

Instructing College Students on the Ethics of Information Use at the Reference Desk: A Guide  
and Literature Review

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**Abstract**

As educators and members of the academic community, reference librarians should take a proactive stance towards instructing students on the ethics of information use. The authors summarize best practices from the existing library literature, consider the context of ethical information use from a global perspective, and make an argument for the role of librarians. Our goal is to provide a guide for librarians attempting to successfully integrate ethical issues such as intellectual property and academic integrity into their reference instruction.

*Keywords: Ethics, Reference Librarians, Intellectual Property*

## Introduction

Ethical information use is a daily concern for academic reference librarians. Not only must we, as librarians, take care to use information in a manner that recognizes the legal, moral, and commercial rights of people who produce information, but we also must pay attention to what our library patrons do with the information they access from the library. Moreover, as reference librarians, the education of students is a core part of our responsibility. If we want our students to be fully information literate individuals and contributing members of democratic society, instruction on the ethical use of information is absolutely necessary. Students must learn the importance of respecting intellectual property rights, a term which “recognises that a human being has rights over the creative works he or she produces, be it fiction, fact book, a piece of artwork or an invention” (McMenemy, Poulter & Burton, 2007, p. 66). Possible violations of intellectual property rights include unauthorized use of copyrighted materials, digital piracy, and plagiarism. Dealing with these violations, then, falls under the purview of academic reference librarians. Reference librarians must do their best to teach students the importance of respecting intellectual property rights, including the necessity, value, and fundamentals of citing the words and ideas of others in their academic work.

Many factors make instruction on ethical information use complicated. One is the growing power of technology to make stealing other people’s words and ideas increasingly simple. Also, increasing globalization means that in our everyday work lives we deal with people from all sides of the world, with competing ideas of authorship, ownership, and the processes of scholarly communication. From an ethical standpoint, there is some additional conflict in the values that librarians hold dear. Two sections from the American Library Association Code of Ethics merit particular attention. Statement Three reads, “We protect each library user’s right to

privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted” (American Library Association, 2008). However, Statement Four reads, “We respect intellectual property rights and advocate balance between the interests of information users and rights holders” (ibid.). Obviously, in some cases these values are going to collide. What should librarians do when they suspect that a patron is plagiarizing or engaging in digital piracy? Which is more important: privacy or copyright? As an ethical question, there is no right answer. One thing we should clearly do is make the examination of our ethical responsibilities as librarians part of our regular reference practice. This is in line with the call for a principlist approach in library ethics by Wilkinson (2014), in which individuals faced with an ethical choice make their decisions based on an evaluation of their principles and values. In addition, the authors would also argue that it is also important for librarians to be proactive in the education of students on intellectual property rights.

### **Best Practices from the Library Literature**

There is a general consensus within the library literature that librarians are part of the community responsible for combating intellectual property violations on college campuses. Librarians are champions of the importance of information literacy as part of a college education, and the ethical use of information is a clear part of that education. Standard Five of the ACRL Information Literacy Competency Standards for Higher Education states “The information literate student understands many of the economic, legal, and social issues surrounding the use of information and accesses and uses information ethically and legally” (ACRL, 2000). Unfortunately, most people writing in the field seem to think that the problems of plagiarism and digital piracy get worse every day. Some attribute this problem to the spread of the internet, others to the more laissez-faire attitude of ‘millennials’ towards ownership of information.

Whatever the cause, it is important for librarians to stay abreast of developments within this field, especially since many faculty expect us to be able to deal with these issues. The more we know, the more effective our prevention strategies can be.

Plagiarism is a very popular topic in higher education, and librarians are no exception. Among librarians, helping to combat plagiarism among students seems to be universally considered part of our job as educators. Obviously the students who are plagiarizing are missing out on some of the core elements of a college education. As information professionals, with expertise in finding, utilizing, and citing information, we certainly have a lot to offer the cause. Wood (2004) makes a strong case that librarians' expertise in research and the internet is "helpful in not only avoiding academic dishonesty, but also in developing a strong expressive voice in the student-scholar" (p. 237). Obviously the traditional 'one-shot' instruction session is a desirable opportunity for instructing students on how to avoid plagiarism, and many have written about the importance of educating students on proper information attribution in bibliographic instruction sessions (Harris, 2005; Lampert, 2004; Mundava & Chaudhuri, 2007).

Creating educational materials, such as digital tutorials, is also part of a well-rounded approach to combating plagiarism (Mages & Garson, 2010). The library website, in general, needs to be a place where students can get information about plagiarism, such as citation information and academic integrity policies (Sciammarella, 2009, p. 30). Many authors encourage librarians to collaborate with faculty (Auer & Krupar, 2001; Nimsakont, 2008; Sciammarella, 2009; Wood, 2004). Librarians should also adopt policies that make clear the library's stance toward plagiarism and academic dishonesty. Stepchyshyn & Nelson's collection of small college library plagiarism policies is intended to "serve as a model for institutions looking to create policies and documents that clearly define the issues for students, faculty, and

librarians” (2007, p. 1). Above all, librarians need to be proactive rather than reactive (Germek, 2009; Joint, 2006).

The role of librarians in educating patrons on other issues surrounding intellectual property, such as copyright and digital licensing terms, has also been addressed in the literature. Librarians generally feel responsible for educating students about intellectual property issues and recommend addressing them in class instruction, workshops, and the information literacy curriculum (Joint, 2006; Schlipp & Kocis, 2013). McMenemy, Poulter & Burton argue that libraries are responsible for keeping their patrons from violating copyright. This is difficult because librarians are not always aware of what users are doing with library materials (2007, p. 68). They also argue that, although patrolling the photocopier for violations is not pleasant, ignoring blatant and illegal photocopying is not an ethical choice (2007, p. 83).

Financial considerations, such as the high cost of scholarly journals, is also an intellectual property concern for librarians. Warren & Duckett argue that librarians should educate students on the economics of information (2010). Emery argues that librarians should be more proactive in educating faculty and students about licensing terms (2005). Emery states “A more active role in informing users of the proper and improper uses of electronic material should become as much of a characteristic of our profession as is our assistance in resource discovery” (p. 32). Gray gives an excellent survey of the causes of digital piracy and what librarians can do (2012). There are also several case studies available that walk librarians through various thought experiments involving intellectual property violations, offering some ethical guidance (Buchanan & Henderson, 2009; McMenemy, Poulter & Burton, 2007; Rubin, 2011).

As mentioned above, librarians also care about privacy and keeping our interactions with library patrons confidential. Many have considered the ethics of privacy, especially in terms of

the reference interview (Bunge, 1999; Del Vecchio, 1992; Garoogian, 1991). Austin asks whether librarians should consider their interactions with patrons to be ‘privileged,’ much like clergy and lawyers do (2004). There is, of course, Hauptman’s famous study of librarian-patron confidentiality, in a case where a library patron wants information on how to build a bomb (1976). Several authors make good cases for policies of careful intervention. Bunge argues, “Students who cannot rely on the confidentiality of their interactions with reference librarians (as would be the case should the librarian report to teachers suspected plagiarism or ‘shortcuts’ on assignments) are likely to avoid using the reference librarian’s service and perhaps libraries generally” (1999, p. 58). This result would harm both the student and the library. Rubin states, “If library users feel that they could be subjected to public exposure, embarrassment, or sanction, they are not likely to pursue the information they need” (2011, p. 46). Rubin goes on to state that reference interviews and interactions should therefore be “minimally intrusive” (p. 46).

The library literature affirms the idea that librarians should care about intellectual property violations on campus. However, there is very little that deals specifically with the reference desk. If we take a principlist approach, as recommended by Wilkinson (2014), librarians must consider their core values and try to make ethical decisions based on a thorough analysis. Besides privacy, intellectual property, and freedom of access to information, we should also care about the type of atmosphere we want to inculcate in the library. We want students to know that they can come to us for help. If we act as the ‘plagiarism police’ on a regular basis, students might begin to distrust us. Moreover, policing students for plagiarism is an unpleasant thought, and most librarians would not want to do it (Stepchyshyn & Nelson, 2007, p. 7). We also need to consider our responsibilities as members of the academic community. Among these we might consider the responsibility to uphold the standards of the university, including

principles of academic integrity. We want to help instill in students a love of research, and, if possible, a healthy appreciation for the economics of scholarly communication. As Bunge notes, “The Library in which the reference librarian works has been set up and is funded to serve the functions of a parent institution or organization...adding other possible areas of conflict between obligations to the client and to others” (1999, p. 56). We must follow the policies of the library and the university we work for. If the college has a policy requiring staff to notify faculty in case of cheating, then we have a serious ethical dilemma on our hands. One thing is clear: to do nothing would be a violation of our ethical principles. One important way for librarians to be proactive is to be well informed of intellectual property rights from a global perspective.

### **Intellectual Property Rights in Perspective**

A full history of intellectual property rights obviously cannot be contained in a few paragraphs, but it is helpful to look at a few examples from different areas of the world. The first attempt to define and ensure ethical information use in the West can be traced back to the Statute of Anne, signed in Great Britain in 1710, which is widely thought to be the world’s first copyright statute. The statute provided authors with a protection period of 14 years for new works and 21 years for those already in print (Deazley, 2006). In the United States, the first copyright act was implemented by Congress as part of the U.S. Constitution in the Copyright Act of 1790, and took the Statute of Anne as a template. The act “granted American authors the right to print, re-print, or publish their work for a period of fourteen years and to renew for another fourteen” (Association of Research Libraries, n.d., para. 4). The law was aimed at inspiring creative and scientific activity by giving creators control over the use of their own work. By setting a finite time period for authorial control, the law effectively limited each creator’s monopoly over their work in order “to stimulate creativity and the advancement of ‘science and

the useful arts' through wide public access to works in the 'public domain'" (ibid.). The act was significantly revised four times between 1831 and 1976.

Copyright also has a long history in the East. A form of copyright acknowledgement existed in China as early as AD 1042, though the first copyright law wasn't enacted until 1910 by the Qing Dynasty government (Lazar, 1996). This law was repealed in 1949 as the Communist Government of the People's Republic of China came into power, when "official Marxist doctrine considered all artistic work to be without value" and "intellectual property was considered to have no place in a society where 'law and the judicial system became secondary to state interest and government policy'" (Lazar, 1996, para. 4). The Copyright Law of the People's Republic of China was enacted in 1991 and remains the most current form of copyright law in China, though critics, including the United States, cite lax enforcement as a major issue. The current law protects works for the life of the author plus 50 years, or 50 years after publication for cinema and photography.

While there are numerous different copyright laws around the globe, there are two major policies that aim to protect copyright holders internationally. The first is the Berne Convention for the Protection of Literary and Artistic Works, first signed in 1886, which requires all 166 member countries to offer the same copyright protections to citizens of other Berne countries as they do their own nationals (World Intellectual Property Organization, n.d.). Additionally, the Berne Convention requires member countries to adhere to a minimum set of copyright policies, dictating that the author has exclusive rights concerning reproduction, translation, or performance of material (The UK Copyright Service, 2011). The second policy is the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), sanctioned by the World Trade Organization. TRIPS "establishes minimum levels of protection that each



government has to give to the intellectual property of fellow WTO members” (World Trade Organization, n.d., para. 4). The areas of protection include trade agreements, enforcement, and dispute settlement (ibid., para. 5).

Despite local and international law, the foundations underpinning intellectual property rights are viewed differently around the world. For example, many countries are not as ‘author-centric’ as the United States and many European countries. Mundava and Chaudhuri (2007) emphasize that some cultures, often in the East, do not place a great emphasis on ownership of creative works, modeling a collective rather than individualist attitude (p. 171). In writing about intellectual property views in China, Liu (2005) states that violations occur because of “the lack of clear laws for punishing plagiarism as well as the ineffective enforcement of existing laws” (p. 236). The prevention of academic dishonesty is a concern for the Chinese Ministry of Education which released a report in 2004 stating “that ‘no plagiarism or stealing of others’ academic work in any form is allowed’ and ‘citation of others’ work, whether published or not, must be acknowledged and documented in detail” (ibid., p. 237). Le Ha (2006) explains how Vietnamese conceptions of intellectual property are often misunderstood due to differences in opinion about what constitutes common knowledge:

Showing respect to authority or showing politeness in academic writing does not mean encouraging plagiarism, either. In Vietnam, it is usual to quote Ho Chi Minh's famous statements, such as ‘nothing is more precious than independence’, and we always acknowledge the source by adding ‘says Uncle Ho’. We may not provide the name of the documents, the year of publication and the publishers, but it is acceptable because his famous statements are considered common knowledge. It is this difference in the understanding of what is considered ‘common knowledge’ in different discourse

communities and how these communities treat common knowledge, that sometimes leads to misinterpretation of students' writing as plagiarism (Le Ha, 2006, p. 76-77).

Just as there are global differences in ideas about intellectual property rights, generational differences are becoming increasingly prevalent. Many scholars have noted that members of the 'millennial' generation (those born between roughly 1982 and the early 2000s) seem more disconnected from the idea of copyright and intellectual property than previous generations. Thomas and McDonald argue that "Millennials and others comfortable with a wide range of media and technologies will redefine the traditional manifestations of research and creative activity with these new mashed, cut and pasted creations. For them, the line between consumer and creator is blurred in a way that previously was not possible" (2005, p. 99). In her large-scale study of college students and plagiarism, Blum (2009) found that millennials do not place as much emphasis on the idea of individual authorship as previous generations do; they are inclined towards sharing and re-mixing information in ways that many of their instructors consider to be plagiarism. Gray (2012) reports on several studies finding that digital piracy has become normalized among college students, and is generally not seen as morally wrong. Increasingly, the generational divide may prove to be more important than the global when it comes to opinions on how creative works are owned, shared, reimagined and credited.

As colleges and universities continue to recruit internationally and with the overall trend of globalizing higher education, there is an obvious importance for librarians to be prepared to respond to issues surrounding intellectual property ownership and best practices for ethical information use. According to a report by the Observatory on Borderless Higher Education, the number of international branch campuses has grown by 43 percent since 2006 (Becker, 2010). According to the Institute of International Education, there were 764,495 foreign students in the

United States in the 2011-2012 academic year, a record high and an increase of 5.7% from the previous year, with the largest numbers coming from China, India, South Korea, and Saudi Arabia (2012). If past trends are an indication, the increase in international students studying abroad in the United States will likely continue. Students will continue to bring with them diverse ideas regarding authorship, copyright law, and the necessity of citing their sources. This means that librarians need to be prepared to support these students when it comes to matters of intellectual property rights, both in the classroom and at the reference desk.

### **What Librarians Can Do**

If, as we have argued, it is important for librarians to take a proactive stance in promoting the ethical use of information, and yet we want to avoid being the “plagiarism/piracy police,” what can reference librarians do on a day-to-day basis? This section provides a schedule for what librarians can do before, during and after a reference interview to help educate students on the ethical use of information. All of these techniques can be adapted for in-person, telephone, or virtual reference interviews.

#### **Before the Reference Interview**

Academic librarians must be competent and able to answer basic intellectual property questions, or at least know enough of the vocabulary to be able to look up the answers reasonably quickly. To that end, it is our responsibility to keep up-to-date on intellectual property laws and trends. Of course, no one can expect us to be lawyers, but we can stay on top of things by reading the news and paying special attention when things like plagiarism or copyright are mentioned. In terms of professional literature, *The Chronicle of Higher Education* and *American Libraries* are both good sources. Reference librarians should also pay attention to discussions on campus surrounding these issues. The idea of the library leading such discussions

should also be within the realm of possibility, especially if the library has a copyright librarian or someone in a similar position. Most faculty and administrators would be happy to know that librarians care just as much about academic integrity as they do. In a time when libraries are constantly asked to prove their value, this type of outreach could contribute to a view of the library as an essential resource for student academic success.

In addition, reference librarians can create learning materials that instruct students on the ethics of information use. Mages & Garson (2010) provide helpful information on developing and evaluating citation tutorials. If librarians don't have time to make their own materials, there are many instructional materials available on the web for free (ACRL's PRIMO [Peer-Reviewed Instructional Materials Online] database is a good place to start). Librarians can link to those materials, or, if they ask for permission from the rights holders, might be able to make small changes to make them specific to their own university. The tone of these materials should be gentle, since we are not trying to scare the students or make them feel like they are already criminals. Again, librarians should focus on our goal of making the library a welcoming place where students can ask any question without feeling like they're being policed. If other departments on campus create these types of materials (many colleges have a statement of academic integrity or honor code), the library should try to be involved, or at least be familiar with the contents and ready to share them with students if asked. Libraries should consider making marketing materials, especially in places where intellectual property violations are most likely to occur (such as near the computer stations). Try to make the materials eye-catching, and change them often, since if the students see the same thing every day they are likely to ignore it. Again, this is a project that could easily be a joint endeavor with another department on campus.

### **During the Reference Interview**

When showing students the library catalog or database, it is worth pointing out to them that most of these resources offer citation help, such as direct export to citation management software such as RefWorks, or sample citations in the three major styles. This reminds them that citing is not just something that we do at the end of writing a research paper; it's much easier if it is integrated organically into the research process. Showing students how to save their search results and keep them organized is also important--after all, many students plagiarize accidentally because they were disorganized during their research process. In a situation when a paper is due in an hour, plagiarism can be very tempting. Remind students that the library's electronic resources are designed to make the research process easier and more organized, as long as the user is proactive. Time management, while not a thrilling topic to many students, is extremely important. Librarians are often there when students get stressed--while we shouldn't accuse them of procrastinating, we can remind them of how much easier things will be if they start early next time.

Librarians can also encourage critical thinking during a reference interview. One step is to help the students develop good research questions. This forces them to really think about their topic. Ask the student to explain their topic in a few sentences. The more students are asked to think critically, the more effective their searches will be. It's also worthwhile to remind them that they most likely will not find an article that says exactly what they want to say in their research paper: their job is to find articles to support and frame their own argument. Remind them that they are joining the scholarly conversation, and that citing respected authors in their field bolsters their argument and makes it more convincing. On a related note, librarians should emphasize the importance of reading the sources they find, not just accumulating a large quantity. This is one of the steps recommended by Germek (2009) in his comprehensive plan of

action for librarians to combat plagiarism. He states, “Too many librarians point students to databases and stop there; we must work to engage students in the full research experience and inform them that the task of library work is not simply limited to the accumulation of articles found in EBSCO databases--not because quality is in fact better than quantity, but because such myopic methods contribute to rises in plagiarism” (p. 349). Ask the student if they’d like to set up a follow-up appointment for after they’ve read a couple articles or book chapters. By that point they might have a stronger sense of the background information on their topic and the argument they want to make, and therefore might be ready to look for different types of sources.

When a student comes to the reference desk and asks for a style manual, try to start a conversation. This might not always be effective, since students are often in a rush, but it is worth a try. At the very least librarians should show them how to effectively use the manual. Librarians use the manuals often--a student might be brand new even to the idea of what a manual is. Show them the tips and tricks that librarians use. When wrapping up a longer reference interview, make sure to ask the student whether they are comfortable citing their sources and paraphrasing. This gives them a nice opportunity to say ‘What’s paraphrasing?’ without having to bring up the subject on their own. Ask them what citation style their professor wants them to use. If they don’t know, tell them it should be located on their syllabus, but if not, they should contact their instructor right away. If they do know, the librarian can show them where the style manuals are located. Another idea is to offer to send them a follow-up email with links to good citing resources, either from their own college or something of known quality such as the website for the Purdue University Online Writing Lab (OWL). The benefit of sending a follow-up email is that the student will be able to quickly contact the librarian if they have questions later. It can also potentially help build a longer-lasting relationship. Often

students don't know the names of the librarians who work at the desk, and this can sometimes make them feel nervous about approaching and asking a question. Once they know our names, they might feel more comfortable, which is the goal of every reference librarian. Librarians should also be prepared with the contact information for the university writing center, especially if the student needs help outlining or making an argument.

### **After the Reference Interview**

Librarians should treat every reference interview as a learning experience. Moreover, we shouldn't limit that learning only to ourselves or even the reference services department. Librarians should reach out to faculty if a particular assignment seems problematic to a number of students (such communications should probably take place through regular liaison appointments, if they exist at the university). Tiered assignments that focus on the research process, rather than just the final product, can be an effective technique for combating plagiarism because students are forced to do their research before the last minute (Sciammarella, 2009, pp. 27-28). Librarians should also collaborate with their university writing center and other relevant departments. Many of the other groups on campus don't see the side of the research process that librarians do. Librarians might know more about student study habits than faculty or the writing center, and it's vital for us to share that knowledge.

There are also some things librarians can do, in good conscience, when they witness a violation of intellectual property rights. First, try to start a conversation with the student. During the interaction, be kind, and don't act like the "gotcha" police. When we do have to intervene in ethical situations, we should treat the student with "honesty, courtesy, and respect that will affirm his or her worth as a human individual" (Bunge, 1999, p. 59). Refer them to library policies (if they are not easily accessible, either in print or online, they need to be). If there are

any other relevant sources of information on the fair and correct use of library resources, make sure to mention them. Being prepared with this type of information is our job. Try to translate the complicated issues of copyright into a language that a non-expert can understand. Above all, remember the importance of our “service-oriented perspective” (Rubin, 2011, p. 32). As academic reference librarians, our role is to help students in their research. Preventing students from violating intellectual property rights or the school rules of academic integrity *is* helping. Students have the potential to harm themselves, the library, and the university, and therefore turning a blind eye to violations is not the ethical choice.

### **Conclusion**

A great deal still needs to be done in the field of educating students on the ethics of information use. Obviously the problem is not going away anytime soon, and will probably continue to grow more complicated as our students become more diverse. Librarians would all benefit from a better understanding of how we can be effective at the reference desk, which will require plans for assessment and evaluation. Above all, we should try to balance our obligations, both to the values that librarians hold dear and the needs of our students. As Stepchyshyn & Nelson argue, “The act of detention is, and should be, a secondary responsibility. The act of prevention must be paramount” (2007, p. 7). To effectively prevent intellectual property violations, we must be well-versed in global and generational trends and proactive at the reference desk. We should always give our students the benefit of the doubt, and be confident enough to show them how to use information ethically.



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