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Book Review: Copyright and E-learning: A Guide for Practitioners. Jane Secker, with Chris Morrison. 2nd edn. London: Facet Publishing, 2016. xxxi + 270 pp. ISBN: 978-1783300600

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Book Review

***Copyright and E-learning: A Guide for Practitioners.* Jane Secker, with Chris Morrison. 2nd edn. London: Facet Publishing, 2016. xxxi + 270 pp. ISBN: 978-1783300600. $95.00.**

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Jane Secker, Copyright and Digital and Literacy Advisor at London School of Economics, has expanded this work, first published in 2009, with input from Chris Morrison, Copyright and Licensing Compliance Officer at the University of Kent. This exploration of the overlap between copyright laws, education, and new technologies has been updated and expanded to incorporate changes in copyright law (especially in the U.K.) since the publication of the first edition. The authors explain that since the first edition, the meaning of "e-learning" has expanded – what we in the U.S. have previously called "distance" or "online" learning – is no longer a distinct concept of a class taken via an online connection. Most education now involves a variety of technologies, and the book's scope and terminologies have been expanded to address issues involving copyright in a connected environment.

The authors focus on U.K. copyright laws, but provide some relevant international examples for New Zealand, Australia, Canada, and the U.S. Recognizing the effects of globalization on education and technology's reduction of physical barriers, they point out the necessity for awareness of copyright laws in other countries. A university in the U.K. may host online content accessible outside the U.K., but if that university has a satellite campus or a hosted site in another country, those developing educational materials must comply with copyright laws for their locale. A teacher might move from the U.S. to the U.K. Can she use the same materials for her blended learning class? Currently U.K. law must comply with European Union directives but that, of course, could change with the impending "Brexit." Awareness of differences in legislation can only enhance the developer's ability to remain in compliance.

The text divides content types by format for exploring copyright, and the digital environment for teaching. In a logical sequence for complexity, the reuse of text-based content is discussed first. The authors find that the scanning of published works has increased dramatically since 2009, and offer tools to help librarians and others who support teaching understand how to remain compliant. In the U.K. this involves a Copyright Licensing Agency (CLA) license. The CLA is the U.K.'s reprographic rights organization (similar to Copyright Clearance Center in the U.S.). The current blanket license is outlined in detail, and the authors report on alternative licensing agencies that some institutions use for permissions. The blanket license "allows copies to be made within the limit of one chapter from a book, one article from a journal issue or 5% of a work (whichever is greater) per course of study." The license has additional terms and conditions for reuse of content, institutions are required to report what content has been digitized, and the CLA conducts periodic audits to ensure institutions are in compliance. The fair dealing provision in U.K. law generally covers individual copies for research, and cannot be relied upon to post course readings on a network. A fascinating case study from Middlesex University, an institution with 3000 staff members and 40,000 students, outlines the library's development and implementation of a digital course reading service. Procedures outlined in the case study document the onerous requirements for reporting and compliance when using the CLA license.

Non-text formats are considered, and the authors address specific issues related to image, video, sound, and software. Rights issues complicate reuse of non-text content; dramatic works, films, and sound recordings, for example, usually have multiple rightsholders and permissions can be difficult or impossible to secure. Even for still images, copyright is tricky; in the U.K., the Design and Artists Copyright Society (DACS) licenses images. The DACS provides a range of licenses, including a "free" license for use of content in educational materials – however, the authors note that the "free" license "involves paying a fee of £42 *per reproduction*. Images within published works can be digitized under the CLA blanket license, but otherwise use must be recorded and license fees paid. The author's advice? "Anyone seeking

permission to reproduce an artistic work may wish to consult DACS for further advice."

Similar to the face to face teaching exemption for film screenings in U.S. copyright law, in the U.K. films can be shown for educational purposes without permission. Online delivery, however, usually requires permission. The authors provide some general guidance on seeking permissions for audiovisual content, but note that rights are complicated. The U.K.'s Educational Recording Agency (ERA) issues blanket licenses for schools and higher education institutions to cover reuse of scheduled, free-to-air broadcasts from members (BBC Television, ITV Network services, etc.). Acquisition of this content by off-air recording is permitted, and streaming through a learning management system is covered. Satellite and cable broadcasts, however, are excluded. There are several agencies in the U.K. who record off-air content on demand and provide it to educational institutions for reuse. The authors provide an extremely useful list of resources for free or subscription web-based digital media content for educational use, and highlight the growing importance of Creative Commons licensing.

The authors address the intricacies of born-digital content in depth. They explain why this content is different from analog material, and how often its reuse is constrained by licensing terms. Digital Rights Management (DRM) technological protections typically and frequently make it difficult to reuse born-digital content. For example, an e-book may be licensed for reading on a computer screen, but the ability to download or print may be limited to a very few number of pages. Terms and conditions for commercial website content (such as images of book covers taken from Amazon) usually do not make any provision for an educational reuse; noncommercial or government websites typically are more generous. The authors examine e-journal license agreements from Wiley Online Library, Project Muse, and JSTOR to illustrate what educational reuses are allowed for this type of content; they also report on service agreements for Westlaw UK and EBSCO as database providers.

A chapter on the "connected digital environment" – social media sites, wikis, blogs, etc. – outlines issues for consideration by users of these services and provides some best practice principles. Copyright issues that may be encountered with social bookmarking and curation

tools such as Delicious, Mendeley, and Pinterest are discussed. The authors also provide an exploration of the copyright challenges associated with massive open online courses (MOOCs), especially reuse of third-party content. In the U.K., an organization called the Copyright Hub was set up in 2012 to address the complexities of licensing and to facilitate licensed reuse. An Educational Licensing Working Group has been formed to support clarity, reduced bureaucracy, and greater transparency in copyright licensing for schools, colleges, and universities. Representatives from licensing agencies (CLA, ERA, DACS, etc.) and educational institutions serve on this group; coauthor Morrison is a member. The authors predict that in five to ten years the copyright and licensing landscape in the U.K. will undergo change and possibly improvement.

Copyright education and training is clearly necessary for staff in educational institutions. Librarians, developers, teachers, administrators – all will benefit from more thorough knowledge of these complex issues. The authors outline a plan for developing a training program at the institutional level. They recognize that the training needs of department administrators, for example, will differ greatly from those of faculty, learning support staff, or students. They discuss the types of information that individuals need to be able to do their jobs, and use a case study of a card game (developed by Morrison) for copyright education.

The authors provide practical advice for those attempting to maintain copyright compliance in their institutions, and also raise awareness of the complexities. While not providing concrete answers to specific questions, the work will give practitioners tools and guidance for where to find these answers. Each institution must evaluate and develop its own copyright agenda based on risk tolerance, budget, level of support for technological developments, etc., and make decisions about how copyright policies will be implemented at the institutional level. This book provides a framework for making those decisions. The authors maintain a website at https://copyrightliteracy.org/ with online resources to supplement the work.

The case studies in this book are mostly very useful, but the study of an electronic reserve service from an academic library in the U.S. was disappointing – all the other case studies provided specific

information about the institution, but the U.S. study only referred to "a medium-sized liberal arts university in the eastern USA enrolling approximately 5500 undergraduate and 2100 graduate students." This institution touted its copyright compliance because of its adherence to the Conference on Fair Use (CONFU) guidelines. As most U.S. copyright practitioners will know, CONFU met in the mid 1990s and reached no agreements on reuse of materials in electronic reserve. Many fair use cases have been decided since CONFU, and the Center for Media & Social Impact (CMSI) at American University has sponsored the development of numerous codes of best practices for fair use. A case study from an identifiable institution with more current practices would be welcome.

Copyright and E-Learning is useful book, well written and logically organized. From the perspective of a librarian who handles copyright in the educational environment in the U.S., it is particularly interesting to have a concise, clear explanation of U.K. copyright and licensing intricacies, and to consider the significant differences from U.S. practice. Readers from around the globe who are fascinated by the intricacies of copyright laws will want to put this book on their reading list. It will also be extremely helpful for practitioners in the U.K.: librarians, instructional technologists, and anyone who needs to learn about copyright in the educational environment.