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Anatomy of a New Copyright Librarian

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Abstract

My journey to working with copyright at the Michigan State University (MSU) Libraries began with images for medical education. I was Coordinator for Health Sciences at the Libraries, during which time instructors creating a new online curriculum asked for clear guidance on images they could include. Over a period of years, I negotiated licenses with major medical publishers to allow image use from our subscription resources for this purpose. Through this project, I grew my expertise and knowledge about copyright issues, which gave me confidence to propose taking on the part-time copyright librarian position when the existing copyright librarian retired. I'm now in the position and enjoy collaborating with people across the MSU Libraries and across subject areas to promote understanding of copyright for teaching, learning, and scholarship.

Keywords: Careers, copyright librarianship, health sciences librarianship, medical education



Anatomy of a New Copyright Librarian

My journey to working with copyright at the Michigan State University (MSU) Libraries began with medical images and medical education. I was Coordinator for Health Sciences (services and collections) at the Libraries from 2005-2022. For years, our medical colleges relied on printed course packs for the first two years of medical school. Each course pack contained many images, with the anatomy pack alone containing hundreds of images pulled from textbooks and online sources. Instructors chose whatever images they preferred, and a course materials unit within the Libraries produced the packs, tracking down each image's source and paying royalties. This time-consuming process passed the costs of copyright clearance on to the students through course pack prices. Meanwhile, instructors remained unaware of how the choice of one image over another affected the students financially.

I began to question this process as we grew our online collections of medical textbooks, paying hundreds of thousands of dollars for campus-wide access. It bothered me that our students were paying royalties to see images that came from e-books we already subscribed to. Then, three things happened. The Provost issued a memo to faculty and staff about proper use of copyrighted materials. The Provost and Deans also announced a priority to reduce extra costs and fees for students. At the same time, like many medical schools, the MSU College of Human Medicine began to undergo complete curriculum revision. The new curriculum was designed to have more self-directed learning with online modules replacing course packs. This new model had no workflow for clearing copyright. Instructors began to wonder if their plans to include images in the new online curriculum were legal. When I asked medical school administrators how we could best collaborate with them, their answer was "we need help with copyright."

Copyright wasn't something I had thought about in depth before, but it can be challenging for librarians to find inroads to working with medical schools. So, when this need was expressed, I knew I should grab the opportunity. I consulted with our existing part-time copyright librarian and decided to educate myself about copyright for illustrations and photos. I read up on the TEACH Act (2002), hoping to learn about copyright law support for online education. Instead, I learned how more restrictive the law is about display or performance of copyrighted materials online than in face-to-face classrooms. I examined our electronic resource licenses and found that many of them did not allow the remixed use that our medical school instructors envisioned. I also found that the licensing issues compounding the copyright issues were particularly challenging to explain, and licenses were not even mentioned in the Provost's memo to faculty. At this point, I was on my own to try to "fix" the problem with our licenses, because I was the one managing our

health collection purchases and I was the one motivated to work for change. I began a multi-year project of negotiating license addenda one-by-one with major medical publishers to cover the uses our instructors wanted. The project has successfully allowed our instructors to create online modules without paying royalties and eliminated that extra cost for students.

Faculty in the medical schools were very grateful and began to have a whole new view of librarians as collaborators, which was rewarding. They started to ask other copyright-related questions about videos, publishing contracts, and scholarly communication issues. It was eye-opening for me to learn how important, but little understood, copyright is for the activities that go on at a university and how most people seemed to operate from hearsay. I began to research and answer different kinds of copyright questions myself, growing my expertise. When the previous copyright librarian retired, I realized I was already consulting on these issues and wanted to have a positive impact educating a wider range of people at the university. I met with Library administration and offered to take on the role.

I have now been the copyright librarian for the MSU Libraries since 2018, working with all subject areas. Having taken over 80 hours of continuing education on copyright, I realize how much I didn't know yet when I took on the role. I also realize that my instincts about my interests and skills were correct. One of the most important things I did at the outset was to ask our Library administration to clarify our tolerance for risk around copyright law. Different approaches to copyright law can range from very conservative to pushing the boundaries. Clarifying that our institution wanted a middle-of-the-road approach to risk informs my recommendations. I have also brought my collections management experience to the table. I find that some copyright questions about scanning materials can be recast as requests that the library purchase the materials in online format. By being able to consider many solutions to a problem, I think I help our liaison and collections librarians as well as our students and instructors.

I find the nuances of copyright law fascinating and enjoy the process of thinking through the facts and implications of a copyright question. I also enjoy walking patrons through my analysis to educate them and not just give out mysterious answers. Many people ignore the explanations, but I was gratified recently when one patron, with whom I have worked on many questions, sent an inquiry along with her own preliminary thoughts. I agreed with her assessment, and she said, "I think I am finally getting the hang of this!"

One of my favorite aspects of the role is being able to collaborate with so many different units of the Libraries: interlibrary loan, special collections, archives, publishing services, digital projects, collections management, and liaisons. My goal remains the same as the goal of my original work with the medical colleges—to

reduce anxiety and stress around copyright and promote teaching, learning, and scholarship.

References

Technology, Education and Copyright Harmonization Act of 2002, 17 U.S.C. § 110(2).
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