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Book Review: Coaching Copyright

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Review of *Coaching Copyright* **Edited by Kevin L. Smith and Erin L. Ellis**

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Review of *Coaching Copyright* Edited by Kevin L. Smith and Erin L. Ellis

Coaching Copyright is certain to become standard reading for academic librarians. On the one hand, it has the potential to serve as an excellent supplemental coursebook for copyright classes in library science schools. On the other, it is perfect for any currently practicing librarian who has a desire to learn more about key copyright concepts or who is looking for a source of tried and true pedagogical approaches—approaches sure to fire up library patrons about the importance and relevance of copyright law.

The volume is co-edited by Kevin L. Smith and Erin L. Ellis, prominent figures within academic librarianship. Smith holds both library and law degrees and is well-known for his work and presentations on the subject of copyright. Ellis has published solid research on ways to develop instructional services personnel in libraries. Together they have assembled a team of ten fellow contributors who hail from eight major research universities and one top-tier liberal arts college. The authors variously hold roles as copyright librarians/copyright officers, instructors in copyright at library science schools, scholarly communication librarians, and instructional librarians. There is also one individual who heads up a unit dedicated to undergraduate student engagement. While holding MLS degrees is *de rigueur* amongst those who wrote chapters, several of the authors have also earned credentials from law schools. In essence, readers of *Coaching Copyright* are treated to analyses written by experts in the field of copyright and library instruction, all of whom have practical experience with a wide range of stakeholders in higher education settings.

In the preface to the volume, the editors describe a two-part structure for the book in which the authors of the initial pair of essays focus on theoretical considerations and the eight chapters that follow provide case studies. It seems equally apt, however, to describe the work as one with a tripartite organizational scheme since the final four chapters essentially form their own unit. The authors of those chapters all highlight ways to operationalize various aspects of copyright programs. For instance, in Chapter 7, Anali Perry presents effective ways to work with instructional designers so that copyright might be integrated

into the content of general courses in an online curriculum. Meanwhile, the co-authors of Chapter 8, Stephanie Davis-Kahl and Karen Schmidt, along with Carla Myers (who contributed Chapter 9), address the importance of collaborating with administrators to ensure that copyright policies are in place at the institutional level. The authors of these two chapters are also sensitive to the need to ensure that librarians play a key role in working with stakeholders when it comes to matters of copyright. In Chapter 10, Will Cross throws a spotlight on assessment as a part of a healthy operational routine, sharing the results of student evaluations and an alumni survey for a course that incorporates a unit on copyright that is taught at the University of North Carolina at Chapel Hill's School of Information and Library Science. Along the way, readers of these four chapters should be poised to take notes on the many resources mentioned by the authors, from free copyright programs for those seeking training (p. 153) to a model for subsidizing the publishing fees encountered by campus faculty (p.140).

For many readers the meat of the book will be found in Chapter 1. There, Kevin L. Smith not only defines coaching as an activity that hones in on the needs and outcomes of the individual client (Smith prefers the word *client* to *patron* in order to highlight the professional nature of the exchange) but also describes the steps that a librarian should take to help determine client values, goals, and tolerance for risk (p. 5-6). The author then outlines five basic questions related to copyright that should be asked, including whether or not a work is actually under copyright, if there is a license that specifies restrictions for its use, whether one of the exceptions in copyright law might apply, at what point fair use might be helpful in a given situation, and finally who should be approached in order to obtain permission to use the work. These questions enable a librarian to point most accurately to relevant information that the client might consider in developing a course of action. To most librarians, the process outlined by Smith will be similar to the reference consultation with the caveat that Smith defines the word *client* broadly, including both individuals (faculty and students) as well as institutions or departments, such as a library's resource sharing unit, in the client category. Throughout the discussion, Smith is careful to differentiate between the activities of lawyers, who may dispense legal advice, and librarians, who simply use reliable sources to provide information. This is a subtle distinction, to be sure, but a vital one, allowing librarians to deftly avoid the issue of the unauthorized practice of the law. Smith's contribution runs to 46 pages or one quarter of the length of the entire book. Although quite a bit longer than the subsequent chapters, the author has

achieved the amazing feat of distilling an entire course worth of material into the chapter. As a way to highlight this remarkable achievement, one might point out that Mary LaFrance (2017) takes 476 pages to introduce copyright law in the book *Copyright Law in a Nutshell*. By contrast, Smith provides the kernel librarians most need in a tenth of LaFrance's length.

Given that coaching focuses on individualized need, in chapter two Jill Becker and Erin L. Ellis have the unenviable task of trying to see what relevance, if any, coaching might have when librarians are faced with multiple learners in classroom instructional settings. To simulate the coaching experience, they advocate conducting face-to-face sessions that include active learning practices such as role-playing, mock debates, and the use of actual legal scenarios. All of these pedagogical methods were put into use by many of the contributors to the volume. For example, Anne Gilliland describes the successful use of relevant example scenarios to those interested in the field of medicine (p. 82). Anna Enriquez doesn't just tell stories in a workshop on publishing contracts but involves participants in role-playing various contract negotiations. Following advice similar to that outlined by Laura Quilter about peppering copyright instruction with examples to which students can relate, Merinda Kaye Hensley highlights the excellent opportunity librarians have of helping faculty sponsors and student contributors alike to think through the implications of the copyright statements and policies of undergraduate student research journals that publish student work. Hensley's point is important for librarians to consider. After all, librarians can step up both as publishers of student content and as guides who assist student authors in understanding their rights and responsibilities as copyright holders.

In addition to the ten main chapters, the book includes brief biographies of the authors and a gratifyingly thorough subject index. A few of the authors elected to include figures to illustrate points or to provide examples of handouts, materials, and lessons plans that were used in their individual academic settings. All of the figures that were selected enhance the reading experience. Should the publisher ever seek to issue a second edition, it is highly recommended that the editors consider adding both a glossary of terms and a listing of the various legal cases mentioned in the book that includes brief descriptions of the primary legal issue and the conclusion drawn. These features would be very useful, particularly for librarians who are not specialists in copyright or do not have access to an institutionally licensed case law database. This lack of access to case information may be a stumbling block to those readers who wish to look up some of the cases casually mentioned in the text.

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Perhaps directing readers to a resource like PACER (Public Access to Court Electronic Records, <http://www.pacer.gov>), a free site that includes many case files that have been produced in electronic format from 1999, might be helpful in this regard.

The primary weakness of the book is also, perversely, its strength: Except for Davis-Kahl and Schmidt, the contributors to the volume represent academic librarianship from within the context of larger research schools that, from the perspective of librarians at smaller libraries, are privileged in terms of resources, budget, and personnel. This may create a gap between the authors and some readers. For instance, when Myers casually remarks, “Most institutions of higher education have an office of general counsel staffed by attorneys . . .” (p. 154), or Davis-Kahl and Schmidt talk about the access they have to their school’s contracted legal counsel, librarians who are at smaller schools where legal advice may only be provided on an occasional, gratis basis will only sigh in envy. The contributors also neither appear to have a sense of the copyright issues and resources at libraries with fewer than five employees nor the ability to imagine that some libraries still do not have institutional repositories. Nonetheless, the fact that the majority of the articles in *Coaching Copyright* were written by individuals associated with libraries that hold membership in the Association of Research Libraries (ARL) and are employed in roles where they regularly encounter copyright questions within the context of their work, does mean that the research and techniques highlighted in the book are cutting edge.

It is also important to note that the authors and editors do not intend *Coaching Copyright* to be a complete primer on every aspect of copyright law even though Smith provides a masterful overview of many key concepts. For instance, a few of the contributors casually touch on the unique issues related to music, performance, photography, art, internet media, and so forth. Yet, much more could be said on each of those topics and many more besides. The focus of *Coaching Copyright* remains firmly on pedagogy and the need to customize the answers and resources librarians provide for clients in academic libraries. In those areas it is a true gem.

When read in conjunction with a text like the one by Mary LaFrance, mentioned earlier, or alongside Stephen M. McJohn’s (2019) *Copyright: Examples and Explanations*, or even James S. Heller, Paul Hellyer, and Benjamin J. Keele’s (2012) *The Librarian’s Copyright Companion*, the book will assist any academic librarian to become confident and creative in the coaching they do regarding copyright.

Coaching Copyright is published by ALA Editions. The softcover has a list price of \$59.99 and is highly recommended reading. As a final note, I am grateful to Kevin L. Smith, one of the editors of the volume, who provided an advance PDF copy to *Communications in Information Literacy* to facilitate timely writing of this review.

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