Copyright Practices and Approaches at Canadian Universities

Report of a National Survey

ABC Copyright Conference, Halifax, May 2016

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Background

Horava, T. (2010). Copyright communication in Canadian academic libraries: A national survey. *Canadian Journal of Information and Library Science, 34*(1), 1-38.

librarians' **research** institute

Canadian Association of Research Libraries

June 16-19, 2014. Carleton University. Ottawa, Ontario

Horava 2008 Survey

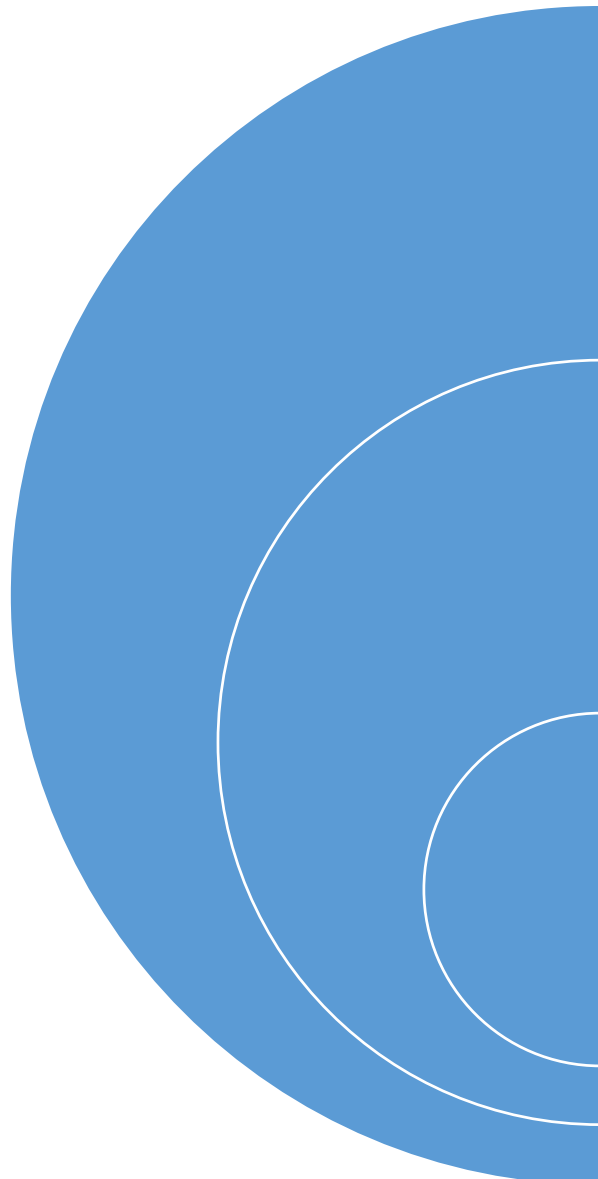| Goal: "to capture the pulse of academic library practices and perceptions with respect to copyright"			
Location of responsibility for **copyright education** within institution and library?	Interplay between library and institution in **policy** leadership, from library's viewpoint?	**Strategies** used by libraries **to communi-cate** copyright information?	Major **challenges** faced by academic libraries?

2015 Survey on Copyright Practices

Goal	• **What has changed since2008?**
Key Areas	• **Education**: methods, topics? • **Policy**: formal policy? Blanket license? • **Permissions**: coursepacks, LMS, reserves, e-reserves?
For Each Area	• **Locus of responsibility** within institution? • **Changes** over past 5 years? • **Challenges**?

2008 and 2015 Survey Distribution

- University librarian or library director at member institutions of:

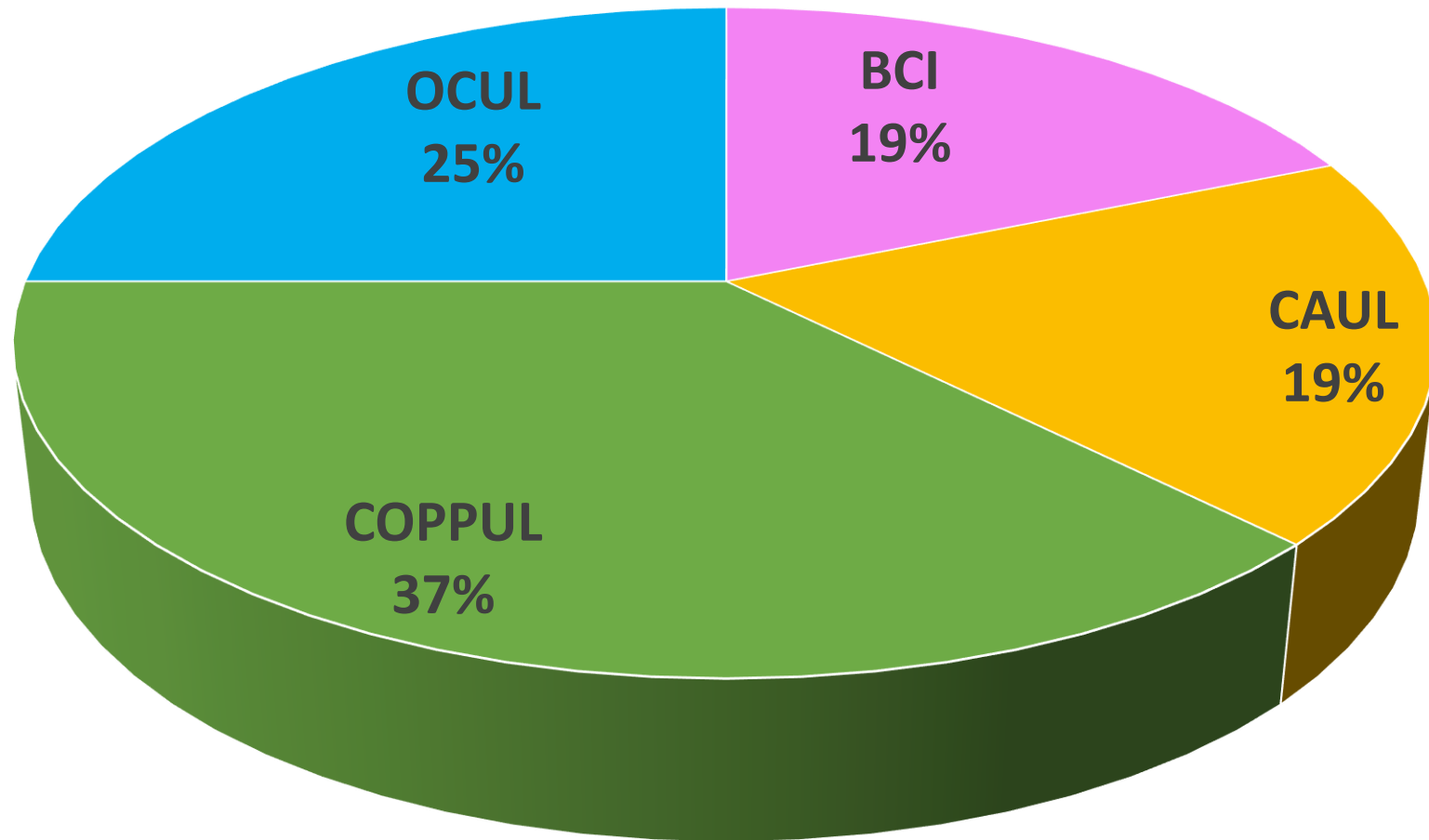| Council of Atlantic University Libraries (**CAUL**) | Bureau de Coopération Inter-universitaire (**BCI**) | Ontario Council of University Libraries (**OCUL**) | Council of Prairie and Pacific University Libraries (**COPPUL**) |

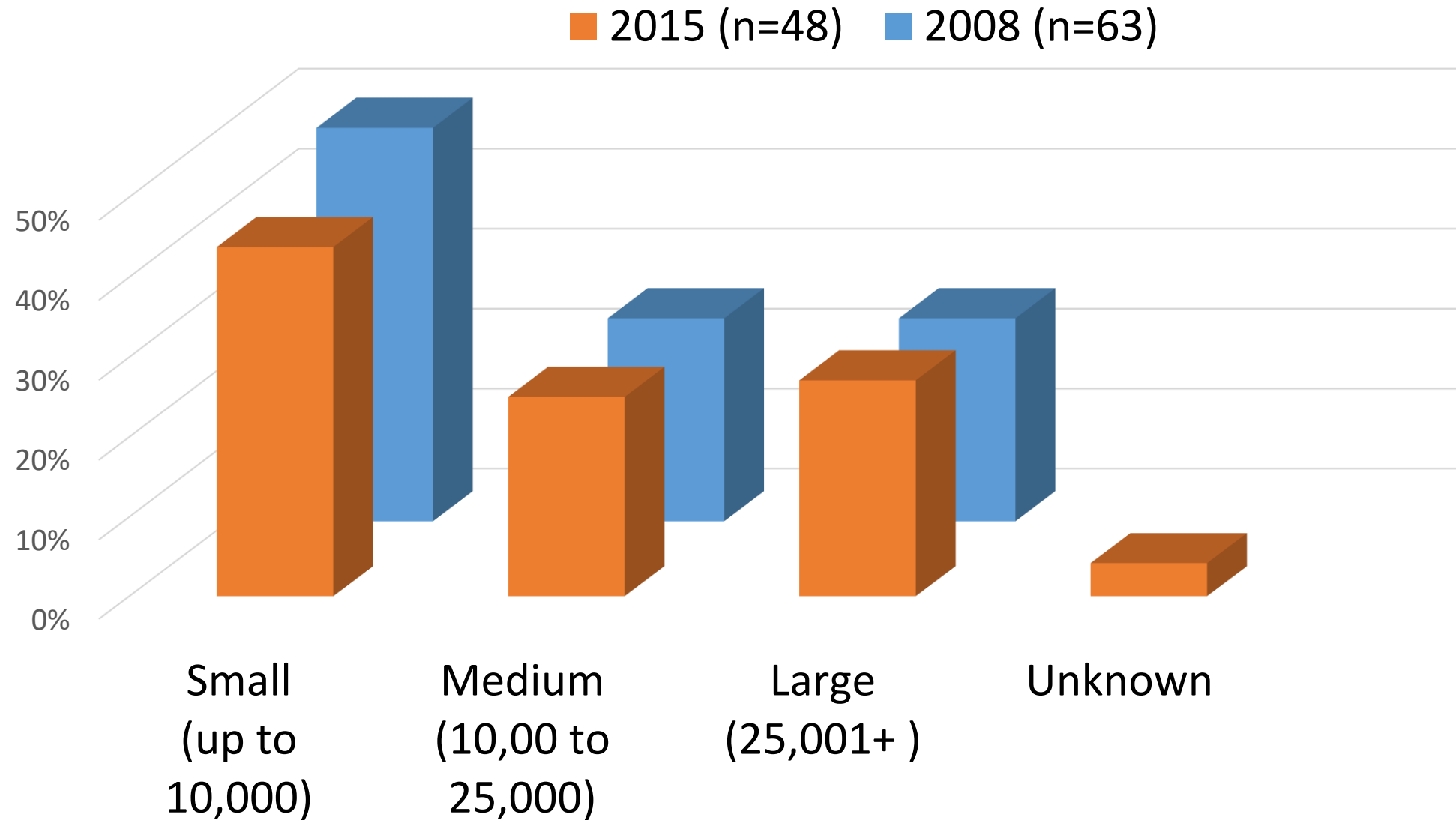- Number of institutions: 2008 – 75; 2015 – 79
- 2015 survey anonymous
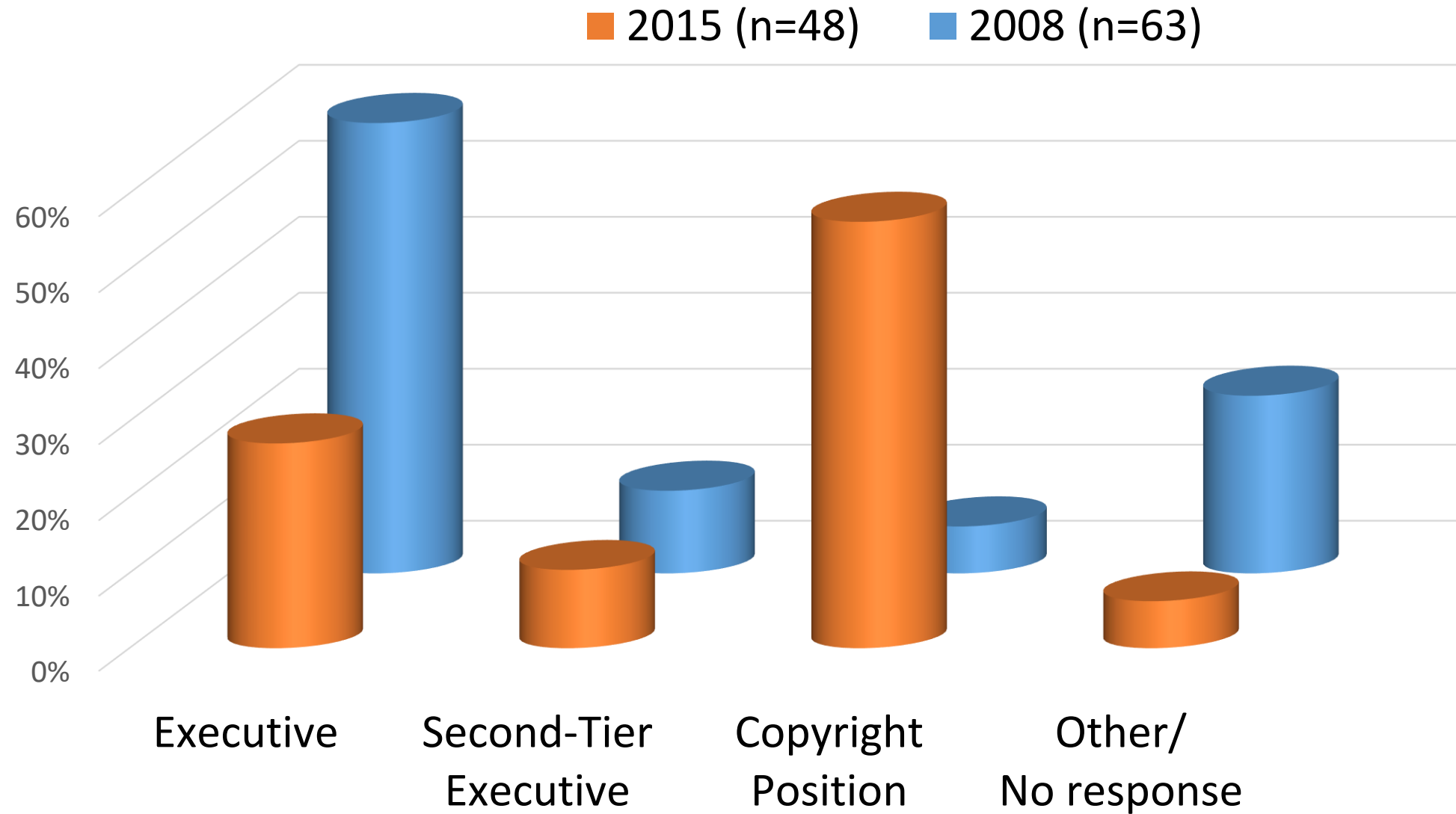
2015 Respondents By Consortium (n=48)

Respondents by Institutional Size (FTE)

Legend: ■ 2015 (n=48) ■ 2008 (n=63)

Categories: Small (up to 10,000), Medium (10,00 to 25,000), Large (25,001+), Unknown

Respondents by Position Title

Legend: ■ 2015 (n=48) ■ 2008 (n=63)

Categories: Executive, Second-Tier Executive, Copyright Position, Other/No response

Respondents Holding Copyright Positions
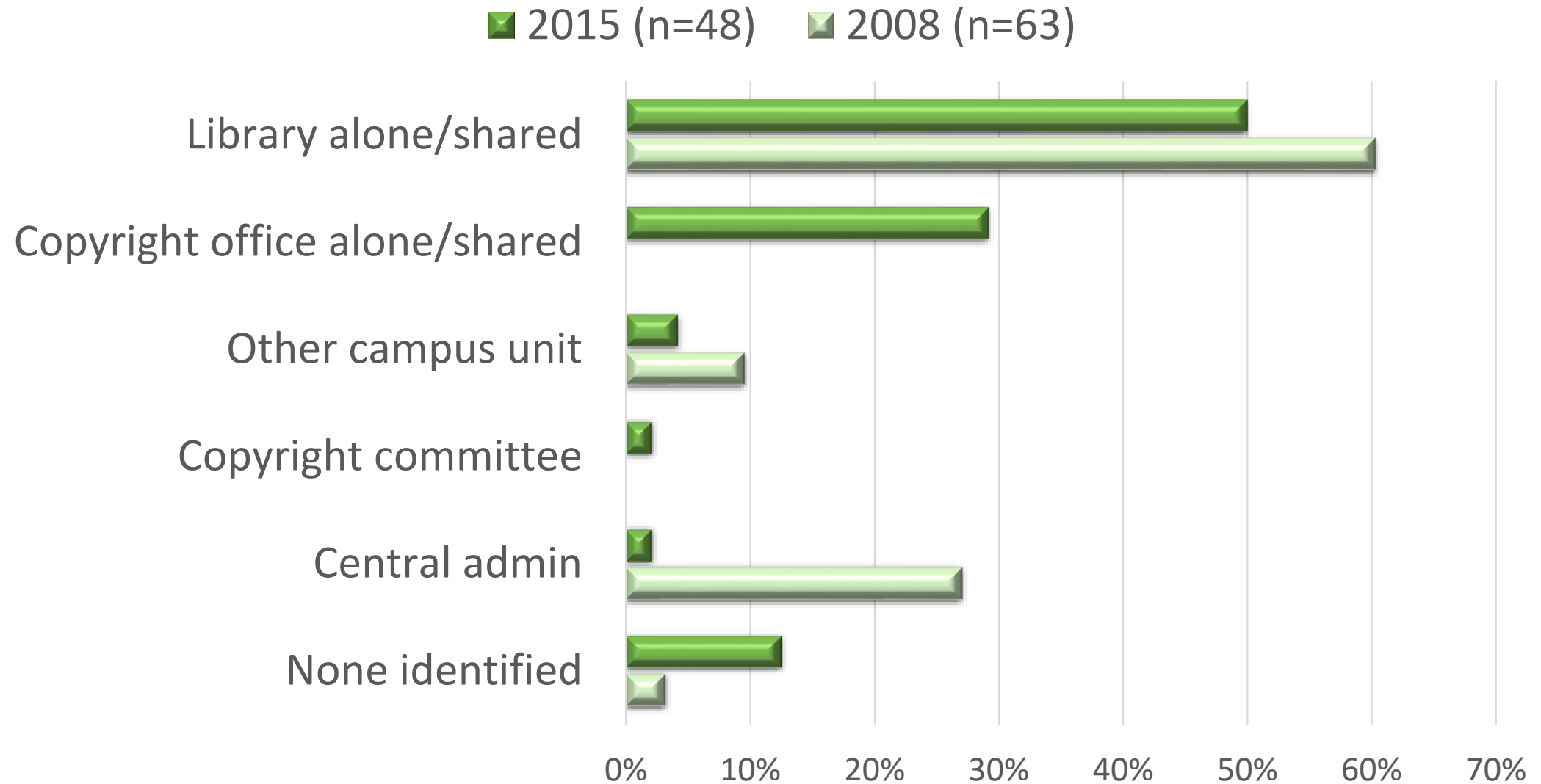
2008

copyright positions: 4

"Creating this [copyright-specific] position is tangible evidence of the priority of copyright issues in the institution for the university community as a whole."
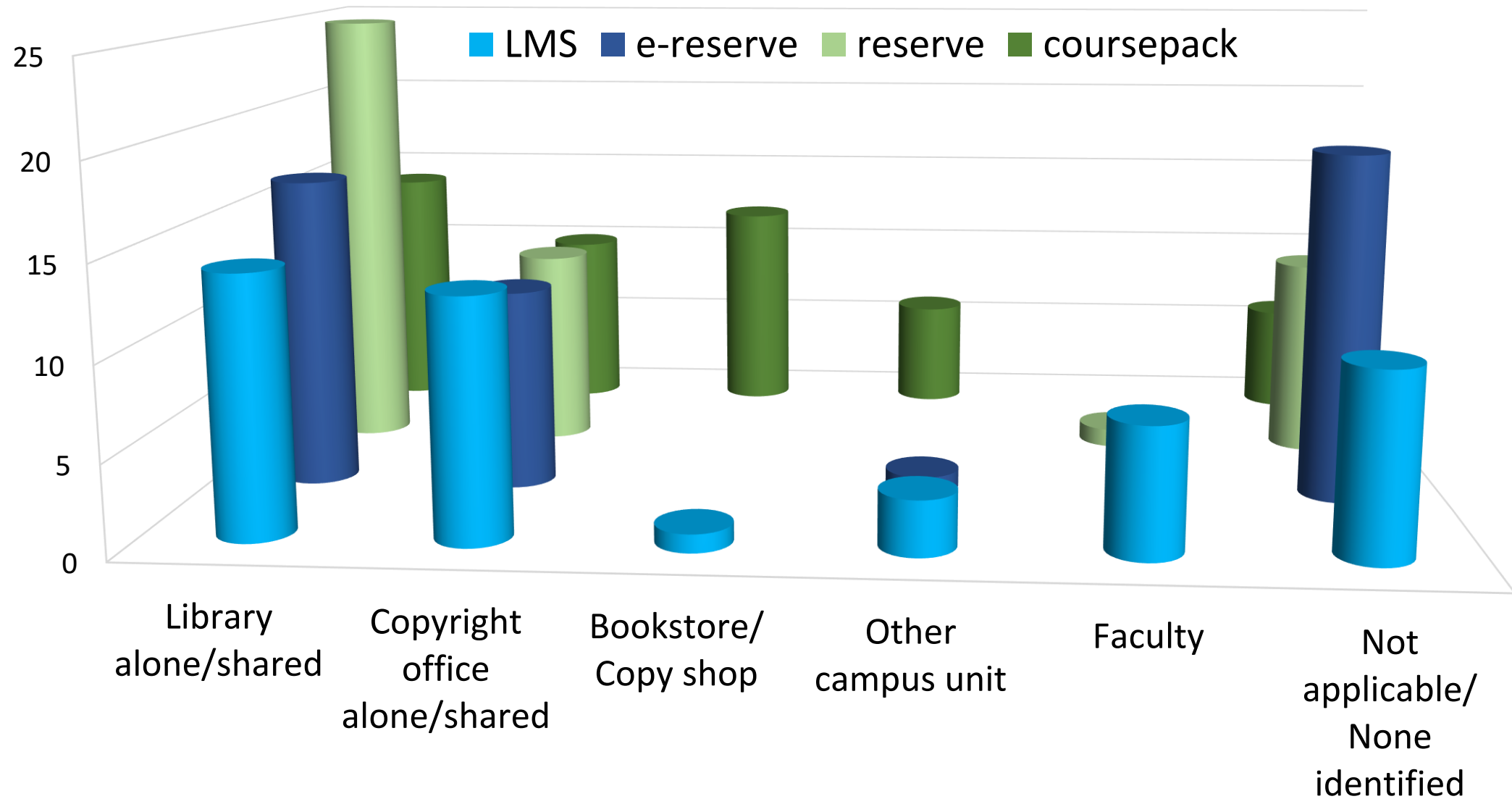
(Horava, 2010)

2015

copyright positions: 27 (2 combined executive/copyright positions)

Copyright Education Responsibility

Legend: ■ 2015 (n=48) ■ 2008 (n=63)

Categories: Library alone/shared, Copyright office alone/shared, Other campus unit, Copyright committee, Central admin, None identified

X-axis: 0%, 10%, 20%, 30%, 40%, 50%, 60%, 70%

2015 Permissions Responsibility (n=48)

Policy Responsibility: Copyright Ownership

Legend: 2015 (n=48), 2008 (n=63)

Categories: Central admin alone/shared, Copyright office alone/shared, Library alone/shared, Office of research alone/shared, Other non-administrative, Not applicable/No response
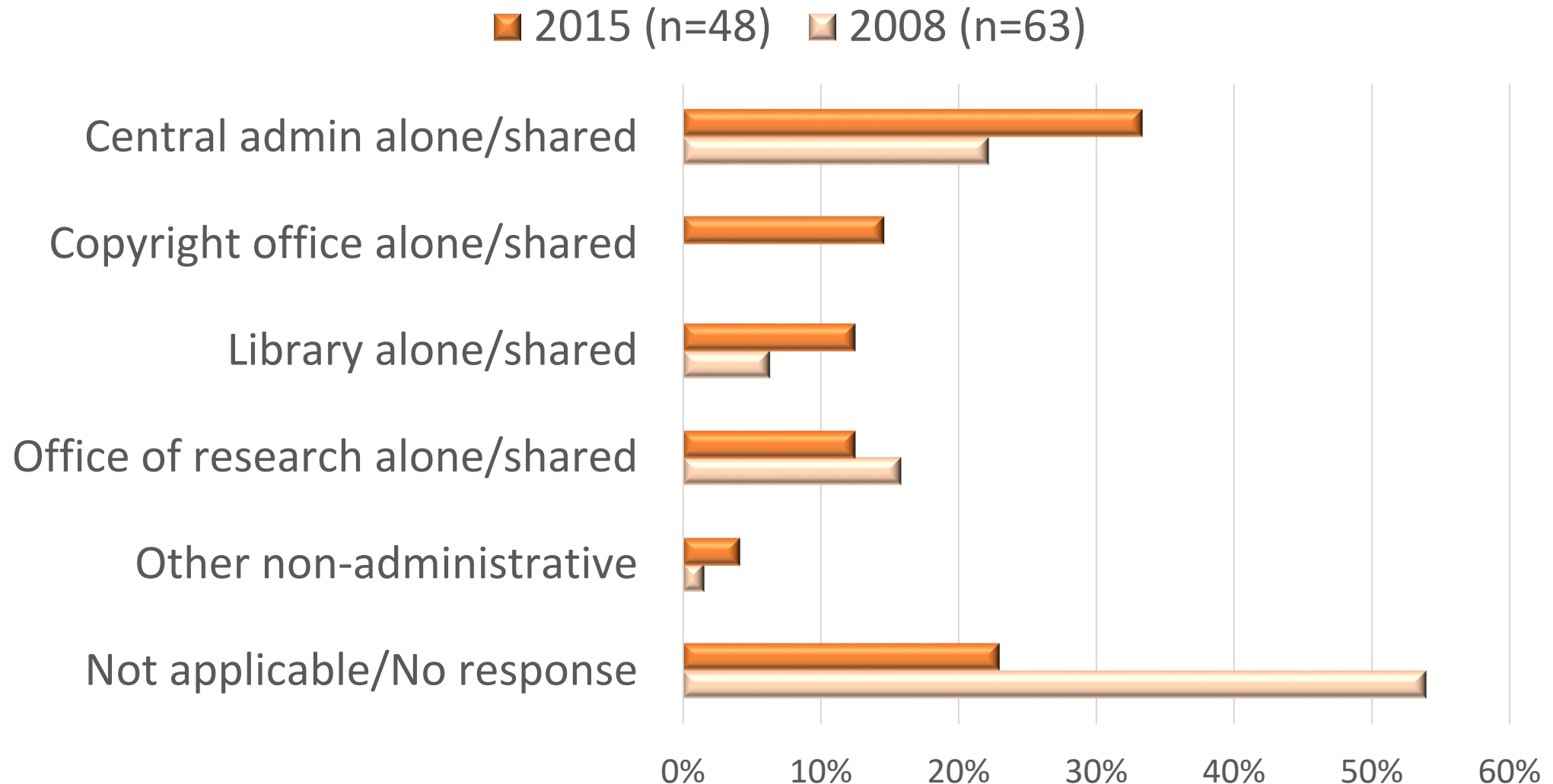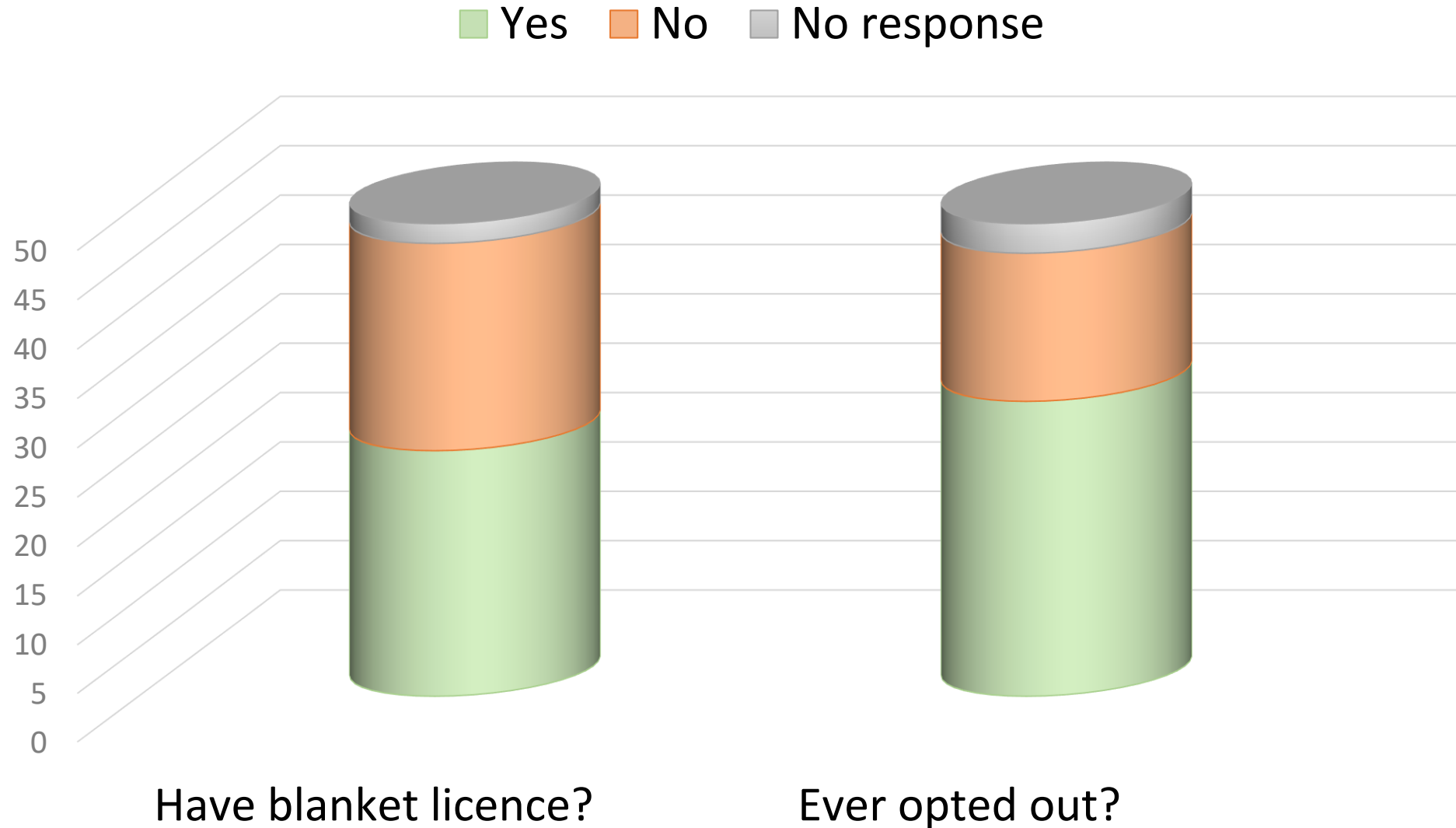
2015 Policy Responsibility: Compliance & Use
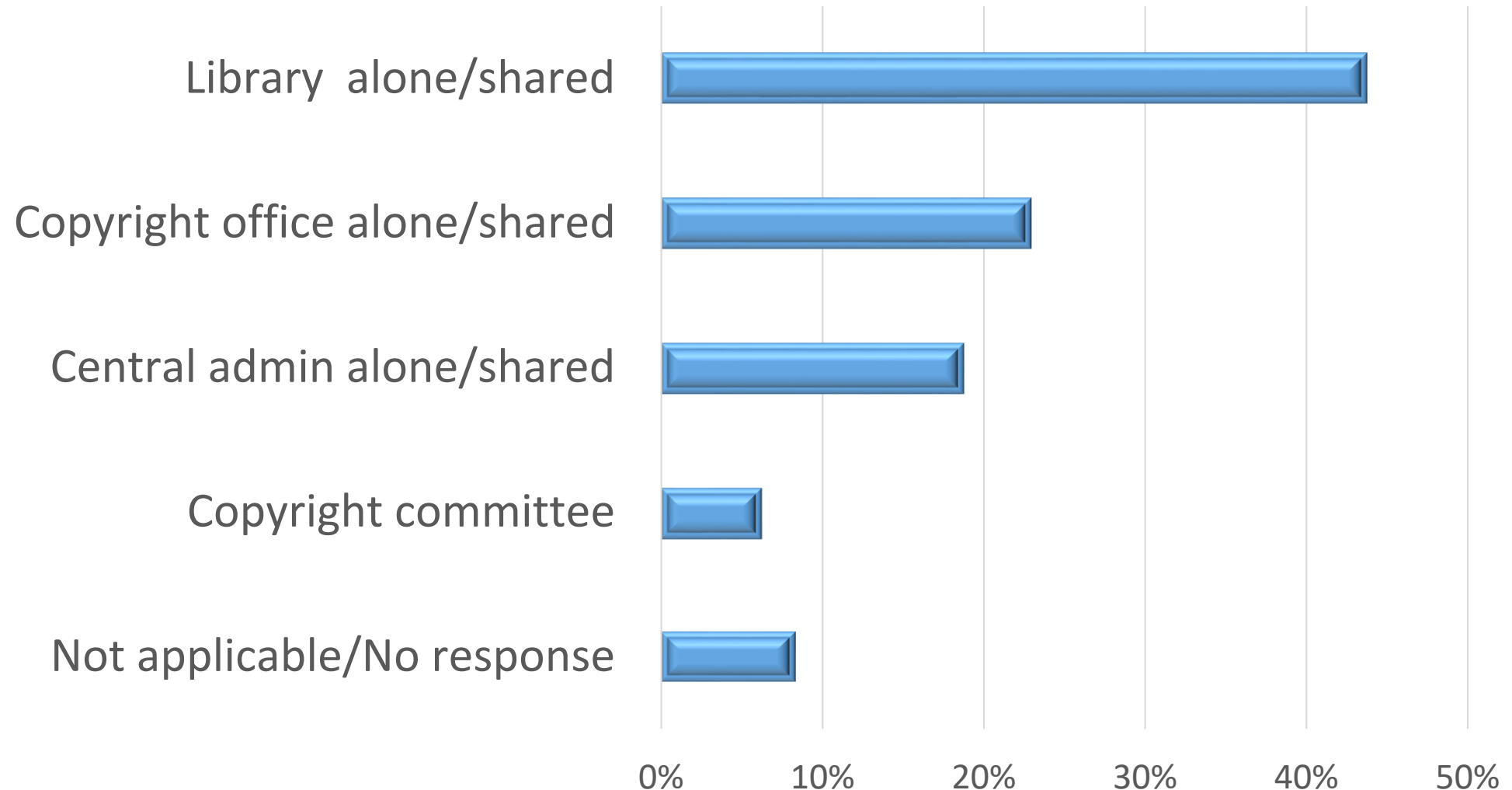
2015 Blanket Licensing (n=48)

2015 Changes in Approaches to Education?

Yes 77%   No 17%   No response 6%; n=48

Themes in Written Responses	# Responses
education programs launched, broadened or intensified	26
new permissions clearance environment due to terminated blanket license	14
responsibility for education reassigned to copyright office	12
new or revised help pages and guidelines	12
focus on new case law and Copyright Act amendments	8
new copyright education-related administrative structures, priorities, processes	4

2015 Copyright Education Challenges?

Themes in Written Responses	# Responses
communicating copyright information effectively and comprehensively	33
ensuring copyright/licensing compliance	13
overcoming obstacles to compliant practices	8
addressing staffing and staff expertise requirements	4
dealing with legal and statutory interpretation uncertainties	3
evaluating the need for/moving away from blanket licensing	2
helping faculty and students understand their copyrights and publishing choices	2

Education Challenges?

2008

". . . many copyright challenges face libraries, particularly the effective education of users and the complexities of interpreting the law"

Horava, 2010

2015

"Getting the information to everyone that needs it in a timely manner"

"New . . . uses of copyrighted material often . . . involve questions that have not yet been answered and fall into very gray areas of fair dealing"

respondents, 2015

2015 Copyright Policy Challenges?

Themes in Written Responses	# Responses
applying policies appropriately	8
establishing or updating institutional policy	6
monitoring compliance with copyright and license usage terms	3
achieving appropriate staffing levels for education and services relating to policy	3
addressing various specific policy-related issues	3

2015 Policy Challenges?

"We're in need of articulated guidelines for use of digital resources/ streaming media within context of classroom, LMS and MOOC environments."

"Ensuring that the application of fair dealing remains flexible while also ensuring that we are providing consistent copyright advice about 'authorized' uses in order to manage risk."

"Communicating effectively to Faculty, especially sessional/adjunct and clinical."

respondents, 2015

2015 Copyright Permissions Challenges?

Themes in Written Responses	# Responses
managing specific aspects of permissions services	15
achieving user understanding of the need for permissions and how to assess them	12
acquiring permissions for specific kinds of works	11
securing administrative support for developing and staffing permissions systems or tools	8
acquiring permissions generally	2

2015 Permissions Challenges?

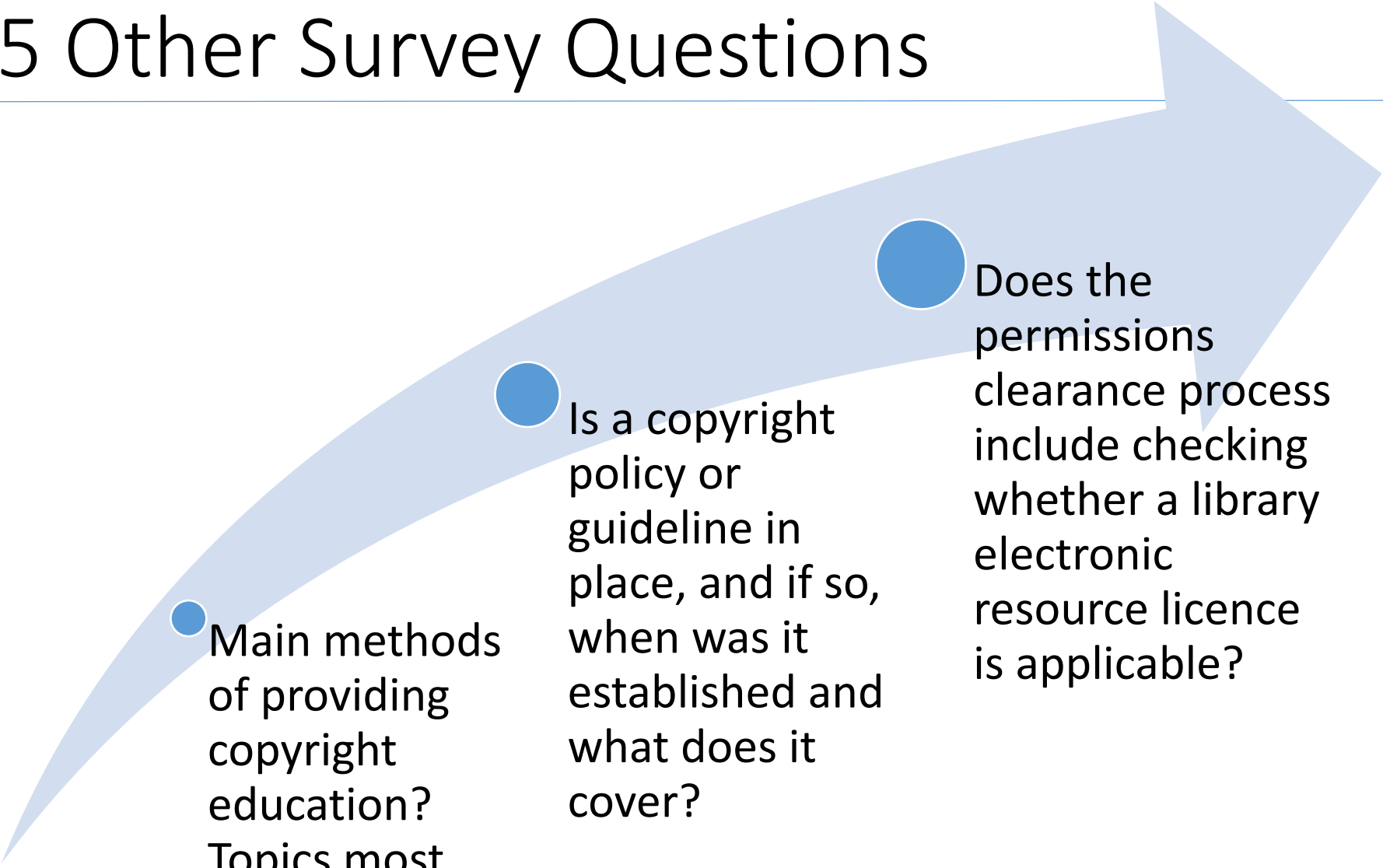"Lack of understanding of copyright rights and permissions"

"Obtaining permission for material that is dated, obscure or not Canadian created"

"Faculty want to publish more in course packs than are allowed under fair dealing yet don't want to ask for or pay for additional access"

respondents, 2015

2015 Other Survey Questions

Main methods of providing copyright education? Topics most frequently covered?

Is a copyright policy or guideline in place, and if so, when was it established and what does it cover?

Does the permissions clearance process include checking whether a library electronic resource licence is applicable?

2015 Selected Findings

Institutional responsibility for copyright
- most often led by a Copyright position

Copyright education & permissions clearance
- most often the responsibility of the Library or Copyright office

Blanket licensing
- operating without a collective blanket licence a live issue

Changes since 2008
- stronger Library role in copyright matters within universities
- more Copyright offices/Copyright-specific positions created

2015 Survey Links

- Invitation to participate
  - http://bit.ly/1rDuni1 (English)
  - http://bit.ly/21Q3ovV (French)
- Survey questions
  - http://bit.ly/23F9QW0 (English)
  - http://bit.ly/24IM1PE (French)
- Preliminary summary
  - http://bit.ly/1T7NHA7 (English)