

# Developing new copyright services in academic libraries

This article discusses the role of academic librarians in handling copyright-related issues, including their required skills and knowledge about copyright. IP (intellectual property) issues have become more important in publishing and in accessing and reusing scientific research, and new technology and delivery mechanisms have increased copyright issues. Due to the complications and general confusion about copyright, there is a growing need for official support. Academic librarians often have only an informal mandate to work in this area and therefore lack confidence, sufficient knowledge and training. They seldom have the authority to work with copyright education in a formalized way. Legitimacy can be achieved by collaborating with other university units with an interest in copyright. Co-operation with other libraries and library organizations is also an important way to share experiences and increase knowledge about copyright. Libraries can contribute to improved IP services once they have established that copyright is a library matter, found tools for copyright education and embedded these activities into library routines.

## Introduction

Copyright law directly affects library services, and yet copyright is currently seen as a 'difficult' area, with problems including balancing authors' rights and community use of research and cultural works. Simply put, copyright law, which in many respects is outdated, is causing problems in research and education. Librarians now have the complex task of balancing two positions: providing digital access to information on the one hand and helping to protect publishers' rights on the other. So, librarians have to handle restrictions in copyright legislation but also actively have to provide digital solutions. Accordingly, there is an increased need for new skills and for a mandate to work with copyright guidance, which will be looked at in more detail later.

Faculty, administrators and students need advice about using information in an ethical and legal way. Librarians may be asked regularly about information resources, limitations in copyright law, educational exceptions, textbooks, digitization and print or electronic reserves where the library's licences are important resources for teaching. However, in Scandinavia there has been little interest in such general copyright services. Instead, there has been a strong focus on copyright issues in scholarly publishing due to the OA (open access) movement. Copyright and publishing agreements are of critical importance for academic scholars. Working with authors to help them understand publishing agreements and to retain the rights they want to keep is an important proactive service the library can provide that will affect future access to academic research.



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'Working with authors ... is an important proactive service the library can provide'

## Librarians' changed roles

The traditional skills of librarianship, recognized as being fundamentally important to HE (higher education) and academic research, have changed. This is partly due to the development of complex digital collections and digital repositories. Librarians must now work on multiple fronts with print or electronic course material, licences, distance education, inter-library loans, databases, e-journals and publishing support. They must promote institutional repositories and help authors to understand and retain their rights, advocating

79 OA and increased visibility of research. Librarians can therefore now influence the development of scientific communication and provide new services relating to e-resources, publishing and copyright, all of which will enhance the value of library services.<sup>1</sup>

In general, academic librarians have a fairly good understanding of copyright issues that are relevant to HE needs. Librarians interact with all sectors of the university and have a good reputation and a neutral position, with researchers and lecturers often turning to them for advice on such matters. However, academic librarians often do not feel confident in their knowledge about copyright and are therefore hesitant to take on their new roles as copyright advisors.

'Librarians can ... now influence the development of scientific communication and provide new services'

## Competence to deal with copyright

Most of the things librarians do now involve some aspect of copyright. Knowledge of copyright entails a basic understanding of copyright law, comprehension of the ethical use of information and the ability to understand how licences and the use of free resources interact with legislation. Many institutions have both students and staff from around the world and so librarians also need to have a general understanding of international copyright.

Few librarians receive copyright training during their graduate studies and they usually have very diverse experience regarding copyright issues. It is important to prepare LIS (library and information science) students fully for academic librarianship, where copyright issues could be a part of their future work. The librarian's role as copyright advisor was highlighted throughout 2014, when copyright literacy among librarians was investigated in several European studies. These studies show a general lack of knowledge about copyright among librarians and a need to focus on copyright matters in LIS curricula.<sup>2</sup>

IP issues in libraries have received little attention. There needs to be acknowledgement of the fact that dealing with copyright-related issues in publishing and education is a part of library work. Libraries have to determine what expertise is needed and provide training for library staff as well as for faculty. Having a legal background may help but is not necessary when the institution regards librarians as creditable. There is a growing collaboration between lawyers and libraries and collaboration can be one way of achieving legitimacy regarding copyright issues.

### Training library staff

The starting point for educating library staff in the basics of copyright and copyright-related issues is to acknowledge how copyright influences the way in which libraries work with information resources. The term *copyright* has to be described and demystified: what does copyright mean in HE and in academic libraries?

Many librarians are not comfortable answering a question about copyright if they believe it to be a legal query. However, most copyright questions are not 'legal' in the sense that they require an interpretation of the law. Rather, they tend to lead to conversations around existing agreements (or other means by which to find the best solution) based on a specific situation. These conversations are similar to those a librarian might expect to have in a reference help session. The librarian's advice is aimed at spreading knowledge of copyright rather than at providing definitive answers to specific questions, thus giving an understanding of how to approach scientific communication. This is part of what libraries already do when teaching information literacy.

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Librarians providing copyright-related services and copyright education need the necessary support and resources to fulfil their responsibilities in a professional way. They need time for further training, as well as time to read professional literature or attend conferences to collaborate with other librarians.

80 There are various ways to educate oneself and one's colleagues. Every institution is different, but forming a copyright team or a working group can improve a collective knowledge base and inspire others.<sup>3</sup> Different copyright areas demand different skills. Liaison librarians with good relations with faculty can help both researchers in understanding publishing options and lecturers in choosing textbooks and articles for courses.

There are a number of free web-based courses and other online resources where one could start. Organizations like UNESCO, IFLA and EIFL provide useful information or online courses. Different websites from copyright organizations can give more specific information on copyright. Many conferences where copyright is discussed focus on wider public policy and transforming legislation, but there is also a need for national or international networks where librarians can share experiences and look for best practice.

In brief, educational resources for librarians include:

- copyright webinars and thematic workshops
- online tutorials or courses, MOOCs
- LIS educational programmes
- conferences and discussion lists
- collaboration with copyright professionals and library organizations.

## Copyright guidance

The main goal of copyright guidance at universities is to demonstrate good practice in different situations and to build copyright knowledge by giving practical steps. There is a need to provide faculty and course developers with tools and confidence<sup>4</sup> as there may be gaps in their knowledge, or even incorrect knowledge of many key issues. This is where the role of the librarian as copyright advisor is needed.

Most of the material used or published at universities is protected by copyright. IP issues are closely related to the use of electronic resources, scholarly communication and plagiarism. Copyright guidance can be seen as a fundamental part of digital and information literacy, by teaching students and faculty how to meet legal requirements and avoid copyright infringement. Digital technology creates many new situations where images, presentations or even academic papers can be shared or published and there is a constant need for guidance. Students need practical guidance in using content ethically. Lecturers rarely have time to discuss copyright issues and are not updated on how students use digital material in their papers or multimedia projects. Queries are often addressed to individual librarians who are unaware of how students share or publicly present their results.

'Copyright guidance can be seen as a fundamental part of digital and information literacy'

Librarians are accustomed to collaborating with researchers, developing research support activities and talking about OA and publishing agreements. There is an increasing need for information about CC (Creative Commons) and the use of copyrighted media in different types of research publications. For researchers, copyright is not only about using copyrighted material, it is also about making the most of their own copyright.

Copyright queries in academic libraries pertain to:

- basic principles and concepts of copyright law
- permissions/copyright clearance
- questions on course packs and licences
- copyright in the electronic environment

- use of images and multimedia
- OA publishing
- publishers' agreements
- CC licences.

Every copyright question is unique and rather complex and copyright problems can seem intimidating due to the lack of clear-cut answers. Copyright queries often have to be handled urgently and instead of focusing on the compliance aspect and what one can or cannot do, librarians need to make users aware of other options. Providing other options can also prevent users from getting 'copyright anxiety', fearing that everything they do violates the law instead of trying to find best practice in handling copyright issues.

It is important to distinguish between copyright guidance and legal advice, as touched on previously. Copyright guidance gives informed opinions and should be considered as guidance based on best practice. Librarians should strive to give enough information to enable the enquirer to make their own decision. Maintaining a perception of neutrality and approachability will increase a librarian's authority. It is also important that faculty and students know to whom they can refer copyright queries.

'It is important to distinguish between copyright guidance and legal advice'

### Training faculty and students

Libraries are often engaged in individual assistance but also need to reach out to groups of researchers and lecturers. Library efforts need to work from the users' needs, and this is important to bear in mind when developing copyright education programmes. Participants must see the benefits of copyright education for their day-to-day work, so it is better to focus on something practical that faculty and students are keen to learn about. The library could embed copyright information into other training sessions,<sup>5</sup> for example in instructions regarding blended learning, dissertation publication or information retrieval.

The most important thing is that copyright issues are taken seriously! Various outreach activities may be valuable, as for example:

- seminars/webinars
- workshop sessions
- copyright web pages/subject guides
- online and printed guides, FAQs
- online courses with quizzes
- faculty newsletters.

A copyright guide can be useful but, as with all other information sources on the web (e.g. FAQs, 'Ask a librarian' or scholarly communications pages), it needs to be kept up to date. Web-based copyright information can be reinforced by presentations given to faculty and students. A face-to-face training session will probably be one of the best ways to provide the necessary services.

### Strategy

The role of librarians as copyright advisors will continue to increase. Changes in scholarly communication provide libraries with new opportunities to become a part of the university community. In order to be able to provide new services, libraries need to build professional relationships and intervene in different research and education processes.

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82 The best way to promote library services and communicate skills is by collaborating with faculty or other units. This will strengthen the library's presence. Departments such as teaching and learning centres, reprographic services or technology departments also have an interest in IP issues and can be partners in learning. When working with other departments at the university, the general awareness of copyright and library services will increase. Utah State University Library, for example, has formed a copyright committee with staff from across the campus. With support from campus administration, members of the committee and liaison librarians have conducted a 'road show' series focusing on copyright. This has been a success. Not only have the presentations given the library the opportunity to talk about rights, responsibility and decisions but also about library licence agreements, free resources and other options.<sup>6</sup>

Decisions about copyright education programmes and responsibility for copyright-related issues are not always made by the library management. They can be made by others in leadership roles and the value of library services in copyright-related matters might not be clear. Libraries need to become visible and show the value of partnerships and services. Services have to be customized and targeted to library users' needs.

Libraries have to highlight the library's expertise and role as a source for information on copyright. Poor understanding of copyright can lead to copyright compliance problems and may be frustrating – not only for faculty and students but also for the library.

In order to educate faculty and students, one first has to define the goals of copyright education at the institution. Several aspects need to be considered, such as:

- *The importance of communication.* Providing services regarding licences, research support, photocopying or scanning and teaching support require good communication. Liaison librarians play an important role in this.
- *The identification of key stakeholders.* They can include legal counsels, deans, university administration or IT technicians working with teaching faculty. Find potential advocates and see what resources they can offer and which groups they can influence. Legal counsels will most surely have both competence and authority and can be allies or partners in discussing copyright issues or planning educational programmes.
- *The main targets of the initiative* (e.g. groups of faculty or students). Consider available resources and opportunities and design copyright activities for those groups.
- *Developing a clear idea* of what one wants to accomplish and planning activities accordingly. Copyright guidance is time-consuming and one has to allocate time and other resources. Concentrate on services and resources that are already available and find areas where there are special needs and the efforts can be well received.

## Conclusion

The library is a central place for copyright information and libraries are in a good position to build a wider understanding of copyright and to introduce ways of creating and using information in an academic setting.

Academic librarians need a solid foundation in basic copyright knowledge, as well as a wider understanding of scholarly communication and publishing. Educational programmes in LIS should include courses in IP issues. Libraries and library organizations have a responsibility to increase copyright knowledge by supporting copyright training and to push for a balanced approach to copyright.

Libraries need to take a more systematic approach to copyright guidance. Libraries should strive to assume a more prominent role in copyright management and education. Librarians must develop confidence and define their roles as providers of copyright guidance, thereby asserting

'Libraries should strive to assume a more prominent role in copyright management and education'

83 their authority on these matters. The challenge is to find strategies and methods for communicating copyright information. It is important that the library markets all outreach activities, so that users are clear where to turn for advice. Building knowledge and establishing a legitimate role include integrating copyright-related issues into the official structure of the university, incorporating copyright issues in research and e-learning, and including copyright activities in our daily routines. Libraries can contribute by teaching copyright literacy and by being active in all stages of the research process.

Librarians need to be on the front line and look for emerging trends, identify new copyright issues and be active in developing new services. They are to a certain extent already regarded as experts on copyright compliance and can offer knowledge and experience to ensure that academic, administrative and library staff are able to handle various copyright issues in the future.

#### Abbreviations and Acronyms

A list of the abbreviations and acronyms used in this and other *Insights* articles can be accessed here – click on the URL below and then select the 'Abbreviations and Acronyms' link at the top of the page it directs you to: <http://www.uksg.org/publications#aa>

#### Competing interests

The author has declared no competing interests.

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