



SOCIETY of GRADUATE STUDENTS

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To: The University of Western Ontario Board of Governors

This letter, which was endorsed by Council, is intended to express, on behalf of graduate students at The University of Western Ontario, our collective dissatisfaction with the proposed Access Copyright tariff as well as the University's response to it thus far.

As both creators and users of copyrighted works, graduate students appreciate the need for balance in copyright policy. In particular, our uses of copyrighted works in the course of our research and study is largely for purposes which are recognized as being within the scope of fair dealing (research, private study, criticism and review) and as such, many of our uses of copyrighted works do not constitute compensable copying within the meaning of the Copyright Act. While the same can be said of all students to some degree, we think the applicability of fair dealing is particularly important for graduate students.

We share the concerns raised by many national organizations about the over-reaching of the proposed Access Copyright tariff and interim tariff, and we are following the Copyright Board proceedings with interest. Unfortunately, by deciding to collect substantial new payments from students in anticipation of an ultimate increase in the tariff rate, the Board of Governors is not only imposing an unnecessary and unreasonable burden on Western students, but is also undermining the efforts of our national associations to oppose the increase. In addition to the unwarranted increase in the FTE tariff rate, the proposed tariff includes the right to surveillance and monitoring of university information systems, apparently including our e-mail and WebCT accounts. The combination of the financial incentive and the right to spy on our communications creates an undesirable situation that is troubling, to say the least.

In summary, the graduate students find the Access Copyright licensing scheme poses severe risks and provides no value to students. We encourage the Board of Governors to consider options for protecting the University from liability that respect the rights and interests of both students and staff.

We would like to see the University rescind the Access Copyright fee increase which we think was imposed last year without adequate consideration. We would also like to see a concrete plan for the return of the excess amounts already collected.

SOGS appreciates that the University has been put into a difficult position. We would be pleased to work with your representatives in facilitating a discussion between students, administration, faculty, librarians, and staff regarding the future of our copyright policies at Western.

Regards,

SOGS Council
2010-2011