FEATURE

just because you can

Copy
Edit Text
Highlight Text
Strikethrough Text
Add Note to Text
Add Bookmark

doesn't mean you should

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Introduction

When was the last time you saw a student copying from a print reference source? As print sources gather dust, digital materials' use grows. Digital materials are more to the liking of students raised with technology in hand. For young learners, the process of on-screen copy and paste has made replication with pen and paper obsolete.

I know from experience that today's libraries provide an array of digital resources to patrons, resources the likes of which most school librarians could only wish for ten years ago. Thanks to state and regional consortiums, even small schools may have access to subscription periodical databases, online encyclopedias, and video streaming, as well as free-access sites. The 2014 *School Library Journal* Spending Survey report by Lauren Barack found "85 percent of school librarians can gain access to electronic resources for free from their state" (2014, 2). As an example, the Kentucky Virtual Library "Our Services" page (2008) says that this organization subscribes to sixty databases serving the educational and research needs of Kentucky citizens and students "through 300 member libraries" (Kentucky Virtual Library 2016). In addition, many school districts and public libraries choose to augment their state or consortium digital collections with additional subscription resources, and, as reported by Barack (2016), nearly a third of reference material is digital and 21 percent of respondents indicated they planned to increase spending on e-books in the coming year. In some states, other digital resources are available through government or private agencies such as the Arizona Center for After-school Excellence, Massachusetts's Digital Commonwealth, and the

Minnesota Learning Commons. *[Editor's note: URLs for these and other resources are listed at the end of this feature.]* In addition, Kentucky Educational Television provides not only traditional educational television programing but also digital content such as Discovery Education.

With a plethora of digital resources literally at our fingertips, as well as those of our teachers and students, we continue to face other, older problems, such as the violation of intellectual property rights. Thus, as digital access continues to grow, students and teachers need to make the connection between their electronic actions and codes of conduct, ethics, and laws. For example, David Stockdale (2016) considers that the growing digital world makes it easy to infringe on intellectual property rights. As a result, there is an increased need for awareness and education about both copyright and ethical behavior.

Professional Ethics

Library and technology professional organizations may include in their codes of conduct statements covering the ethical use of technology hardware and intellectual property. While the wording may vary in specificity, the general content usually includes teaching students and faculty about intellectual property rights and ethical behaviors in print and digital environments, behaviors such as citing sources, honoring "fair use," recognizing appropriate limits of use, and observing online etiquette (AASL 2007; ALA 2008; Illinois School Library Media Association 2016; IFLA 2012). Thus, reading through codes of conduct or ethics becomes an interesting comparison in phrasing and emphasis.

The "IFLA Code of Ethics for Librarians and Other Information Workers" presents in the preamble "belief in the human necessity of sharing information and ideas implies the recognition of information rights." Following this strong statement is Article 2, which affirms, "[promoting] the ethical use of information thereby helping to eliminate plagiarism and other forms of misuse of information" (2012). In my opinion, many people will agree with these lofty goals. Another international organization, the Association for Educational Communications and Technology in its Code of Professional Ethics, Section 3, Article 8, specifies that members "shall inform users of the stipulations and interpretations of the copyright law and other laws affecting the profession and encourage compliance" (2007). While such international organizations establish foundations for practice, it is in national and state organizations that librarians and technologists find their closer-held statements of ethics or codes of conduct.

The *Code of Ethics of the American Library Association* and AASL's *Standards for the 21st-Century Learner* are familiar to school librarians in the United States. Together these documents form a foundation for professional practice. ALA's *Code of Ethics*, principle IV, says of librarians and intellectual property "We respect intellectual property rights and advocate balance between the interests of information users and rights holders" (ALA 2008). Stated in language that requires observable behavior, AASL's *Standards for the 21st-Century Learner* require teaching students copyright and information ethics as follows:

> 1.3.1 Respect copyright/ intellectual property rights of creators and producers.

1.3.3 Follow ethical and legal guidelines in gathering and using information.

3.1.6 Use information and technology ethically and responsibly.

3.3.7 Respect the principles of intellectual freedom.

4.3.4 Practice safe and ethical behaviors in personal electronic communication and interaction. (2007 4, 6, 7)

A search for state standards, including ethics statements, reveals many, among them the *Illinois Standards Aligned Instruction for Libraries (I-SAIL)*, *Kansas Model Curricular Standards for Library Media and Technology*, *Minneapolis Public Schools Information Media/Technology Standards*, and *Model School Library Standards for California Public Schools*.

**Digital Resources**

New Resources, New Challenges
Susan Sharpless Smith wrote "A major facet of academic inquiry is the concept of building on others' work and then synthesizing the previous knowledge into something new. The ease of this in the electronic world makes it more important than ever to teach the ethics of properly acknowledging prior knowledge" (2010, 24). The digital resources used by students and teachers in 21st-century schools have moved beyond clip art and CD-ROM-based materials to file sharing, photo editing, video streaming, mashups, and more. Each digital resource format stimulates its own questions and concerns related to property rights.

File Sharing
At the turn of this century, the prosecutions of both file-

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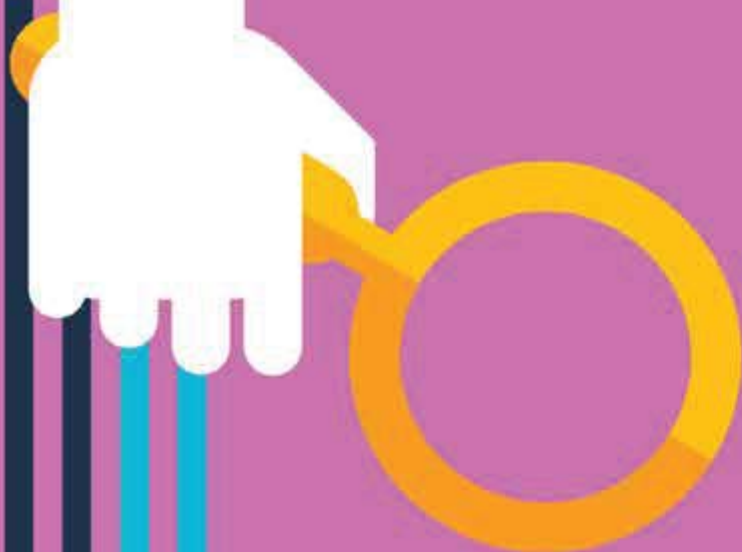
Modeling ethical use is important as students choose free digital streaming as **a source for making their own productions.**

sharing application companies and individuals who used the applications made headline news, resulting in failures or metamorphosis of companies such as Napster and Kazaa, and minimal to massive monetary punishment (Kravets 2012). In 2012, the Supreme Court let stand the $675,000 file-sharing damages award against a college student for making thirty music tracks available on a peer-to-peer network. According to David Kravets, most cases involving individuals resulted in out-of-court settlements of a few thousand dollars (2012). The financial losses to the music industry were, however, large and resulted in publishers of other digital media becoming cautious about making their digital content available (Johnson 2013). The development of a number of content-protection processes known as DRMS (digital rights management systems) now restrict, limit, or hamper the illegal sharing and use of digital content (Reference 2016). The simplest example of DRM technology is the access key used to unlock software for a computer (Mitchell 2004). Other DRM examples are "the copy-protected music CDs and the content scrambling system, or CSS, designed to prevent users from copying movies embedded in DVDs and software restrictions preventing the space- and device-shifting of e-books" (Cohen 2003, 47). Ask any computer-savvy teen how well these publishing strategies work!

Today digital users may automatically back up and synchronize documents, pictures, and other data to the cloud using file-hosting resources such as Google Drive or Dropbox. Doug Johnson is one of the many authors who have praised and discussed the advantages of the cloud as a cost-effective alternative to current educational digital storage (2013).

These hosting services are not providing the same type of illegal file-sharing services as those used in the late 1990s. However, the potential for misuse of intellectual property always exists and the examples from the past, I believe, should become part of instruction on ethical use of digital resources.

Digital Photography

As a photographer from the pre-digital age, I know digital photography has made the manipulation of images undetectable, an impossible feat with old darkroom printing. Doug Johnson has asked, "What obligations do communicators have to present an undoctored photograph, even if its message may not be as powerful as one that has been digitally enhanced?" (2013, 150). I consider this an essential question to be answered in K–12 schools. The digital photography curriculum map for Groton Public Schools (n.d.), for instance, mentions ethics fourteen times, including ethics of image manipulation in the software unit. The teacher resources in this curriculum also include the ethics code from the National Press Photographers Association.

Johnson indicated that he has moved from Photoshop Elements to the online applications Flickr, Picasa, and Picnik, which give him all the storage and editing power he needs (2013, 76). Those applications and others such as Splashup and JayCut make it easy for students and teachers to experiment with photo and video editing without the expense of more-traditional editing software. As a result, a part of technology ethics instruction should, I believe, address digital manipulations.

Video Streaming

School librarians, building and district technology staff, and administrators have a variety of video streaming opportunities from which to choose. A school must take care when using streaming providers such as Netflix, Hulu, or Amazon without express written permission (Duncan and Peterson 2014, 3). It is important to always check such sites for user agreements and copyright information. The same holds true for streaming videos found via YouTube and similar options.

School librarians must make students aware that they (the librarians) are providing streaming video only within the confines of the copyright law. Modeling ethical use is important as students choose free digital streaming as a source for making their own productions.

Mashups

"The term mashup originally comes from pop music, whereby people seamlessly combine music from one song with the vocal track from another—thereby mashing them together to create something new" (Engard 2009, 3). A mashup is similar to a remix—"a new or different version of a recorded song that is made by changing or adding to the original recording of the song" (Merriam-Webster n.d.)—and the two words are often used as synonyms. Mashups are divided into two types. First is a collage of disparate elements as in music. Second is the use of a webpage or software application combining data and/or functionalities and combined in a new manner (Engard 2009). "Advances in Internet and communication technology have created a new space in which the mashup community has grown" (McGranahan 2010, Conclusion). Public school students, teachers, librarians, artists, and anyone who takes the time to learn how can make a digital mashup. Even the course management software Blackboard has a mashup application in its text editor features for students and faculty (Northern Illinois University 2016).

"Mashup artists are at the forefront of a larger movement in which consumers become producers who reshape and remix the culture around them" (McGranahan 2010, Conclusion). Some mashups are at the margin of copyright law due to the material used for creating transformational works (Menell 2016). Thus, the argument of fair use may or may not cover mashups ("Ryan B" 2010).

Nicole C. Engard wrote "first and foremost, when creating a mashup, respect copyright and rights management terms. ...It's critical that copyright and the uses allowed by the copyright holder be respected" (2009, 14). Preferring to err on the side of caution, I would facilitate a discussion of intellectual freedom and mashups with students before beginning mashup projects. Student coders can prototype enhancements to the library website, and those meeting student or faculty needs could be implemented. The students will be much more creative than I am. A few ideas are a splash page (with digital resources) that launches with the activation of a Web browser on any student-access computer, or literary tours integrating Google Earth, Google Maps, and site images, or that use Earth Album to do the same thing. Additional ideas include interactive maps of the library, news and weather updates, new book reviews, and data generated from the school automation system.

Conclusion

This article has looked at professional ethics, especially those focusing on copyright and schools, and then at some of the newer issues in our digital world as copyright applies to them. What can you take away from all of this? Perhaps that we need to be selective about what media (digital and otherwise) we choose to use for learning and for creating knowledge and that our professional ethics and standards are guides as we move through the digital world.

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Works Cited:

American Association of School Librarians. 2007. "Standards for the 21st-Century Learner." <www.ala.org/aasl/standards> (accessed July 28, 2016).

American Library Association. 2008. "Code of Ethics of the American Library Association." <www.ala.org/advocacy/proethics/codeofethics/codeethics> (accessed July 28, 2016).

Association for Educational Communications and Technology. 2007. "Code of Professional Ethics." <http://aect.site-ym.com/members/group_content_view.asp?group=91131&id=309963> (accessed July 28, 2016).

Barack, Lauren. 2014. "SLJ's 2014 Spending Survey: Savvy Librarians Are Doing More with Less." *School Library Journal* (April 15). <www.slj.com/2014/04/budgets-funding/sljs-2014-spending-survey-savvy-librarians-are-doing-more-with-less/#> (accessed August 12, 2016).

——. 2016. "School Library Budgets Rise 20%, Yet Challenges Remain: Spending Survey 2016." *School Library Journal* (April 13). <www.slj.com/2016/04/budgets-funding/school-library-budgets-rise-20-yet-challenges-remain-spending-survey-2016> (accessed July 15, 2016).

Cohen, Julie E. 2003. "DRM and Privacy." *Communications of the ACM* 46 (4): 46–49.

Duncan, Cheryl J., and Erika Day Peterson. 2014. *Creating a Streaming Video Collection for Your Library*. Lanham, MD: Rowman & Littlefield.

Engard, Nicole C. 2009. *Library Mashups: Exploring New Ways to Deliver Library Data*. Medford, NJ: Information Today.

Groton Public Schools. n.d. "Groton Public Schools Curriculum Map: Advanced Digital Photography—Curriculum Area and Grade: Visual Arts, 11–12." <www.groton.k12.ct.us/cms/lib2/CT01001200/Centricity/Domain/36/Digital%20Photography%20II%20-%20Final.pdf> (accessed July 28, 2016).

Illinois School Library Media Association. 2016. "I-SAIL." <www.islma.org/ISAIL.htm> (accessed July 28, 2016).

International Federation of Library Associations and Institutions. 2012. "IFLA Code of Ethics for Librarians and other Information Workers." <www.ifla.org/news/ifla-code-of-ethics-for-librarians-and-other-information-workers-full-version> (accessed July 28, 2016).

Johnson, Doug. 2013. *The Indispensable Librarian: Surviving and Thriving in School Libraries in the Information Age*, 2nd ed. Columbus, OH: Linworth.

Johnson, Larry, Samantha Adams Becker, and Keen Haywood. 2011. *The NMC Horizon Report: 2011 K–12 Edition*. Austin, TX: New Media Consortium.

Kentucky Virtual Library. 2008. "Our Services." <www.kyvl.org/services.shtm> (accessed July 28, 2016).

——. 2016. "About KYVL." <http://libguides.kyvl.org/kyvl> (accessed July 28, 2016).

Kravets, David. 2012. "Supreme Court Lets Stand $675,000 File-Sharing Verdict." *Wired* (May 21). <www.wired.com/2012/05/supreme-court-file-sharing> (accessed July 18, 2016).

McGranahan, Liam. 2010. "Bastards and Booties: Production, Copyright, and the Mashup Community." <www.sibetrans.com/trans/articulo/13/bastards-and-booties-production-copyright-and-the-mashup-community> (accessed July 15, 2016).

Menell, Peter S. 2016. "Adapting Copyright for the Mashup Generation." *University of Pennsylvania Law Review* 164 (2): 441–512.

Merriam-Webster. n.d. "Remix." <www.merriam-webster.com/dictionary/remix> (accessed July 28, 2016).

Mitchell, John T. 2004. "DRM: The Good, the Bad, and the Ugly." <http://interactionlaw.com/documentos/DRM_good_bad_ugly.pdf> (accessed July 28, 2016).

Northern Illinois University. 2016. "Teaching with Blackboard: Mashups." <www.niu.edu/blackboard/content/mashup.shtml> (accessed July 28, 2016).

Reference. 2016. "What Is Digital Rights Management?" <www.reference.com/government-politics/digital-rights-management-46c67a9c53774d71?qo=cdpArticles> (accessed July 28, 2016).

"Ryan B." 2010. "Mashups: A Fair Use Defense." <www.yalelawtech.org/ip-in-the-digital-age/mashup-a-fair-use-defense> (accessed July 28, 2016).

Smith, Susan Sharpless. 2010. *Web-Based Instruction: A Guide for Libraries*. Chicago: ALA.

Stockdale, David. 2016. "Copyright in the Digital Age: How the TPP Extends a Flawed and Harmful Policy." <http://digitalethics.org/essays/copyright-in-the-digital-age> (accessed July 28, 2016).