

TO: All MUNFA Members

FROM: The MUNFA Executive Committee


DATE: September 19, 2011

SUBJECT: COPYRIGHT

Attached for your information is a memorandum from CAUT regarding Access Copyright and Copyright Changes at Canadian Universities.



Canadian Association of University Teachers
Association canadienne des professeures et professeurs d'université

 www.caut.ca
acppu@caut.ca

2705, promenade Queensview Drive
Ottawa (Ontario) K2B 8K2

Tel \ Tél. 613-820-2270
Fax \ Téléc. 613-820-7244

August 30, 2011

MEMORANDUM 11:30

TO: Presidents and Administrative Officers
Local and Federated Associations

FROM: James L. Turk, Executive Director

RE: Access Copyright and Copyright Changes at Canadian Universities

A significant shift is underway at Canadian universities and colleges with respect to the manner in which educational and research materials are disseminated. Previously, copying was done primarily under a license from Access Copyright, an organization representing some authors and publishers. Now, a variety of new distribution mechanisms are available including open access publications, site licenses, a revitalized doctrine of fair dealing, and the ability to simply link to articles on the Internet. These new approaches are enriching the educational and research environment, but, as they are implemented, academic staff associations and their members should be aware of several key considerations.

1. Is your administration ending its relationship with Access Copyright?

Access Copyright has applied to the Copyright Board of Canada for approval of a massive increase in fees paid by each university and college. To enforce payment, Access Copyright has requested the right to review institutional records and conduct surveillance of the copying activities of faculty, librarians and students. Access Copyright has also utilized the revenues it derives from the academic community to lobby politicians to implement more restrictive copyright law, restrictions that hinder education and research.

Given this, and the fact that the Access Copyright model has been rendered obsolete, many institutions are ending their relationship with it. Others have not yet done so. If your institution has not, urge them to reconsider their relationship with Access Copyright.

2. Is your administration promoting fair dealing?

Fair dealing is the right to copy works without permission or payment in a limited set of circumstances. Despite the Supreme Court of Canada's endorsement of the right, university and college administrations have been slow to adopt and promote this important facilitator of

research, learning and free expression. CAUT has released a set of guidelines about the practice:

http://www.caut.ca/uploads/Copyright_guidelines.pdf

It is important that your association bring these guidelines to the attention of your members and the administration. The Association of Universities and Colleges of Canada (AUCC) has prepared a more restrictive document on fair dealing, and it is important that academic staff have a large and liberal understanding of the right as laid out in our document.

3. Does your administration view the transition away from Access Copyright as simply a cost-savings measure?

The Canadian university and college community spends more than one billion dollars a year on copyright material. While efficiencies in this expenditure may possibly arise from ending the relationship with Access Copyright, the point of developing new dissemination methods is to further educational and research goals, not to save money. Overall spending on works should continue to increase. Recent administration efforts to cut libraries and librarians under the guise of “transitioning” to new technologies must be resisted.

The move away from the monolithic Access Copyright model has largely been a bottom up process – with librarians, faculty and individual institutional copyright officers exploring, developing and promoting better ways to access and share knowledge. As institutional administrations begin to adopt these ideas on a wider scale it is important that the driving force behind them continues to be the real needs of the education and research community.

For a collection of materials on copyright issues, please see:

<http://www.caut.ca/pages.asp?page=217>

If CAUT can assist your association with any of this or if you have any questions, please contact Paul Jones by email (jones@caut.ca) or telephone (613-726-5181).