Copyright First Responders: a Consortial Approach

Project Leaders

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Project Description

Academic libraries grapple with copyright questions on a regular basis; an issue that has always presented numerous challenges to librarians and staff not adequately trained to provide assistance in this area. As our work increasingly encompasses copyright-intensive programs and projects such as open educational resources (OER), digital collections, electronic reserves, streaming media, scholarly publishing, and MOOCs, the volume and complexity of copyright questions handled in libraries continues to expand. Although complicated by local policies or procedures, there is a thematic unity to these transactions that is similar across academic libraries.

In Alliance libraries, copyright questions come in from a variety of directions including public service desks, technical services, and collection management. Due to the complexity of these transactions, they don't always get routed to staff who can accurately and effectively respond in a timely manner. Library staff may decline to answer questions related to copyright or may respond without a clear understanding of current law and practice. Similarly, lacking confidence in copyright, routine questions may be escalated to an institution's general counsel or copyright office that reasonably could be answered at the point of need.

Although Alliance libraries are filled with copyright protected material, most librarians and library staff have not received detailed copyright education or training.[1] Equally, they currently do not have identified colleagues within the region who they can turn to when trying to work through a difficult, multifaceted problem. Alliance members are aware of this gap in both education and peer support.

In a recent survey of staff at Alliance institutions, we received an overwhelmingly favorable response to the idea of providing copyright education in the region. For example, 93% of the 111 respondents indicated they would like additional copyright training. Over 73% noted they would attend in-depth training with the goal of supporting

colleagues at their own institution as well as throughout the consortia. Regardless of type or size of library, there is a strong desire and willingness to participate in copyright education.

Based on this expressed need to train librarians and staff in the area of copyright, we propose to develop a copyright education program for Alliance members. The proposed program is based on the well-established and well-respected Copyright First Responders (CFR) program at Harvard University.[2] The purpose of this innovative copyright education program is to help advance teaching, learning, and scholarship through community engagement with copyright. With an already established curriculum that provides core copyright concepts as well as library-specific topics, the program includes initial training, a set of best practices, and a private listserv. The participants in this program will go on to build a collaborative network of Alliance CFR who will share knowledge and support one another both locally and across the consortia.

We propose to pilot a consortial approach to the well-established and well-respected CFR program at Harvard University, which was created by Kyle Courtney, Harvard's Copyright Advisor. Kyle will work with us to adapt the curriculum to our context and will deliver a three-day "boot camp" to train 30 Alliance librarians or library staff as Alliance CFR. Embedded throughout the Alliance, the original 30 participants will create a collaborative network of support among others who also engage with copyright issues. Participants will also gain access to the national, Harvard-based listserv of all trained CFR.

The Helmer Award will partially fund the three-day workshop delivered by Kyle Courtney, which will train the pilot cohort of Alliance CFR. The workshop will be scheduled for Spring or Summer 2018, depending on Kyle's availability. A web page with the names and contact information of trained Alliance CFR will be created and marketed so others can easily access copyright expertise. Following the workshop, the project leaders will work to facilitate a regional community of practice and suggest next steps for growth of the CFR program in the region.

[1]Deborah H. Charbonneau and Michael Priehs, "Copyright Awareness, Partnerships, and Training Issues in Academic Libraries," *Journal of Academic Librarianship* 40, no. 3/4 (2014): 228–33.

[2]Lisa Peet, "Harvard's Copyright First Responders to the Rescue." (2014). http://lj.libraryjournal.com/2014/08/copyright/harvards-copyright-first-responders-to-the-rescue/#_

Learning Outcomes

After CFR training, participants will:

- Field common copyright questions in academic libraries,
- Know common and best copyright-related practices in academic libraries,
- Confidently conduct fact-based fair use analyses,
- Know when to refer copyright questions to counsel or other appropriate offices,
- Demonstrate their ability to deliver legal information without delivering legal advice,
- Serve as trainers for colleagues at their institutions, and
- Earn CFR certificates.
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Connection to the Alliance Strategic Agenda

Work Smart

The OCA Strategic Agenda challenges us to work and partner together to maximize impact; invest in staff training, development, and expertise; and leverage our financial resources. Building copyright capacity across the Alliance through the CFR program accomplishes those three objectives:

1.) The CFR program will ensure that all Alliance institutions have access to consistent and accurate copyright information in order to make copyright and fair use decisions that promote scholarship and teaching. The impact of these decisions on our parent institutions cannot be understated. Too often, copyright decisions are made using incomplete or incorrect knowledge, which stifles the very business of our academic institutions.
2.) By investing in the CFR program, the entire Alliance will have access to comprehensive and up-to date copyright expertise, and trained librarians can then share their knowledge with other library staff through local professional development programs.
3.) Bringing CFR training to the Alliance is financially smart. The relatively small cost of bringing the trainer to us is a fraction of what it would cost individual libraries to send librarians out to copyright training. Copyright questions that might formerly have been funneled to legal departments or General Counsel offices will now be answered by librarians, saving both time and money. Lastly, the ongoing collaborative CFR network (at both the regional and national levels) will allow participating Alliance staff to continue to develop their expertise with no ongoing financial commitment to the institutions.

Design for Engagement

The OCA Strategic Agenda states," [c]ollect wisely, share freely, and enhance the teaching, learning, and research environment." CFR-trained librarians will play a valuable role in Alliance shared activities, which support the research and scholarship on our campuses. Archives, digital collections, institutional repositories, open educational resources and data sets now live

alongside our more traditional materials and benefit not only our own faculty and students, but increasingly, are making their way into labs and classroom across the world. These invaluable resources and technologies bring an attending suite of copyright issues (e.g., copyright owner identification, video streaming and sharing policies, publisher copyright permissions, Creative Commons licensing) with them. Developing deep and comprehensive copyright knowledge throughout the Alliance will support this work by increasing our competence and confidence in making decisions related to collecting, sharing, researching and teaching with these resources.

Innovate to Transform

The OCA Strategic Agenda's third objective, "Innovate to Transform," requires us to push boundaries, change the landscape, and inspire the profession. As academic librarians passionate about intellectual property issues, we have seen firsthand how copyright education can transform research and scholarly practices across campus. Administrators, in an attempt to minimize institutional risk, often rely on narrowly tailored copyright exceptions to set copyright policies, which can stifle the teaching mission of the academy. Faculty, not understanding the implications of signing their rights away through copyright transfer agreements, freely give their work away to publishers whose goals are often at odds with those of the scholarly communication system. At best these situations inhibit innovation and at worst, they put the university at risk for legal proceedings and stunt teaching and learning. When a library can provide copyright expertise and alleviate others' fear and doubt, avenues for innovation such as open access, open pedagogy, and leveraging fair use can be more fully and confidently explored.

The Alliance will also enjoy recognition as the first consortium to participate in this innovative, high-profile, nationally recognized program.

Budget

The budget for the three-day event includes travel expenses for Kyle Courtney and coffee breaks and light breakfasts for participants. Use of Portland Community College (PCC) facilities for the training will be donated in-kind. Lunch will be on-your-own for participants. Should we receive the award we will seek additional sources of funding in hopes of finding sponsors for lunches.

Funds

Helmer Award	$2000.00
Sponsorship commitment from Reed College	$300.00
Sponsorship commitment from Western Oregon University	$300.00
Total Funds	$2600.00

<u>Expenses</u>

Travel fee for Kyle Courtney	$1560.00
Speaker's fee	$0.00
Food	$1000.00
Facilities (donated by Portland Community College)	$0.00
Total expenses	$2560.00

<u>Net Balance</u>

Net funds / -expenses	$40.00

Outreach and Marketing

The success of the proposed project depends on a strong outreach and marketing plan, which includes:

1. Informational webinar(s): We will host and record at least one webinar to describe the program and answer questions about what participation entails.
2. Electronic lists: We had success with Alliance and local library lists circulating our 'indication of interest in copyright training' to library staff; we will use these same channels to publicize the informational webinar, the Boot Camp event, and subsequent activities of the CFR group
3. Web site: We will develop a web page with information about the program and the names and contact information for Alliance CFRs
4. Library events: We will publicize the program, the training, and the first cohort at relevant local and regional conferences, such as NWILL, Online Northwest, Alliance workshops and training days.
5. Publications and presentations: Given the innovative nature of this project, members of the project team will communicate the project outcomes and lessons learned in two ways: (1) write one article for a regional library journal, such as the *OLA Quarterly, Alki*, or *PNLA Quarterly,* and (2) present at one or more regional or national conferences describing the Alliance CFR project.