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Copyright Awareness, Partnerships, and Training Issues in Academic Libraries

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Copyright Awareness, Partnerships, and Training Issues in Academic Libraries

Abstract

This article reports on the results of a national survey of academic librarians and library staff (N=226) in the United States about their awareness of various copyright policies, partnerships with campus groups to address copyright issues, and training needs. A majority of the survey respondents reported that they have answered copyright-related questions in the workplace, yet only 49% (n=98) of the respondents perceived they were prepared to provide copyright information to library users. Awareness of various copyright policies among librarians and staff members varied, including a reported minimal awareness of the T.E.A.C.H. Act. In addition, survey respondents expressed the desire for more copyright-related training. In light of these findings, the present study extends the existing literature and offers recommendations to help better prepare a “copyright confident” or “copyright responsive” academic library workforce.

Keywords: copyright, fair use, education, training, partnerships, academic libraries

Copyright Awareness, Partnerships, and Training Issues in Academic Libraries

Academic libraries are becoming increasingly involved in copyright issues, such as through work with course reserves, licensed library resources, and assisting faculty authors with negotiating copyright agreements with publishers. Copyright is a form of protection provided by the laws of the United States to creators of original works of authorship or expression (Title 17, U.S. Code, 1976). A recent report from the Association of College and Research Libraries (ACRL) provides context for accelerating the awareness of copyright and scholarly communication issues in the academic setting (Davis-Kahl and Hensley, 2013). Given the wide-ranging changes in scholarship, this report states that academic librarians must add knowledge of copyright law and other intellectual property issues to their “current repertoire of literacies” in order to provide guidance to their users (Davis-Kahl and Hensley, 2013, p. viii).

Albitz (2013) further states as the importance of copyright education grows, it is critical to ensure that “the people assigned this responsibility have the resources and support to perform their responsibilities in the most effective and efficient way possible” (p. 435). In another copyright realm, a report from Educause (2013) declares there is a heightened need for copyright education on campus with regards to copyright challenges and Massive Open Online Courses (MOOCs). Taken together, it becomes evident that copyright issues and opportunities permeate the higher education landscape.

Indeed, these reports help to illustrate the “pervasiveness of copyright in service issues that libraries confront daily” (Horava, 2010, p. 21). Clearly, copyright and related intellectual property laws are “woven into the fabric of academic culture” and thus have a substantial impact

on the nature of services academic libraries provide to their user communities (Horava, 2010, p. 4). While academic librarians interact with library users and assist with issues related to copyright matters, the opinions of those working in academic libraries regarding how prepared they feel to handle copyright questions and their training needs have not been documented.

Literature Review

In the general copyright literature, much has been written about copyright and “its interpretation and application to higher education” (Albitz, 2013, p. 430). Intellectual property issues have dominated the higher education literature and three key areas in particular that have been prominent among these discussions are “plagiarism, technology transfer, and illegal music downloading” (Albitz, 2013, p. 429). In the academic library context, published studies have included “major attempts to inventory how universities and their libraries deal with intellectual property rights among students, faculty, libraries, and rights holders outside the university” (Hansen et al, 2013, p. 71). These studies have tended to describe copyright policies that universities have crafted to address the ownership and use of copyrighted works (Hansen et al, 2013; Kelley, 2002).

A related theme emerging from previous research is in the area of electronic reserves or e-reserves. In this particular arena, it has been noted that a substantial portion of the existing literature discusses “rights analysis and copyright policies as a component of an individual library’s implementation of a particular e-reserves system” (Hansen et al, 2013, p. 71-72). For example, Gould *et al.* (2005) examine library policies regarding the application and

interpretation of copyright law to reserves and electronic reserves. Another report from the Association of Research Libraries (ARL) found those working in academic libraries regularly encountered fair use questions in making materials available for coursework (ARL, 2010). While this literature is helpful for understanding copyright and licensing practices related to e-reserves, research that further examines library staff and their familiarity with such copyright policies is warranted to help build a more complete picture of the copyright landscape within academic library environments.

On an international scope, a study by Olaka and Adkins (2012) found that academic librarians in Kenya were “only moderately knowledgeable about copyright issues” (p. 46). Olaka and Adkins (2012) concluded it was imperative to increase academic librarians’ knowledge of copyright laws. Similar findings were reported in the United Kingdom in which respondents from academic libraries felt they needed more training in copyright matters (Oppenheim and Woodward, 2004).

Another theme found within the professional literature focuses on copyright responsibilities. In a study of Canadian academic libraries, Horava (2010) found that responsibility for copyright activities was distributed across library position levels, including library administrators, librarians, and staff within various departments. Interestingly, very few of the libraries in the study sample from Canadian academic libraries reported having an individual located within the library serving as a copyright officer (Horava, 2010). Some institutions may not employ a dedicated copyright officer but rather have staff across several departments working collaboratively with copyright matters (Secker and Bell, 2010). Among institutions in the United States with a designated copyright officer, the location of this position was often within the library rather than another unit on campus (Albitz, 2013). Nevertheless, such studies

help to confirm that academic libraries are playing a role in copyright matters in some capacity on their campus.

Despite the wide range of copyright issues present in the literature, few studies have examined the awareness of copyright-related policies in higher education in the United States. One study of faculty on two academic health sciences campuses in the U.S. found that faculty had limited knowledge of copyright laws (Smith et al., 2006). Yet, the awareness of various copyright laws among those working in academic libraries in the U.S. remains under-explored.

As noted the literature related to copyright matters is extensive, but research into the awareness of copyright policies, copyright partnerships on campus, and related copyright training needs is very limited. To the best of our knowledge, no published study has assessed the awareness of specific copyright policies and training needs of those working in academic libraries in the United States. The value of this study is that it helps to address this gap in the existing literature. Therefore, the overall purpose of the present study was to ascertain the attitudes of librarians and library staff in academic libraries toward providing copyright services, their awareness of copyright laws, and any training needs.

Methodology

The data presented was obtained from a national survey conducted in November 2012. As stated above, the overall purpose of this study was to gain insight regarding the experiences of academic librarians and library staff in the U.S. with copyright-related services and to identify any training needs related to providing copyright information. To accomplish this, an online

questionnaire was utilized to assess awareness of various copyright policies, copyright partnerships on campus, and training issues in academic libraries. The survey was developed by the investigators and ethical approval was obtained from Wayne State University. The survey questions were pretested with participants working in academic libraries and their feedback helped to refine the question wording thereby ensuring the reliability of the survey instrument.

The survey was entered into Survey Monkey, a web-based survey tool. In November 2012, librarians and library staff working in an academic library setting in the United States that subscribe to three email discussion lists (*COLLIB-L* College Libraries List, *ULS-L* University Libraries List, and *ILL-L* Interlibrary Loan List) were sent an email message inviting their participation in the research study. These email discussion lists were primarily selected for their ability to disseminate the study invitation at a national level in order to reach the target survey audience (*i.e.* those working in academic libraries). Recruitment of study participants via e-mail discussion lists has been used in previous research efforts to help elicit participation from professionals within the library field (Attebury & Holder, 2008, Hackenberg, 2000).

Participants were asked to voluntarily participate in the study by clicking on a web link included in the email message that directed participants to the web-based survey. A follow-up reminder about the survey was sent and the survey closed after 30 days of data collection. Responses were anonymous and respondents were prevented from answering the survey more than once.

Findings

A total of 226 individuals currently working in academic libraries (N=226) in the United States responded to the survey. As seen in **Table 1**, survey respondents included academic librarians (60.6%, n=123), library administrators (24.1%, n=49), and library staff members (13.8%, n=28). The greatest number of survey responses came from those self-identifying as librarians in academic settings (60.6%, n=123).

Table 1: Distribution of Survey Respondents from U.S. Academic Libraries

Respondents (n=202*)	(%, n)
Librarians	60.6% (123)
Library Administrators	24.1% (49)
Library Staff	13.8% (28)
“Other” (<i>i.e.</i> student assistants)	1.0% (2)

*Not all of the respondents answered this question

A significant portion of survey respondents (93.3%, n=209) indicated that their current position involved providing copyright-related information or consisted of copyright duties.

While beyond the scope of this study to compare the types of copyright questions library staff members receive, it is clear from the findings that various levels of staff positions in academic libraries report being involved in copyright matters. Additional survey questions examined the

comfort level with providing copyright-related information to library users, awareness of various copyright laws, and training desires or needs. The results from this national survey are shared and summarized below. These results may offer insight into how well-equipped or prepared librarians and library staff believe they are for providing copyright-related services.

Perceived Copyright Preparedness

Survey respondents were asked how prepared they felt to provide copyright information to library users. From the responses, 49.0% (n=98) agreed they were prepared to provide copyright information while 17.0% (n=34) disagreed that they were prepared. Survey respondents were also asked if their university currently had a designated copyright center or expert for the campus community. As shown in **Table 2**, 40.2% (n=84) of the respondents indicated there was a designated copyright center or expert at their institution, while 49.3% (n=103) said they did *not* have a designated copyright center or expert, and 10.5% (n=22) indicated that they “did not know” if their institution had a copyright center or expert. Out of the responses that indicated there was a designated copyright center or expert at their institution, 64.3% (n=54) reported this copyright expert was located in the library. Considering that almost half of the respondents reported not having a designated copyright center or expert for their institution, this may result in confusion and has implications for copyright management and the coordination of services and support across campus.

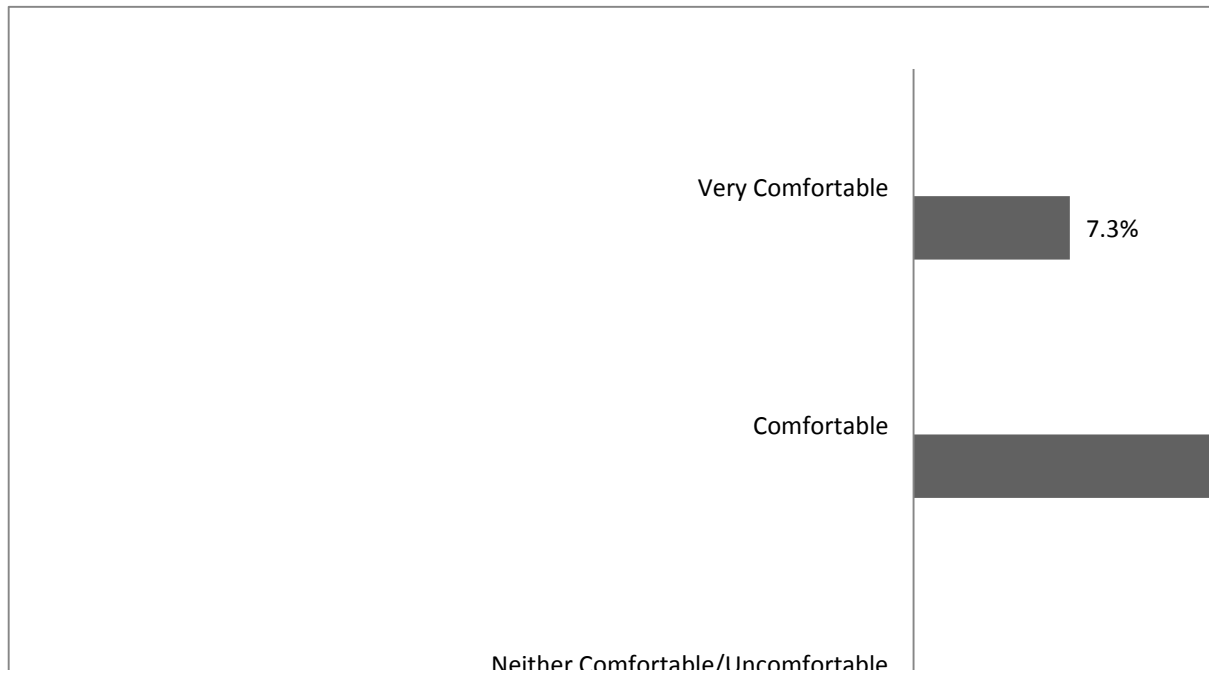
Table 2: Does Your University have a Designated Copyright Center or Expert?

Respondents (n=209)	(%, n)
Yes	40.2% (84)
No	49.3% (103)
Do not know	10.5% (22)

Perceived Awareness of Copyright Policies

Survey respondents were also asked about their comfort level with current copyright policies. Broadly speaking, 49.2% (n=95) of respondents said they were comfortable with their current knowledge of copyright policies, while only 7.3% (n=14) indicated they were “very comfortable.” On the other side of the spectrum, 25.4% (n=49) of respondents said they were neither comfortable nor uncomfortable and 17.6% (n=34) were “uncomfortable” with their current knowledge of copyright policies (see **Figure 1**). Considering that only 56.5% (n=109) of the survey respondents reported being comfortable or very comfortable with current copyright policies, more needs be done to adequately support those working in academic libraries to help increase their comfort level and knowledge of copyright policies.

Figure 1: Comfort Level with Current Copyright Policies (n=193)



To help gauge the level of awareness of various copyright policies among those working in academic libraries, survey respondents were asked to rate their awareness of several copyright laws and policies. For the most part, survey respondents reported largely being aware of Fair Use (96.1%, n=195) (See **Table 3**). In addition, academic librarians and staff report being somewhat aware of the Copyright Act of 1976 and Creative Commons Licensing, but not as aware of the T.E.A.C.H. Act. When asked to what extent they were aware of T.E.A.C.H. Act, approximately 61.2% (n=123) perceived being knowledgeable, while 27.9% (n=56) of respondent indicated that they were not familiar with the policy, and 10.9% (n=22) were unaware of it.

Table 3: Awareness of Various Copyright Policies

Copyright Policy	Aware (%, n)	Heard of it / but don't know much about it (%, n)	Not aware (%, n)
Fair Use	96.1% (195)	3.9% (8)	0.0% (0)
Copyright Act of 1976	70.9% (144)	26.6% (54)	2.5% (5)
Creative Commons Licensing	70.3% (142)	22.3% (45)	7.4% (15)
T.E.A.C.H. Act	61.2% (123)	27.9% (56)	10.9% (22)

These findings suggest that academic librarians and staff perceive they may be familiar with fair use; however, this is only one small portion of the overall copyright law. Providing copyright guidance with an incomplete understanding of copyright law can lead to copyright-compliance problems and result in confusion or frustration for faculty, students, and those working in academic libraries alike. Given this, more comprehensive training to help increase awareness of various areas of copyright policies might be warranted. Considering 38.8% (n=78) of the survey respondents reported either being “not familiar” or unaware of the T.E.A.C.H. Act, academic libraries can seek to collaborate with campus partners with relevant expertise to explore training opportunities and resources to assist with copyright matters (*i.e.* Office for Teaching and Learning or an equivalent). While the study data cannot elucidate specific areas of

the policies where respondents felt they lacked awareness or understanding, these findings provide insight into respondents' perceived awareness of these policies and the comfort level in their ability to provide copyright-related information to library users.

Copyright Training Issues

In addition, survey respondents were asked about copyright training in their workplace and 57.1% (n=124) indicated that they have received some type of copyright training. Examples of copyright-related training provided in academic library settings included webinars from various organizations and guest presentations from copyright lawyers. While some examples of related copyright training were provided by the respondents, 39.8% (n=90) of the respondents expressed a desire for more training. To help illustrate this point more clearly, one respondent commented: "I would like to receive more structured and extensive training on copyright issues in academia... [our] current approach is rather haphazard."

Respondents were asked to describe copyright training they would like to receive in their current workplace. Using an open-ended survey question allowed the survey respondents to express their copyright training needs and ideas in their own words. Respondents described the desire for educational opportunities offering "regular updates on copyright topics" as well as "updates to current copyright cases." In fact, some respondents requested refresher courses on a continual basis. One respondent stated "copyright is complex and I welcome any training, even if it is refresher."

Recommended training topics ranged from “all major copyright issues in academia” to more specific recommendations such as copyright issues pertaining to distance students, course reserves, e-books, digital/media content, and author rights. Another respondent shared:

“Workshops where different copyright scenarios are presented and we look at how we might answer questions related to the scenarios” would be helpful. Further, academic librarians and staff noted that training on relevant Library and University policies regarding copyright was warranted.

The most popular preference for the delivery of copyright training was face-to-face, in-person, and hands-on opportunities such as workshops (n=34). Following this, webinars were also suggested as a possible delivery method for copyright education and updates (n=15). Finally, the desire to attend conferences, receive employer support for taking copyright certification courses, and more time to read the professional literature on copyright issues was also expressed.

Copyright Partnerships on Campus

Another important area this study sought to understand were the types of copyright partnerships on campus. To help understand what groups on campus academic libraries consult with to collaboratively address copyright issues, survey respondents were asked to identify groups on campus they have partnered with for copyright issues. As seen in **Table 4**, the most frequently consulted campus groups included working directly with individual academic departments (42.2%, n=84), followed by University Legal Counsel (39.7%, n=79), and

computing (32.2%, n=64). On the other hand, very few respondents reported working with a Teaching and Learning Office or an equivalent (17.1%, n=34), University Press (3.0%, n=6), or Academic Senate (2.5%, n=5).

Survey participants were also able to write in “other” groups on campus they have worked with on campus. Notable “other” groups mentioned by the respondents included the Provost’s office and both undergraduate and graduate students. As only a few respondents acknowledged working with academic or faculty senates, students groups, or the Office for Teaching and Learning (or an equivalent), these groups remain under-utilized. Such campus groups share a stake in copyright matters on campus and should be explored for possible copyright partnership opportunities to collaboratively address copyright matters across campus.

Table 4: Copyright Partnership Groups on Campus

Respondents (n=199)	(%, n)
Individual Academic Departments	42.2% (84)
University Legal Counsel	39.7% (79)
Computing / IT	32.2% (64)
Teaching and Learning Office	17.1% (34)
University Press	3.0% (6)
Academic Senate	2.5% (5)

Discussion and Recommendations

This study was designed to examine awareness of various copyright policies, copyright partnerships on campus, and training issues in academic libraries in the United States. The results of the survey illuminated the perceptions of those working in academic libraries about their ability to provide copyright-related services, level of awareness of copyright policies, range of copyright partnerships on campus, and training issues. To this end, these findings extend the existing literature and identify opportunities to help prepare academic librarians and staff to provide copyright-related services. Several implications arise from this study.

First, more initiatives are needed to build awareness of various copyright policies among those working in academic libraries. Interestingly, survey respondents reported a limited awareness of the T.E.A.C.H. Act. Given the rise of attention in the academic realm to how copyright and fair use laws apply to teaching in face-to-face and online environments, including Massive Open Online Courses (MOOCs) or other distance education efforts, academic library staff members would likely benefit from training addressing these areas. Indeed, the “intersection of copyright with the scale and delivery of MOOCs” highlights issues of academic freedom and copyright law in higher education (Educause, 2013, p.1). With this in mind, a prime opportunity exists in these areas to increase knowledge in copyright related matters that have a growing prominence in higher education institutions.

Second, data from this national survey suggest that comprehensive training covering a range of copyright laws is also warranted to assist academic librarians and staff in providing copyright-related information to library users. Although several examples of copyright related

training were provided by survey respondents, it remains clear that ongoing continuous learning opportunities are desired. These findings lend support to a study of academic librarians in Kenya which also reported that librarians felt they would benefit from additional copyright training (Olaka and Adkins, 2012). The present study extends previous research by highlighting specific copyright-related topics and preferences for the delivery of copyright training to help guide professional development efforts. As such, these findings provide practical guidance for copyright training needs that can be addressed in order to adequately meet increasing copyright responsibilities on campus.

More specifically, scenario-based learning opportunities might be an engaging way to build copyright familiarity among those working in academic libraries. Complementary approaches may include team or solo scavenger hunts to locate pertinent copyright information and quizzes to test knowledge of copyright policies. Journal clubs for library staff members may also provide an opportunity to keep up-to-date with current copyright cases and to generate discussions about how these scenarios are applicable to particular institutional environments. The development of copyright tools to support staff could include a range of checklists for answering copyright questions or a copyright decision-making tree similar to those developed by Columbia University Libraries ("Fair Use Checklist," n.d.) and Wayne State University Libraries ("Copyright Decision Tree," n.d.). Other in-person opportunities to increase awareness and knowledge of copyright issues can include shadowing or observing a library colleague that answers copyright questions or establishing a more formal mentoring relationship. For anyone interested in online venues, Graveline (2011) summarizes a number of free web-based courses and other existing online resources that are available that could serve as a starting point for learning copyright basics.

Third, one of the more intriguing findings that emerged was the need for improved communication about relevant Library and University policies regarding copyright. Building a knowledgeable and trained academic library workforce is just one step to supporting those in academic libraries and their copyright responsibilities. Thus, another important building block in copyright management on campus is *communicating* about any relevant library policies, University policies, and available campus resources to more sufficiently assist those working in academic and research libraries. If written copyright policies do not currently exist, this may be an opportunity to solidify and communicate relevant policies for library staff. This copyright communication piece is needed *in addition* to training library staff about copyright policies.

Another strategy to help improve the flow of copyright communication may be to identify a librarian or staff member to serve as the primary copyright resource person for which copyright-related questions may be directed. Graveline (2011) provides a rationale for having someone in the library designated as the point person on campus for copyright information, stating “it makes sense for [academic libraries] 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” (p. 93). Albitiz (2013) is in agreement with this idea and recommends that “the copyright information management function be located within the library rather than reporting to an office in central administration” (p. 434).

Given that more than half of the respondents in the study reported either their institution did *not* have a designated copyright person or they were unaware if their institution had a copyright expert, identifying a copyright point person may be helpful in alleviating any

frustration and confusion. In turn, this designated copyright person may be instrumental in helping to educate the rest of the library staff or responsible for furnishing current updates to copyright cases. Moreover, creating this position is “tangible evidence of the priority of copyright issues in the institution for the university community as a whole” (Horava, 2010, p. 12). Hence, a designated copyright resource person may be one important technique to help improve copyright management and communication issues both within academic libraries and across campus.

As copyright issues are cross-departmental, forming a copyright team or working group can lend to collectively building a knowledge base and collaboratively addressing copyright issues. Several examples of academic libraries formulating a copyright team offer guidance in building campus-wide copyright teams. In particular, Duncan *et al.* (2013) describe a new copyright team that was charged with developing “an overall understanding of copyright, including expertise in areas such as digital collections, institutional repositories, electronic reserves, authors’ rights, fair use, the TEACH Act, and learning management systems” (p. 270). Not only was this newly created copyright team responsible for implementing copyright outreach programs on campus, the copyright team also served as an advisory group for the library and campus community as copyright questions arose (Duncan *et al.*, 2013).

Fourth, with regards to collaborating with groups on campus to address copyright questions, academic libraries can capitalize on opportunities to work more with academic senates, student groups, and an Office for Teaching and Learning (or an equivalent). For example, consulting with the broader campus community on curriculum issues might be a promising area where academic libraries can have an impact, such as seeking out committees or groups addressing the integration of technology into classrooms or the delivery of distance

education (Horava, 2010). Notably, the present study uncovered another important group that was largely reported missing from copyright conversations on campus. As such, academic libraries can seek to engage more with administrators such as the Provost, Deans, or University President for copyright matters on campus.

Finally, survey respondents offered valuable suggestions for building librarian and staff confidence in copyright. In particular, survey respondents expressed interest in attending conferences and being allowed more time to read the professional literature on copyright issues. Some respondents felt employers should provide reimbursement for any webinars with associated costs. In challenging economic times where academic libraries may not be in a position to cover the travel expenses for staff to attend in-person conferences, supporting registration fees for webinars may be a viable approach. Webinars could be streamed for larger campus audiences and also archived and viewed later as refreshers.

Institutions may also be able to provide release time and tuition remission for taking an online copyright course or an in-person course on copyright perhaps at a local law school. If any or some of the abovementioned recommendations were to be addressed, such supportive actions could signal a commitment to professional development, provide added incentive, and grow copyright expertise in academic libraries. As a result, these recommendations may help to cultivate a “copyright confident” or “copyright responsive” academic library workforce.

Although these findings provided insight into awareness of various copyright policies, copyright partnerships, and training issues, the study sample consisted of respondents from academic libraries in the United States. One limitation of the study is that participants were self-selected and may have been motivated to participate in the study if they held strong opinions

about providing copyright information in the library workplace. In addition, research that continues to investigate how those working in various positions within academic libraries provide copyright information to library users and if the training needs and resources vary among different sizes of these institutions might prove fruitful. The current research study could also be expanded and complemented with qualitative in-depth interviews with academic library staff to help identify dimensions and nuances of existing copyright policies where a lack of understanding or confusion may exist.

Conclusion

This study is the first to document awareness of specific copyright policies, range of copyright partnerships on campus, and training issues within academic libraries in the United States. While many studies have been done on copyright-related topics in higher education, few have explicitly examined these topics. In order to successfully meet increasing copyright challenges in academic environments, data from this national survey have practical implications for copyright management in academic libraries. First and foremost, the results can assist with identifying training needs for an academic library workforce to better support copyright responsibilities. Building awareness of copyright policies and engaging potential stakeholders across campus to collaborate in addressing copyright matters are also critical to the provision of copyright information to user communities. In addition, these findings may help to stimulate ideas for how academic libraries can improve copyright services overall resulting in service improvements.

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Appendix

Survey Questions

1. Does your current position involve providing copyright information to library users or any related copyright duties?
 - a. Yes
 - b. No
 - c. I Don't Know

2. Please indicate to what extent you agree or disagree with the following statement: "I am well-prepared to provide copyright information to library users."
 - a. Strongly Agree
 - b. Agree
 - c. Neither Agree nor Disagree
 - d. Disagree
 - e. Strongly Disagree
 - f. I Don't Know

3. How comfortable are you with your current copyright knowledge level?
 - a. Very Comfortable
 - b. Comfortable
 - c. Neither Comfortable or Uncomfortable
 - d. Uncomfortable
 - e. Very Uncomfortable
 - f. I Don't Know

4. Have you ever received any copyright training in your workplace?
 - a. Yes
 - b. No
 - c. I Don't Know

5. If you received copyright training in your workplace, please describe what type of copyright training was offered.

6. What copyright training, if any, would you like to receive in your current workplace?

7. Does your college or university have a designated copyright center or expert?
 - a. Yes
 - b. No
 - c. I Don't Know

8. Is this designated copyright center or expert located in the library?
 - a. Yes

- b. No
 - c. I Don't Know
9. What groups have you worked with on your campus to address copyright questions?
(Select all that apply)
- a. University Legal Counsel
 - b. Teaching and Learning Office
 - c. Individual Academic Departments / Programs
 - d. Computing / IT
 - e. University Press
 - f. Academic Senate
 - g. N/A
 - h. Other (please describe)

Next, please indicate the extent to which you are aware of the following topics:

10. Copyright Act of 1976
- a. Aware
 - b. Heard of it but don't know much about it
 - c. Not aware
11. Fair Use
- a. Aware
 - b. Heard of it but don't know much about it
 - c. Not aware
12. T.E.A.C.H. Act
- a. Aware
 - b. Heard of it but don't know much about it
 - c. Not aware
13. Creative Commons Licensing
- a. Aware
 - b. Heard of it but don't know much about it
 - c. Not aware
14. Which of the following categories best describes your current position? (select one)
- a. Librarian
 - b. Library Administrator
 - c. Library Staff
 - d. Other (please describe)