

**LANGARA COUNCIL**  
**Minutes of a Meeting**  
**held on Tuesday, January 25, 2011**  
**Room C408 at 0935 hours**

**Members:**

Fraser Archibald	Grace Makarewicz
Linda Arnold	Michael Marriott
John Belshaw	Ian McBain
Lynn Carter	Gordon McNeil
Chris Chow (absent)	Clayton Munro (absent)
Irene Collison (absent)	Ajay Patel
Deanna Douglas	Brian Pendleton
Charlotte French	Joanne Rajotte
Martin Gerson	William Robson
Margaret Heldman	David Ross, Chair
Ian Humphreys	Roger Semmens
Ken Jillings	Doug Soo
Gerda Krause	Tomo Tanaka
Julie Longo	

**Guests:**

Laura Cullen, Chair, Education Council  
Julia Denholm, Incoming Division Chair, Humanities  
Korena Jang, Manager, Executive and Board Operations  
Peggy MacDonald, Executive Director, College Advancement

**Recorder:**

Diana Falcon, Administrative Assistant, Executive Office

D. Ross welcomed Brian Pendleton, Acting Division Chair, Business and Community Programs; Ian McBain, Acting Division Chair, Social Sciences; Julia Denholm, incoming Division Chair, Humanities; and William Robson, LSU Representative.

**1. REVIEW OF AGENDA**

The agenda was approved with the following changes:

- Table Item 4a) until further notice
- Move Item 5d) to Item 2b)
- Add new Item 5d) - City Campus Collaboration (C3) Update

**2. REVIEW OF MINUTES AND BUSINESS ARISING**

**a) Draft Minutes of the Meeting held December 14, 2010**

The Minutes of the Meeting held on December 14, 2010 were accepted.

**b) Website Project – Update**

I. Humphreys made a presentation on the website noting that the Cascade Server Content Management Tool has been implemented and the process is currently underway to allow departments to edit their website content. He provided an example of a Department Content Page and highlighted the tabbed items that departments will be able to edit within the confines of the template created for each department. A series of training events will occur in March in preparation for the website launch in April. The majority of the content from the current site will be transferred to the new site prior to its launch.

It was noted that I. Humphreys left the meeting at 9:47 a.m.

**3. CURRICULUM ITEMS**

**a) Education Council Meeting held on November 23, 2010**

It was noted that the summary report of the Education Council meeting held on November 23, 2010 was presented at a Langara Council meeting held on December 14, 2010.

**b) Education Council Meeting held on January 18, 2011**

L. Cullen highlighted the summary report of the Education Council meeting held on January 18, 2011 noting new courses; program changes; course changes; additions to the Education Council Terms of Reference; and a revision to a Continuing Studies certificate program. J. Belshaw noted that the credential for the History Department New Program Proposal "Associate of Arts Degree in History" is transferable to all of the provincial universities.

There were no items with financial implications.

The Education Council Summary Report for January 18, 2011 was received for information.

**5. Information**

**a) 2011 Support Our Students (SOS) Campaign**

P. MacDonald made a presentation on the SOS 2011 campaign noting that the theme will be "I ♥ Langara". She noted that the shift will focus from special events to pledged donations, and from a donation to endowed funds to a donation to capital or materials acquisition. A special event kick off is scheduled for February 14th, the campaign will last four weeks and will include weekly prize draws for pledged donations. The campaign will end on March 11<sup>th</sup> with a celebration event for donors and volunteers.

In response to members' questions, P. MacDonald noted that a pledge package will be distributed the same day as the kick-off, that the focus will be on donations and not special events as the staffing requirements to hold special events are not available, and that areas will be identified in the pledge package and on the website for donations to capital or materials acquisitions. She noted that developing a Social Committee may meet the demands for social events that do not seem practical as fundraising events.

**b) Copyright Fees**

G. Makarewicz noted that possible substantial increases in copyright costs will have a financial impact on post-secondary education budgets. Access Copyright, Canada's copyright collective, is asking the Copyright Board for a post-secondary tariff of \$35 and \$45 respectively per student FTE for colleges and universities. The Board granted Access an interim tariff on December 23 at the same rates that were paid under the previous licenses that expired December 31, 2010. Currently Langara pays \$3.38 per FTE for incidental copying and 10¢ per page for copyrighted courseware materials. In the document distributed at the table (and attached to these minutes) G. Makarewicz highlighted Bill C-32 noting that the Bill is currently with the House of Commons Committee which is currently in recess. Hearings are due to resume at the end of January.

**c) Innovation Fund – Update**

D. Ross noted that over 30 applications have been received in response to the Call for Proposals announced in November 2010 and responses included a strong cross-section of ideas. The applications will be reviewed by the Innovation Fund Committee over the coming weeks and selections will be announced towards the end of February.

**d) City Campus Collaboration (C3)**

M. Gerson provided an update on the City Campus Collaboration (C3) where the City of Vancouver and representatives from six public post-secondary institutions (UBC, SFU, Emily Carr, BCIT, VCC and Langara) are participating in the City of Vancouver's greenest city initiative. Lead by Moura Quayle, former Deputy Minister of Advanced Education, the goal is to make Vancouver one of the 10 greenest cities in the world by 2020. A formal MOU signing will be announced in the near future and information will be provided as it becomes available.

**e) Roundtable**

A roundtable discussion was held which provided an opportunity for members to update on activities that have occurred within their areas of responsibility.

There being no further business, the meeting was adjourned at 1108 hours.

## **Summary of Developments in Canadian Copyright, 2010-11**

Two developments in Canadian Copyright law in 2010-11 have impacted on the post-secondary educational sector, one potentially, the other directly and immediately.

The introduction of Bill C-32, The Copyright Modernization Act, in the summer of 2010 has potentially far reaching effects on teaching and learning in post-secondary institutions. The Bill was introduced after extensive consultations in fall 2009 at which many stakeholders were heard from, including faculty, students and librarians from universities and colleges across the country. While Bill C-32 has much that can be supported, there are still extensive flaws that have the potential to negate all of the progressive sections. It is impossible to summarize in one page all the complex provisions of Bill C-32, so I will mention just four issues among the many that affect education. Extensive and detailed analyses of the Bill are available on request.

First, the Act extends the definition of Fair Dealing to include education, but does not define education, leading to a great deal of opposition to this provision from content creators and the publishing industry. Secondly, while the Act attempts to bring itself into the digital age by allowing the delivery of digital materials to students in online courses, it also imposes an onerous and impossible to fulfil obligation on institutions to ensure that students destroy all digital course materials within 30 days of the end of a course. Third, all of the extensive educational exceptions provided in the Act are nullified wherever a technological protection measure has been employed. In brief, digital locks trump all exceptions as well as fair dealing, and all attempts to circumvent digital locks, even for non-infringing purposes, are criminalized. Finally, the Act enshrines the collective licensing model in legislation, obligates institutions to deal with collectives such as Access Copyright, and imposes burdensome record-keeping and reporting provisions. Bill C-32 is by no means the panacea the media would have us believe.

After second reading in the House of Commons, the Bill went into Committee in the fall of 2010 where extensive hearings are being conducted. Currently, the House is in recess with hearings due to resume at the end of January.

The second major development of 2010, and the one with the most immediate impact, was the expiry of all Access Copyright agreements with the post-secondary sector and the application for a Post-secondary Tariff by Access Copyright, objections to which are detailed in the attached briefing note. On December 23<sup>rd</sup> 2010, the Copyright Board acceded to Access Copyright's request and approved an Interim Tariff that took effect on January 1, 2011. This Interim Tariff supercedes all prior agreements and has the force of law. It applies across the board to all post-secondary educational institutions in Canada, except in Quebec.

Unlike the original Tariff applied for, the Interim Tariff adheres to all the provisions of the previous agreements including costs, coverage and reporting. However, it does include an additional opt-in section for digital rights – Section 29 and Schedule G. At present Langara College is operating under the Interim Tariff for the purposes of print copying and coursepack creation, with all processes and procedures remaining unchanged. However, we have chosen not to opt-in to Schedule G and the section covering digital rights because it contains all the seriously objectionable definitions of 'copy', including emails and links, and also imposes the same impossible reporting provisions as the original Tariff application. This means that while print copying at the College is proceeding as usual, all digital copies of copyrighted material used in instruction, whether in a course management system or not, must be individually cleared.

An additional caveat is that while the Interim Tariff applies until 2013, it is 'Interim' and thus can be changed by the Copyright Board at any time. Meanwhile, the deliberations on the original Tariff Application continue and should the Copyright Board approve it, it will take immediate effect, replacing the Interim Tariff.

Submitted by Niina Mitter,  
Media & Copyright Librarian, Langara College  
24 January 2011