



## Copyright and You: Copyright Instruction for College Students in the Digital Age



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### ARTICLE INFO

#### Article history:

Received 4 April 2014

Accepted 2 June 2014

Available online 25 June 2014

#### Keywords:

Intellectual property  
Information competencies  
Information literacy  
Higher education  
Academic integrity  
Copyright education

### ABSTRACT

Educators are concerned about the ease with which new digital technologies permit intellectual property to be discovered, re-purposed and shared. What do our students know about copyright compliance and academic integrity and how are these critical information competencies being addressed? Librarians have the authority for copyright-related instruction on campus and can provide both the point-of-need instruction and expertise to ensure that all students are informed about these issues. This article discusses the importance of developing copyright education for students as part of an overall information literacy curriculum by describing the development of a relevant, active learning online course targeting students' competencies as both users of and creators of creative content.

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### INTRODUCTION

Today's technology has made it possible for students to create, use, and share media-rich creative content, in both their personal and academic lives. The ease with which intellectual property can be discovered, repurposed and shared is creating concern among educators: what do our students know about copyright compliance and academic integrity? Are they using content ethically, and do they consider their own intellectual property rights? More importantly—are these critical information competencies being addressed? Faculty burden with teaching their courses rarely are able to address the issues of copyright in and out of the classroom, even though students desperately need this information. Librarians, already teaching the tenets of information literacy, can provide both the point-of-need instruction and expertise to ensure that all students are informed about these issues.

Copyright education on college campuses often is decentralized and handled by multiple units. Like many small-to-medium-sized universities, Oakland University (OU) has neither a copyright office nor a designated academic unit that handles copyright education. The task of assisting the campus with copyright-related questions, therefore, has fallen by default to the library. Queries either come to individual liaison librarians or via the multiple help desks. Teaching faculty with questions related to the use of materials in classrooms, especially online, often

direct those inquiries at the academic unit responsible for the learning management system. The library sporadically has offered outreach to faculty by conducting workshops about copyright, fair-use, and author's rights, occasionally in conjunction with the campus' faculty development office, the Center for Excellence in Teaching and Learning. However, most of these measures address only the teaching and research needs of faculty, omitting a crucial group: those of the diverse student population. As such, OU library faculty identified a need to more systematically address students' knowledge of copyright and their rights as original content creators.

This article discusses the importance of including copyright education for students as part of an overall information literacy curriculum by detailing how library faculty at Oakland University created an online course to address the information literacy needs of students as both users of and creators of creative content.

#### TAKING A PROACTIVE APPROACH: THE RATIONALE FOR THE COURSE

Several factors influenced the decision to develop a copyright course aimed specifically at students. On two separate occasions, faculty members from the department of art and art history approached the liaison librarian regarding students' misinformation about copyright. Students in this subject area can be particularly prone to unknowingly violate copyright as they create mixed media art, and studio artists in general have a great need to understand how copyright applies to their creative work. Rather than addressing this on a class by class basis, the librarian sought a more comprehensive approach, and realized that other department liaisons, responsible for information literacy and instruction for their respective subject areas, may also be interested in developing a

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solution that could be shared across campus. Students in all fields of study create presentations, multi-media projects or original artistic works and would benefit from a more thorough understanding of copyright basics. Although much of what is done for the classroom would fall safely on the side of fair use, given that new technologies make it possible to mix, remix and share creations that might later be publicly presented, broadcast or sold by the student, knowledge about copyright law and creator rights is increasingly important.

## CONTEXT

### ACADEMIC LIBRARIES' ROLE IN COPYRIGHT EDUCATION ON UNIVERSITY CAMPUSES

Academic libraries have historically been seen as an authority for copyright-related expertise on campus (Bishop, 2011; Colleran, 2013). Mostly this has been passive, providing information about copyright law as it relates to teaching activities, specifically the use of e-reserves. A decade ago, the American Library Association's Association for College and Research Libraries (ACRL) released the *Information Literacy Competency Standards for Higher Education* (ACRL, 2000), which explicitly includes information ethics and copyright in the fifth standard. However, due to the complexity of teaching about such issues in one-shot information literacy sessions these topics are rarely addressed in the classroom (Prilliman, 2012). Rather, librarians' involvement in copyright education has tended to be through the development of online guides and tutorials. These typically relate to instructional use of copyrighted materials by faculty, particularly the use of e-reserves, as Bishop (2011) discovered when investigating twenty-one ARL universities' copyright-related tutorials—only one library in the study had information tailored to different users, including graduate and undergraduate students.

### TEACHING ABOUT COPYRIGHT

There are numerous examples of K-12 school librarians' involvement in copyright education for students. This is probably due in part to the American Association of School Librarians' (AASL) *Standards for the 21st Century Learner* which include competencies in standards 1.3.1 and 1.3.5 for respecting copyright and intellectual property rights of creators and producers (AASL, 2007). Since the inception of the AASL standards, school librarians have developed a plethora of best practices for teaching copyright to K-12 students. Tactics range from having students take an active role in the creation of creative multimedia projects (Levin, 2010) to teachers assuming more of a coaching role and using Creative Commons (CC) to put a positive spin on learning copyright law (Fredrick, 2011).

For educators at all levels, the biggest struggle is overcoming the mindset that everything on the Internet is free (Perrott, 2011). Strong advocates for copyright education argue that integrating learning opportunities into the classroom is the most effective method for connecting students with the material (Piechocinski, 2009). Faculty teaching in higher education share the same struggles, and as libraries are now looking to develop more in-depth resources and instruction on these issues the question remains: how can we effectively meet the students' needs?

### COPYRIGHT AND UNDERGRADUATES

There is a gap in copyright literature pertaining to the education of students at the college level. Although higher education promotes the use of technology to enhance student learning, fostering students' knowledge on how to use content ethically and responsibly is rarely addressed. Most examples point to copyright education occurring as part of outreach efforts for the entire campus community and diffused by multiple stakeholders: the campus' information technology unit,

the library, the bookstore and other entities, all which have some concern for academic integrity or intellectual property rights compliance (Bishop, 2011). Tied into broader topics, this education is usually delivered through the online tutorials created either by librarians or academic units responsible for copyright (Oldham & Skorina, 2009; Quartey, 2007). Copyright outreach often has been more reactive than proactive, particularly when addressing students' use of music or faculty members' use of copyrighted materials in their teaching (Kleinman, 2008).

The University of Michigan Libraries' campus-wide copyright outreach program, which offers workshops on Creative Commons, provides one example of how academic libraries are shifting the conversation away from just discussing restrictions to more of a respectful use and reuse of intellectual property model (Kleinman, 2008). In this instance, approaching the topic by demonstrating the wealth of free resources available allows the presenters to connect the discussion of copyright to the topic of author's rights and reuse licenses.

There is also growing discussion in the literature about the best pedagogical approach for addressing the current media literacy needs of students with a push toward integrating copyright education into course instruction (Kapitzke, Dezuanni, & Iyer, 2011). An emerging trend is the development of credit-bearing courses for students on copyright. At Indiana State University, a course, *Copyright in the Age of Napster*, was designed for music business students, but open to all university students, with the objective to teach students about copyright law and how copyright "impacts their lives every day as students, music lovers, and consumers" (Piechocinski, 2009, p. 162). The course *Copyright with Web 2.0 Applications*, developed by Ewa McGrail and J. Patrick McGrail, and taught at both Georgia State University and Jacksonville State University is another example of how faculty employ a variety of teaching methods, including multimedia projects, problem-solving scenarios, lectures, and class discussions to teach students about copyright law, the ethical use of others' work, and their rights as content producers. Specifically, the stated course goal was to "prepare [students] for responsible and ethical citizenship and effective participation in the emerging global economy for the future" (McGrail & McGrail, 2010, p. 270).

## ONLINE COURSE ON COPYRIGHT

### COURSE DEVELOPMENT

A small team of librarians formed a workgroup to develop a course targeted at the copyright information needs of students. The desire was to create a resource that would have greater utility than the traditional library tutorial. Recognizing the trend toward more in-depth course integrated instruction, the librarians started by developing learning objectives for a comprehensive copyright course based on the ACRL *Information Literacy Competency Standards for Higher Education*. To inform the course goals particular attention was given to standard five and its emphasis on understanding "many of the economic, legal, and social issues surrounding the use of information" (Association of College & Research Libraries, 2000, p. 14) and the Art Library Association of North American (ARLIS/NA) *Information Competencies for Students in Design Disciplines*, which focus on the specific needs of visual arts students (Art Libraries Society of North America, 2006).

Copyright in itself is often a very dry subject, thus the working group wanted to focus on relating the content as much as possible to the specific needs of the users. Students are both creators of content and consumers of content, and so it was quickly agreed that both the use of copyrighted materials and the creation of original content were equally important, and a framework was developed that would address both activities.

The librarians based their work on an instructional design model that had recently been used to create the library's popular plagiarism-avoidance course (Greer et al., 2012). Delivered through an installation of Moodle, the campus learning management system (LMS), which

allows users to permanently self-enroll, the six module course tackles academic integrity and plagiarism, including the consequences of misconduct, how and why to use sources, quoting and paraphrasing, and includes discipline specific branches for learning about citation styles. A certificate of completion is provided after students complete the final quiz and receive a score of seven (out of ten) or higher. The plagiarism-avoidance course was enthusiastically received across campus and was quickly adopted by many faculty and departments as a requirement for their students.

The group believed the LMS was the right choice for the copyright course because its features supported the development of a comprehensive teaching tool that would permit students to engage in great depth with the topics while also functioning as an ongoing resource throughout their academic careers, as the course remains accessible to them after completion. The LMS also accorded the development of active learning opportunities in line with the library's general instructional practice for the creation of learning objects. Systematically included throughout the copyright course, students have the opportunity to pause and reflect on the content they have completed with embedded questions used to test their knowledge, followed by thorough feedback. Cognitive load theory (Plass, Moreno, & Brünken, 2010) and the general best practices for online learning (Clark & Mayer, 2011) informed the choice to break the content into small sections, with each section of the course focusing on clearly defined skills and learning outcomes. Table 1 charts each module's learning outcomes to their respective topics.

#### CONTENT MODULES

Beginning with the title of the course, *Copyright and You*, the learner is situated as the responsible party, with the intent that the student does not passively assume the knowledge but rather the content applies meaningfully to the student's everyday actions. Each module within the course further reinforces this message, with sections including "You as Content User" and "You as Content Creator."

The first module, *Copyright Basics*, introduces students to copyright. The intention of the lesson is to provide a brief overview of the current law and its rights and limitations, to clarify what is copyrightable and what isn't, and the difference between copyright infringement and plagiarism. Image 1 depicts how complicated information is presented with student-friendly examples.

The second module intent, *You as Content User*, is to provide clarity regarding the boundaries between what is appropriate and respectful use of copyrighted works, and what is not. Here, students learn how

to responsibly use others' content. This module covers the basics of fair use within the classroom, how to obtain permission to use content outside of the classroom, and how to locate copyright-free content from sources such as Creative Commons. The last objective is especially important for studio artists working in new media or collage who wish to repurpose and edit content they find online, and often do so without checking first to see how the content is licensed. Image 2 depicts the use of scenarios for presenting information about fair use.

The third and final module of the lesson, *You as Content Creator*, provides information for students on their rights as content creators. This includes not only the basics of copyright protection for their work, such as how to apply copyright notices and creative commons licenses, but also the steps one could take should she or he find that those rights have been violated.

Each module includes a review of the ideas discussed. Students then answer questions to test their comprehension of the material before moving on to a new segment. In each module the questions relate to a situational scenario, in which an area of copyright law has been set up to mimic common situations that students face. Feedback is given for both correct and incorrect answers, reaffirming knowledge and assisting with any areas of confusion. Students who wish to explore the content more in-depth have opportunities with links out to further resources and suggested activities. Image 3 displays a scenario-based review question from module three used to reinforce student learning.

Following the three modules, the course provides summative assessment by directing students to a final quiz consisting of ten questions of varying format. To receive a certificate of completion, the student needs to answer at least eight out of ten questions correctly. The certificate's permanent URL allows students to easily provide proof of completion at any time without having to retake the course, should it be required by another professor.

#### IMPLEMENTATION

The course launched in September of 2013. Announcements were sent from the liaison librarians to their department colleagues, and a notice was posted in the campus-wide weekly faculty email from the provost. The library's webmaster also highlighted the new content as a "featured" item on the tutorials section of the library's website. In addition, several classes in studio art as well as the information technology course *Ethics and Social Impacts of Computing* required students to complete the copyright course as part of their participation grade. During its debut semester, over one hundred certificates of completion were recorded, with around three hundred certificates issued as of March 2014.

**Table 1**  
Course learning outcomes and related topics.

Learning outcomes	Topic covered in learning modules
<p><i>Module 1: Copyright basics</i></p> <ul style="list-style-type: none"> <li>• Describe the basics of copyright law and its rights and limitations</li> <li>• Articulate what is copyrightable and what isn't</li> <li>• Distinguish between copyright infringement and plagiarism</li> </ul>	<p>1. Basics of copyright</p> <ul style="list-style-type: none"> <li>• What is copyright?</li> <li>• What can and cannot be copyrighted</li> <li>• Exclusive rights</li> <li>• What copyright is not</li> </ul>
<p><i>Module 2: You as content user</i></p> <ul style="list-style-type: none"> <li>• Identify the principles of fair use</li> <li>• Express how to obtain permission from the copyright owner</li> <li>• Locate copyright free content</li> </ul>	<p>2. Responsibilities of content users—how to responsibly use copyright materials</p> <ul style="list-style-type: none"> <li>• What is fair use?</li> <li>• How to request permission from the copyright owner</li> <li>• Creative Commons</li> <li>• Public domain</li> </ul>
<p><i>Module 3: You as content creator</i></p> <ul style="list-style-type: none"> <li>• Compare the various types of copyright licenses available</li> <li>• Illustrate how to apply a license to original content</li> <li>• Recognize copyright infringement</li> <li>• Examine how copyright is used in different contracts</li> </ul>	<p>3. Protecting your creative content</p> <ul style="list-style-type: none"> <li>• Choosing the appropriate license for your work</li> <li>• Copyright notices</li> <li>• How to register copyright</li> <li>• Creative Commons licenses</li> <li>• Copyright infringement</li> <li>• Copyright and contracts</li> </ul>

**NOT COPYRIGHTABLE:**

Ideas, procedures, methods, systems, and processes

*Example:* The process for making a peanut butter & jelly sandwich cannot be copyright but the words, images and graphics used to explain it can be.

Titles, names, short phrases, and slogans

*Example:* You can name your child the same name as a famous person or character, i.e.

James Bond

Facts, news, and research are not copyrightable

*Example:* On November 6, 2012 Barack Obama, the United States first black president, was re-elected for a 2nd term

Works in the public domain (work that no longer is under copyright protection or never was, like government documents)

*Example:* The text of the U.S. Constitution or works published in the U.S. prior to 1923.

*Example:* William Shakespeare died in 1616, all his works are in the public domain. You are free to adapt and create your own version of these famous stories. Just don't reuse elements used by other adaptations like the 1996 film starring Leonardo DiCaprio and Claire Danes.

*\*For more detailed information about public domain visit [Online Library Learning Center](#).*

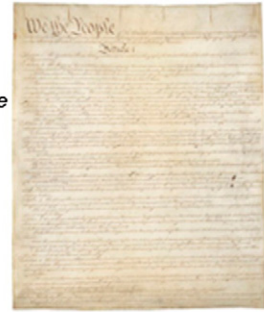


Image 1. Module 1—What is copyright: What can and cannot be copyrighted.

**COURSE ASSESSMENT**

Throughout the development of the course, several opportunities arose to test, assess, and make changes to content based on feedback. As a pilot launch in the winter semester of 2013, two upper-division

studio art photography classes required each student to complete the course and fill out a qualitative evaluation of the content; a total of thirteen students participated. Most completed the content in less than half an hour, with the longest attempt taking 45 min, on target with the course goal of an hour or less. Student comments indicated that the

**Sharon is creating a multimedia presentation for her Cinema History class. As part of her presentation, Sharon wants to show a scene from Alfred Hitchcock's Psycho to demonstrate the director's use of extreme close-ups and low lighting. Since the scene is only five minutes long and will be viewed in the classroom, Sharon wonders if she needs to request permission from the copyright owner.**

Under the Fair Use Doctrine, Sharon might be able to use copyrighted content without requesting permission from the copyright holder.



Fair Use ([Title 17, Section 107 of the Copyright Act](#)) is an exception to copyright law which allows the public limited use of copyrighted material without requiring prior permission from the copyright holder. Fair Use contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research.

Fair Use includes four factors you need to consider when determining if your intended use is a 'fair' one. To apply the factors, you should take your situation and consider each factor:

1. The **purpose** and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes. Educational use weighs in favor of fair use and commercial use weighs against fair use.

Image 2. Module 2—Responsibilities of users: What is fair use?

For her final project in a new media course, Maria created a video promoting the benefits of eating locally-produced food. She spent time filming local farmers' markets and interviewing food suppliers, and detailing animal conditions on small farms versus large corporate farms. She has posted the video on her personal website, and as a result has been approached by the student organic farming group and other activist groups interested in sharing her video with their followers. How should Maria protect her copyright, while also enabling others to share her content?

- Apply a Creative Commons License to the video.
- Add a copyright notice at the beginning of the video.
- Register her copyright over the video with the U.S. Copyright Office.

*Your answer :* Add a copyright notice at the beginning of the video. Although her video is copyrighted, and such a notice would let others know that, a copyright notice prevents others from sharing the content without first getting her permission. A better option may be to use a Creative Commons license that would allow her to specify how it may be used, and ensure that she is given proper credit.

Image 3. Module 3—Protecting your creative content: Review question 1.

course presented the information clearly and the students found the content to be applicable to their needs. The testers' criticisms of the course were centered on the desire for more concrete examples of different copyright situations, and more visual content to illustrate the text, as well as small technical glitches.

Shortly after the pilot launch was completed, another librarian colleague who was enrolled in a graduate-level course in educational program evaluation offered to conduct a formative evaluation of the copyright course as part of a semester-long project (Nichols Hess & Moseley, *in press*). This involved gathering student feedback on the course, asking library faculty to review the content, and evaluating students' performance. The formative evaluation included feedback from two subject matter experts on copyright and instructional design (librarian colleagues) as well as students from several different disciplines. The data from these evaluations indicated that subject matter experts and participants both had a favorable impression of the course's design and content, noting the effective breakdown of information in a clear and concise format. The formative evaluation also noted that each respondent group suggested different areas of improvement for the course, including more interactivity, additional multimedia content, and more review questions. It was also noted that the scenarios presented to students tended to be biased to the arts and humanities. The expert in instructional design also indicated that additional feedback on the review questions would further benefit student learning.

Using the formative evaluation provided and feedback from students, several minor changes were made to the course content before its official launch. Additional images were included throughout the course in order to visually break up the text, feedback for the assessment questions was enhanced, and the student scenarios were altered slightly in order to represent a fuller spectrum of subject disciplines.

Feedback from faculty who utilized the course was positive. The professor teaching the computer science and information technology course felt that the content was very relevant to these students as they consider the "legal aspects, the rules, and the regulations that apply in computer and IT careers" (T. Rowe, personal communication, March 28, 2014). Noting that, "Before they can appreciate the constitutional protections of copyright, they need to understand how copyright applies to them. I've found that *Copyright and You* makes it personal for them first" (T. Rowe, personal communication, March 28, 2014).

## FUTURE PLANS

Overall response to the course has been positive, but with a lesser adoption rate into subject courses than what was seen for the plagiarism avoidance course. Several factors influence this. One reason the plagiarism course has been so widely adopted so quickly is due to its inclusion within the remedial program the university has in place for students who are caught plagiarizing. Simply put, professors and administrators are not yet as aware of or are not seeking out copyright violations, and so there is less immediate need. With the increasing attention being paid to such issues, however, we expect this to change. Course creators plan to continue to revise the course to fully address all concerns raised during the testing phase; this may include development of discipline-specific content, with lessons divided into branches so that students could choose the content most relevant to their needs.

Another factor influencing the low use is that many faculty and staff members indicate that they are not familiar with the course, which suggests that more marketing needs to be done. Using the subject liaison librarians to further promote the course to departments at meetings and in one-on-one conversation, as well as looking at specific courses in the department areas to target for inclusion will hopefully increase the course's implementation.

## CONCLUSIONS

Understanding the ethical use or possible abuse of information and creative content is a competency need that goes beyond the classroom and into the personal lives and future workplace demands of students. Although, there is still uncertainty about how the new information literacy standards will address these topics, the importance of copyright education continues to increase. Libraries and librarians have participated in copyright instruction on campus for decades and continue to look for innovative ways to meet the growing campus needs. Limiting this overwhelming topic to the applicable needs of students as both users and creators of content, making the delivery as relevant as possible, and including plenty of active learning opportunities encourage both knowledge transfer and campus support for the material. As with any learning object, it is crucial to continue to assess its impact and content regularly. What is most important, though, is that students be exposed to this topic and the library positions itself as a key player in the formation of students' ethical information behaviors.

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