

Summary Report: UC Copyright Support Needs

This document broadly lays out our findings from consultations with the University Libraries, OP copyright stakeholders, and UC copyright support community. Specifically, we report on their shared copyright support needs, primarily, in the areas of education, infrastructure, coordination, and policy. The groups generally believed that increased centralized expertise and leadership would be helpful, and in some cases essential, in addressing identified needs. Moreover, the groups consulted expressed the view that it is incumbent on the University, as a preeminent public educational institution, to provide leadership in shaping the copyright issues that affect our teaching, research and service missions, and that this effort would be most effectively guided and coordinated on a systemwide basis.

Note on the Consultations: The three consultations occurred over a period of seven months, the first with the ULs on 11/06, the second with OP stakeholders on 3/07, and the third with members of the UC copyright support community on 6/07. The UL consultation explored how OP might provide copyright support services for the libraries. The consultation with OP stakeholders – included ANR, OTT, Office of Research, UC Press, CEB, Academic Advancement, OGC, and IR&C – was an informal discussion on common copyright functions and needs. The systemwide meeting with many members UC’s copyright support community was more structured and aimed at identifying urgent copyright issues and strategies to address them. Membership was more expansive, with representation from each campus (including UCDC and UCOP) and from a wider range of responsibilities and perspectives – 34% from the libraries and museums, 13% from technology transfer offices, and the rest from a variety of perspectives including legal counsel, DMCA compliance, educational and government relations, extension, media and instructional support, UC Press, and the Continuing Education of the Bar.

Note on the Availability of Copyright Staff and Resources: As captured in our consultations, limitations in copyright support resources (funding, materials, administrative and legal staff, leadership) are affecting the University academic and research enterprises. Though the quality of copyright support provided by staff has been excellent, there is not enough supply to meet the demand, which is increasing at a level that outstrips the capability of current copyright service providers to produce materials and provide face-to-face instruction or point-of-need responses. In addition, because staff resources are often widely distributed among campus units, our consultations suggested that these resources are not always effectively coordinated and leveraged to most effectively meet emerging demands.

The following are common strategies – expressed as copyright support needs – to address the shortage in the supply of copyright guidance and advice for faculty, staff, and students:

Need for Increased Education, Training, and Outreach

All groups expressed an urgent need for copyright educational, training, and outreach support, generally, in order to help faculty, staff and students operate comfortably in an increasingly copyright-laden environment, for example, via materials and programs that increase awareness of rights and responsibilities under copyright law, enable appropriate independent action and decision making where possible, and encourage informed requests for information, guidance, and advice. In general, the groups want materials and programs that are robust in subject matter,

comprehensive at all levels of the University, integrated as part of University operations, readily available (delivered at the point and time of need), and persistent and continuing throughout the UC career of faculty, staff, and students.

Some examples of the types of services desired include: more UC-endorsed copyright educational materials and web resources; top-down awareness program of copyright resources at UC; uniform and comprehensive copyright curriculum and training programs; certification in copyright literacy; campus committees that work through and educate their communities on fair use issues and analysis; programs or materials aimed at making faculty, staff, and students more aware of counsel's role in order to better inform their copyright inquiries to counsel.

Need for Copyright Management Support and Infrastructure

Our consultations with the three groups indicated a strong need for copyright management support and infrastructure provisions at the University. Primarily to better support copyright initiatives, the need calls for building platforms available Universitywide to improve UC's capacity (a) to track, discover, and report on the status of the Regents' (and UC faculty's) copyrights, (b) to access, consult, and make referrals to copyright staff, both administrative and legal, and (c) to access, discover, and learn about best practices, guidelines, policies, etc.

Some examples of the provisions needed to improve the University's copyright support infrastructure include: a rights management system, a referral system, a best practices repository, a compendium of campus and systemwide copyright staff and policies, and a comprehensive copyright policy framework.

Need for Increased Coordination, Communication, and Collaboration Capacity

All three groups expressed a strong need for increased centralized coordination, communication, and collaboration capacity on copyright matters. Similar to the need for copyright support infrastructure, the purpose of this need is to better support copyright initiatives, for example, by improving the University's ability to share information among the campuses, to develop and distribute educational materials, to perform legislative analysis, to advocate on important national copyright issues, and to access legal and copyright staff at other campuses or OP.

Need for More Support on Policy Development and Advocacy

Though less urgent, the need for more support on policy development and advocacy was a common theme across our three consultations. The following describes the nature of the need:

- Policy development – (a) providing support for campus copyright policy development and (b) developing and updating policies in consideration of both the significant and new changes in information and communication technologies and also current and future trends in other policy and legal regimes (e.g., NIH's open access policies);
- Advocacy and legislative analysis – coordinating with like-minded organizations and better leveraging and marshalling UC's collective resources, especially when developing more comprehensive responses to copyright-related legislation, to ensure the University's missions would not be compromised by changes in national policies and law; and
- UC systemwide issue positions – developing and elaborating further the University's positions in relation to copyright policies, issues, and industries.