough time to catch our breath. Summer, though, is our time to prepare new programs and workshops, to participate in professional development, or

to learn new skills. With summer just around the corner, this is the perfect time for you to begin planning and implementing a copyright education program at your institution. You can use your summer to learn copyright basics and begin planning workshop(s) for the upcoming year. Create a realistic timeline with attainable goals and stick to it. This will keep you on track and help you avoid becoming overwhelmed.

In preparing for this column, I went back and read my previous column dealing with copyright myths. I ended that column by imploring academic librarians to become more proactive in matters relating to copyright on campus. I still think this is an important mission and have been asked by a number of my colleagues about how they should go becoming more involved. In this column, I will tackle that question and give you a game plan to get started. Even if you have a well established copyright program in your library, I hope you will find some of this material useful.

With that said, this is certainly not a perfect roadmap for implementing a copyright program. Every institution is different. Support from administration and local expertise varies. And as we all know, time commitments vary. There is no one-size-fits-all approach that will work for every institution. What I hope to do is provide some steps and ideas to help you get started, or at least to make you feel more confident in your efforts by providing advice based on my own experiences.

Let me begin by explaining my rationale for making the library, or at least someone within the library, the go to place or person for copyright information on campus. As librarians it makes sense for us to be involved in the campus conversation on copyright because so much of what we do on a daily basis involves some aspect of copyright: interlibrary loan, document delivery, database content licensing and print and electronic reserves to name just a few. Being

seen as a copyright expert may raise your library's visibility on campus, both with faculty and administrators. And finally, becoming well versed in copyright can make you an invaluable part of your library and university.

Getting Started

So where should you begin? First and foremost you need to educate yourself on copyright and copyright related issues. You do not need a law degree to be knowledgeable about copyright or to become the copyright expert within your library. Certainly having a legal background is helpful if for no other reason than giving you a basic knowledge of legal terminology, statutory interpretation, and the court system. Although not necessarily justified, having a legal background may also provide you with additional credibility when talking about copyright. However, you can learn what is necessary to be an effective copyright advocate without spending three years in law school.

There are a number of excellent books to get you started. If you are going to read only one book, I would suggest Dr. Kenneth Crews' *Copyright Law for Librarians and Educators*. Crews is an expert in the field and is a leading academic in copyright and higher education. As the title suggests, this book will introduce you to the basics of copyright law as it relates to libraries and education. Think of it as a copyright crash course for librarians. You will not want to stop there, though. Another book I highly recommend is *Complete Copyright: An Everyday Guide for Librarians* by Carrie Russell. Russell is another leader in the world of copyright and libraries. While this book is not specifically geared toward higher education, it provides great real world examples of copyright issues that regularly arise in all types of libraries including academic libraries. These are just two books to get you started but there are many other excellent ones out there.

There are also many excellent web sites you can visit for specific information on copyright in higher education. You should definitely begin with the Association of Research Libraries *Know Your Copyrights* web site (www.knowyourcopyrights.org) which describes itself as the “web site for librarians who are developing positive educational programs for academic users of copyrighted materials in US not-for-profit institutions.” There you will find a plethora of information both to help you learn about copyright and also to help you get started planning your campus workshops. Some universities have created an extensive copyright web presence either through their libraries, Offices of Scholarly Communication or some other department on campus. Columbia University’s Copyright Advisory Office (copyright.columbia.edu/copyright) is an excellent portal containing copyright information for academics. You will find information on nearly any topic you can imagine dealing with copyright and higher education. Another well known web site is the “Crash Course in Copyright” from the University of Texas (www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm). Both of these sites will give you a basic framework of knowledge on which to begin building. Blogs are a great way to stay up-to-speed on current events affecting the copyright world. Kevin Smith’s blog, “Scholarly Communications @ Duke” (library.duke.edu/blogs/scholcomm) is one of my favorites. Smith provides thoughtful analysis on timely issues and effectively explains complex topics in ways anyone can understand.

Finally, if you want to expand your education and work with others, you might consider one of the Continuing Education (CE) courses that are available live or online. Through its Click University, the Special Libraries Association (www.sla.org) offers a “Certificate in Copyright Management” program. The program includes courses on U.S. and Canadian copyright law, digital copyright issues and managing the use of copyrighted materials. The University of

Maryland University College's Center for Intellectual Property (www.umuc.edu) also offers a "Certification in Copyright Management & Leadership" with similar offerings. Beware, though, both of these certificate programs are pricey. If you can swing the cost, they are certainly worth exploring.

Once you have a handle on the basics, you will want to start exploring some of the more advanced and esoteric areas of copyright. It goes without saying that the more you know the more confident you'll be presenting that information to others.

Get out there. Start small but think big.

Now that you've educated yourself, the next step is to get out and educate others. What better place to start than right in your own library, right? This is your chance to show off some of your newly acquired knowledge while providing professional development to your colleagues. It will also boost your confidence by giving you practice presenting and fielding questions on the topic. One way to do this is through one or a series of workshops or "brown bag" sessions in your library focusing on copyright. Since there are so many aspects of copyright, you could even break it into multiple sessions such as copyright basics, fair use, author rights and open access. This is what we did in our library several years ago. It is also a good practice to provide handouts that attendees can take away. This will give them some concrete materials to which they can refer later.

There are two standard disclaimers I make before all of my copyright workshops. First, I explicitly say that nothing in the presentation should be construed as legal advice. This helps to avoid those sticky situations when someone comes back and says "Well, Jeff told me ...". This is especially important if you have a law degree. I also tell participants that opinions given during

the presentation are my own and are not necessarily those of the university. You may want to incorporate one or both of these disclaimers into your workshop depending on your situation.

If you follow my suggested timeline, by the end of the summer you will have spent the past few months learning all you can about copyright and your brain will be overflowing with new knowledge. The most important piece of advice I can give you here is to resist the temptation to regurgitate everything you know about copyright in a 90 minute workshop. This is the fundamental need-to-know v. nice-to-know principle of course design: Avoid cognitive overload. Trust me on this. I speak from experience. Looking back on the first copyright workshop I led, I have to admit I am a little embarrassed. The slides were dense, the presentation was littered with too much legalese, and 3 hours of material was crammed into 90 minutes. I learned from these early mistakes and have redesigned my materials numerous times. I am glad to report that my workshops now are much better and more effective.

So what can you do to make your presentation both interesting and educational? 1.) Approach the workshop as an introduction to copyright, not as a Masters seminar. Do you remember how foreign some of the terms and concepts seemed to you when you first began exploring copyright? Workshop participants are in the same position. Identify the materials you think are the most important for the attendees to know and cover only those. Covering too much leads to overload and confusion. 2.) Avoid, whenever possible, quoting statutes or using slides with dense statutory language. In some instances, using the statutory language is necessary. However, I have found that putting it into everyday language makes the content more accessible to learners. Remember that you are not teaching a law school course. 3.) Put the information in a context familiar to your audience and use stories and examples. For example, if you are talking about the “amount used” factor of fair use, simply saying less is better is a good start, but give a

real life scenario. I often mention the professor who wanted to copy 10 chapters of a 13 chapter book and ask participants whether that amount of copying weighs for or against fair use. When discussing author rights and publishing agreements, I talk about the professor who wanted to link his publications to his online CV but could not because of the terms of his publishing agreement. These are just two examples but I am sure you can think of dozens more. Just remember that the point is to always keep it interesting and relatable to your audience. I will offer one final piece of advice: Do not be afraid to say “I don’t know.” It is always better to acknowledge your limitations than to provide incorrect information.

Now that you are confident presenting the material, as you should be after leading your in-library sessions, you will want to think bigger and move outside of your library’s walls to the broader university and professional community. There are a lot of possibilities here. If you feel more comfortable staying within your institution, arrange copyright workshops for faculty and staff. There will always be people on your campus who want to learn more about copyright. If you do not have space in your library to hold the workshop, find out about reserving a place elsewhere on campus. Try getting the university administration on board by explaining the importance of copyright education on campus. At my institution, our campus-wide copyright workshops have been sponsored by the Associate Provost’s office as part of the Faculty Development series. This partnership has been highly beneficial and has given our programs much more exposure than we otherwise would have received. These sessions have led to numerous requests to do smaller, narrowly tailored workshops for individual departments or groups on campus.

Once you feel ready to expand beyond your institution, consider presenting your workshop at a local or state library conference. From my experience, there are many

opportunities to present on copyright issues at these conferences. Librarians know that copyright is an important topic and will take advantage of the opportunity for professional development. I recently presented a copyright session during our state library association's annual convention to a standing room only crowd. If you are good, word of mouth will spread and you'll be asked to present again.

Now that you have an idea of where to begin and how to proceed, I hope you will take a proactive role in educating your colleagues and users about copyright. I would love to hear from some of you about your successes (or even failures). Good luck!