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## **Copyright Buddies: Cultivating Teamwork to Support Our Copyright Journey**

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## Copyright Buddies: Cultivating Teamwork to Support Our Copyright Journey

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### Abstract

Our journey to gaining copyright competence started many years ago but from two different points. Susan was teaching an information literacy course and needed to quickly come up to speed to present a unit to her students on copyright and fair use. This led to a book chapter on using fair use cases in the classroom, to taking courses on copyright, attending copyright conferences, and working with New Mexico State University (NMSU) general counsel on an all-campus copyright compliance module. As a newly minted Access Services department head at NMSU Library, Norice traveled down the copyright road from a library services management perspective, developing copyright policies for interlibrary loan, e-reserves, and copy center services. In time, she partnered with the university's general counsel and others to present copyright sessions across campus. She now regularly teaches copyright to medical students at Burrell College of Osteopathic Medicine (Burrell) and has led the development of that college's copyright policy and guidelines. Our U.S.-Mexico border region is somewhat of a information resource desert, with few academic libraries and librarians nearby to learn from and lean on. We soon became copyright buddies, developing a tag-team approach to helping each other navigate perplexing copyright questions, bouncing ideas and scenarios off one another to support and help each other grow and gain expertise.

*Keywords:* Careers, copyright librarianship



## Copyright Buddies: Cultivating Teamwork to Support Our Copyright Journey

### Introduction

We began our copyright journey from two different points but, because of our different library roles, our established friendship, and our mutual interest in the intricacies of copyright, we found ourselves collaborating on copyright workshops and other training initiatives as well as supporting each other's evolving copyright knowledge and sharing resources. Here are our stories.

### Susan's Story

I first became aware of copyright while I was a circulation student assistant as an undergraduate. Back in 1977, photocopiers were *the new* technology. Copyright law is often affected by advances in technology and the *Copyright Act of 1976* was slated to take effect the following winter, in 1978. But in fall of 1977, the new photocopier next to the Circulation desk was monopolized by the Head of Reference who decided to build the library's collection through InterLibrary Loan (ILL). He borrowed materials from other libraries, photocopied them cover to cover, sent them off to the bindery, and then had the books added to the collection. I guess it was a good idea at the time? I shelved many of these photocopied books. Most of these were in the art history section, one of my areas of fascination as a confused undergraduate. All of the books had grey shadowed edges caused by the photocopier cover that couldn't stay flat. Many of the illustrations and images were smudgy and muddy. And color photocopiers didn't exist then so forget copying the beautiful color plates; instead, these appeared in shades of grey. Why photocopy these books? I asked the Head of Reference. Why not buy the works for the library? They were out-of-print, he replied, and were expensive to purchase on the out-of-print market. He reasoned that since faculty and students were requesting the books through ILL and the library now had a photocopier, why not save some time, money, bind these, and add them to the collection? And, since the revisions to copyright law had not yet taken affect, why not take advantage of the new photocopier before the new law made this activity a copyright violation? Why not indeed? I wondered about the unintended consequences of this copy-to-own initiative, along with the age-old balance of user and creator rights and thought about the initiative's winners and losers. Rights holders' copyright had been violated and the library ended up with crummy copies of art history books. There were no winners, I reasoned, just a lot of loss.

About 20 years passed before I thought much about copyright. In a new job as an instruction librarian, I had to come up to speed very quickly when assigned to

teach a 3-credit undergraduate information literacy course. Copyright was one topic among many covered and I decided to focus the lesson on fair use because it was both relevant and approachable to students. That evolved into a fun group activity, “Hey That’s No Fair!” (Beck, 2001). In this activity, students had a brief introduction to fair use and how to use a four-factor checklist (Crews, 2008). Next, they worked in groups, studying federal copyright cases to determine whether the use was fair or not. Over several semesters, I continued to use the activity, incorporating fun and interesting cases that engaged students. Sadly, my copyright knowledge didn’t grow beyond copyright history and fair use.

### Norice’s Story

My interest, initially fear, about copyright manifested shortly after I became the director of Doña Community College Library Media Center in 1997. I was a newly minted librarian and, although I’d been a paraprofessional, I had never been **the one** responsible for copyright compliance within the library. My insecurity only increased when I realized that I was the college’s “go-to” person for all things related to copyright and fair use. Questions about copyright and fair use came at me from all angles: “Can I copy a DVD and share it with my students?” “Can I insert an image from the web into my PowerPoint presentation?” One faculty camp believed they could do anything they wanted (“it’s all fair use in an educational setting, right?”) and the other believed they could do nothing. Concurrently there were students in the computer labs, gleefully downloading and sharing music and other files. It was time to reduce my fear and increase my copyright confidence, but how to proceed? I was the only librarian in the college and in our remote U.S.-Mexico border region, copyright mentors were few and far between. So, I began to immerse myself in whatever I could find online, starting with Georgia Harper’s *Copyright Crash Course* (2016) at the University of Texas at Austin and then delving into copyright resources created by other librarians who were farther along in their journey than me.

Eventually able to meet the needs at hand, I later became the Head of Access Services at NMSU Library, a position that required in-depth knowledge of copyright law relating to operations, such as interlibrary loan, reserves, copy services, and, along with these, the ability to develop legally compliant policies and procedures. In the university environment, the scale and complexity of issues were indeed worrisome. Once, an extremely concerned technician outside the library reported that his academic department had a massive slide collection of copies made from protected images. He shared that he was uncomfortable about being asked to continue adding to the collection. That same year I learned that audio and videotapes in a different academic department were being systematically duplicated to increase resource access, with no apparent concern for copyright. I had to delve

deeper into the law to help address these and other compliance-related issues. I sought out best practices, workshops, and relied heavily on resources by leading copyright experts (Crews, 2012; Harper, 1995; Russell, 2004). A list of suggested resources follows the article.

It was within this larger university work environment that I began to meet others outside the library with whom I could share my fears and test my knowledge. We formed a team that included the university's General Counsel and created a campus roadshow, presenting sessions on copyright and fair use tailored for a variety of settings, from graduate school orientations to faculty department meetings. In this process, we were able to align our respective departmental procedures and establish a consistent message leading to greater copyright compliance university wide. From these early relationships, I learned the value of having a copyright support system and the benefits of not going it alone. As these team-based activities wrapped up over time, I learned that my long-time colleague and friend, Susan Beck, also shared with me the same unique fascination with copyright law.

### **Working Together**

When Norice moved into a library administrative position at NMSU, Susan followed her as the Head of Access Services. She built upon existing policies and collaborated on responding to questions from the campus community. Together we fed each other's interest in the complexities of the law as we evaluated questions before us and performed fair use assessments. We tossed possible solutions back and forth before providing a jointly informed, and much stronger, response. Over time, we built a repository of responses and listed these within an [FAQ](#) on Susan's guide, *Copyright Essentials* (2019). These FAQs reference similar scenarios, thereby demonstrating consistency and providing evidence of our efforts to operate in good faith.

We became true blue "copyright buddies" over time. We have presented on copyright and fair use at numerous conferences and in-service sessions. And we have used many of the questions that we encountered, incorporating these into training activities. We have traveled hundreds of miles together to attend professional development events, and we regularly share information about changes in copyright law, new copyright education sites and publications, and professional development opportunities (see Suggested Resources). Susan branched out to earn a Creative Commons certificate. She also advanced Norice's earlier outreach with the NMSU General Counsel's office to create a mandatory university-wide copyright compliance training module. Her new responsibilities as a Scholarly Communications librarian furthered her involvement with copyright and intellectual property questions. Norice left NMSU and joined Burrell College where

she played a leadership role in the development of copyright policy and procedures. She regularly teaches medical students about their rights and responsibilities as both authors and users of copyrighted material.

### **Conclusion**

As copyright buddies, we have worked in many jobs and served in many roles, all requiring an emphasis on different components of copyright law. Together we have validated our existing knowledge in working through real-life situations. We have cultivated our ability to continuously improve, raised each other's awareness of copyright, and helped to ensure library and institutional compliance. We have been there for each other wherever we go or whatever we may be doing when copyright service calls, whether on the copyright front, or in the trenches. No longer fearful of copyright, we are confident in the shared foundation we have built over the years and continue to develop today. In our opinion, there is no better way to approach copyright than with a buddy. If you find yourself alone in your copyright journey, we encourage you to seek out a buddy. If you already have a buddy, why not expand to a buddy system?

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## Suggested Resources

*Copyright advisory network* (forum) <https://librarycopyright.net/>

*Copyright conference*. Miami University Libraries.

<https://copyrightconference.lib.miamioh.edu/>

*Copyright for educators and librarians* (online course)

<https://www.coursera.org/learn/copyright-for-education>

*Copyright for multimedia* (online course)

<https://www.coursera.org/learn/copyright-for-multimedia>

*Creative commons certificate* (online course)

<https://certificates.creativecommons.org/>

*Kraemer copyright conference* <https://copyright.uccs.edu/>