

Vice-President Academic and Provost

PO Box 1700 STN CSC
Victoria British Columbia V8W 2Y2 Canada
Tel (250) 721-7013 Fax (250) 721-7216
E-mail provost@uvic.ca Web <http://www.uvic.ca/vpac>

MEMO

Date: February 10, 2015
To: Deans, Chairs, Directors and Librarians
Cc: Jonathan Bengtson, University Librarian
From: Valerie S. Kuehne, PhD, Acting Vice-President Academic & Provost
Re: **UVic will not renew its license agreement with Access Copyright after 31 December 2015**

The University of Victoria will not renew its Model License Agreement with Access Copyright (AC), after **December 31, 2015**. The past several years has seen a substantial increase in licence fees. Specifically, the current license was signed in June 2012 at the rate of \$26 per FTE student and allows for print and digital copying from scholarly journals and books. The previous fee had been \$3.38 per FTE student, plus a royalty rate of \$0.10 per page when purchasing a course pack. As a result, the substantially increased cost for a model license has raised UVic's royalty payments to an unsustainable level. UVic will join the large number of Canadian universities, which include SFU and UBC, that operate outside of the Access Copyright license. I am outlining below the additional reasons behind this decision, the impact on the delivery of courses, and the concrete actions the university is adopting to support our faculty, students, and staff as we make this change.

Why has UVic made this decision?

Since signing the model license agreement the Canadian copyright landscape has changed significantly and UVic is in a position to operate outside of the AC license.

- The model license only permits copying from a narrow repertoire of works that is almost exclusively print based.
- Supreme Court decisions in 2012 and the amendments in the *Copyright Act* in November 2012 have expanded the definition of "fair dealing" and strengthened the legal framework to operate outside of an AC license.
- UVic Libraries has extensive license agreements providing online access and rights to journal and book collections.
- UVic adopted the [Fair Dealing Guidelines](#) (scroll to page 15) as determined by the Association of Universities and Colleges in Canada (AUCC).
- We are able to operate within a copyright compliant manner without relying on the AC license.
- Materials available through open access and creative commons licenses have been steadily increasing.

How will this affect teaching and research activities?

It is important that all faculty, staff and students abide by the requirements of the Canadian *Copyright Act* when making photocopies or distributing materials electronically for teaching and research purposes. Failure to do so may result in serious consequences for the university and individuals.

The University is planning to operate as though we are out-of-license with AC as of September 1st 2015 in preparation for this transition. All materials used for teaching and research at UVic should be covered under one of the following copyright licenses/exceptions:

- a. Compliance with the [Fair Dealing Guidelines](#) (scroll to page 15)
- b. Provide links to Library licensed resources or online sites
- c. Used with direct permission from copyright holder (with evidence of permission on file)
- d. Covered under Creative Commons license agreements
- e. Material available in the Public Domain
- f. Material for which you retain copyright
- g. Adopt a textbook via the Bookstore

In addition, all course materials must include appropriate citations; electronic materials should only be made available on a secure password-protected network and restricted to students registered in a course; and coursepacks can only be sold to students through the Bookstore.

What support is available?

- The [copyright website](#) provides a central source of information about copyright issues and how to use copyrighted material in a manner that is consistent with Canadian copyright law. The Copyright Office (CO) will communicate best practice guidelines via [workshops](#), department meetings and email updates to educate the campus community about the issues.
- **Ongoing print and digital coursepack permissions:** Copyright clearance is not necessary by using licensed library resources or the university's *Fair Dealing Guidelines*.
- The Bookstore is able to assist with textbook and coursepack ordering.
- Subject librarians have been briefed on these issues and they are available to assist faculty members and instructors in finding alternatives to material not covered by existing licenses or law.

The Copyright Office will offer workshops to address questions you may have. Please contact Inba Kehoe, the Copyright Officer, at copyright@uvic.ca or consult UVic's [copyright website](#) for more information.