



TO : Ms. Claire Morris, President, AUCC
FROM : Timothy Mark, Executive Director
SUBJECT : Summary of the 2004 Annual General Meeting of CARL
DATE: October 19, 2004

Present:	Cynthia	Archer	York
	Sylvie	Belzile	Sherbrooke
	Claude	Bonnely	Laval
	Lynn	Copeland	Simon Fraser
	Bernard	Dumouchel	CISTI
	Jean-Pierre	Côté	Montréal
	Martin	Foss	Carleton
	Joyce	Garnett	Western Ontario - President
	Frances	Groen	McGill
	Mark	Haslett	Waterloo
	Graham	Hill	McMaster
	* Paul	McCormick	Library and Archives Canada
	William	Maes	Dalhousie
	* Cathy	Maskell	Windsor
	Carolynne	Presser	Manitoba
	Richard	Paré	Library of Parliament
	Diane	Polnicky	Québec à Montréal - Secretary
	Mike	Ridley	Guelph
	* William	Sgrazzuti	Regina
	Marmie	Swanson	Victoria
	John	Teskey	New Brunswick - Vice-President
	Leslie	Weir	Ottawa
	Paul	Wiens	Queen's
	* Sandra	Wilkins	British Columbia
	Frank	Winter	Saskatchewan
	Timothy	Mark	Executive Director
	Katherine	McColgan	Executive Assistant
	Geoffrey	Su	Research and Program Officer
Regrets:	William	Curran	Concordia
	Richard	Ellis	Memorial - Director
	Ernie	Ingles	Alberta
	Carole	Moore	Toronto
	Frits	Pannekoek	Calgary - Director

* Denotes delegate

Chair's Welcome and Opening remarks

The Chair welcomed all members to the Annual General Meeting. She welcomed in particular the Parliamentary Librarian, M. Richard Paré. The Library of Parliament is CARL's newest member. She also recognized and welcomed the delegates attending; and offered congratulations to F. Groen as recipient of the 2004 CARL Award for Distinguished Service to Research Librarianship.

1. Executive Director's Report (T. Mark)

T. Mark spoke briefly to his report, highlighting the following:

- 8 R's Recruitment and Retention study (Strategic Direction 1.3.1)
The remaining balance of the CARL commitment (\$25,000) to the 8 R's Study is \$10,000. The Executive Director met with the Parliamentary Secretary to the Minister of Human Resources and Skills Development, Ms. Eleni Bakopanos, M.P. on April 1 to discuss further support of this national study.
- SSHRC Transformation (SD 1.3.4)
SSHRC invited CARL to a Bilateral Consultation on SSHRC's transformation. Eight Directors attended a full-day session on April 16, 2004. SSHRC subsequently invited CARL to submit a formal Brief on issues of scholarly communication and transformation. The draft will be tabled for comment during the present meeting.
- Developing common interests with scholarly publishers (SD 1.3.5)
The Board sponsored a dinner meeting on June 2 with representatives of the Association of Canadian University Presses (ACUP) and the Canadian Association of Learned Journals (CALJ) as part of CARL's participation in the 2004 Congress in Winnipeg. The Board has invited representatives of both organizations to attend the CARL Fall General Meeting programme, in part to recognize the "Year of the University Press".
- Copyright reform legislation (SD 1.3.10)
This has been one of the most active files over the past six months, culminating in the regrettable May 2004 Standing Committee on Canadian Heritage *Interim Report on Copyright Reform*. It will take an extraordinary effort on the part of the copyright user community, including CARL to press successfully for more equitable and balanced legislation. The forthcoming federal election will be important in this context. A full report on developments will be presented during the present meeting.
- RDI Knowledge Dissemination Study (SD 2.3.3)
The three-year Study is funded by CARL and by SSHRC. The Study has generated considerable interest and there are high expectations as the team prepares its recommendations (expected in late Fall 2004). SSHRC is particularly interested in research and recommendations that may relate to its transformation process.
- CARL Institutional Repositories (IR) Project (SD 2.3.10)
This initiative is gaining momentum as 21 CARL libraries have or plan to develop IRs. Kathleen Shearer (CARL research associate) is developing the project. CARL co-sponsored the June 10 ARL/OLMS Webcast which was a success. K. Shearer was a speaker. The CARL Open Archive Metadata Harvester (<http://carl-abrc-oai.lib.sfu.ca>), developed by Mark Jordan (SFU), was officially launched at the CARL Institutional Repositories meeting on June 14, 2004.
- Information literacy (SD 2.3.13)
The Task Force and members of the discussion group will hold an inaugural meeting on June 17, 2004 to discuss CARL's possible role in information literacy. J. Garnett will chair the meeting in G. Ebbett's absence.

- 2004 Congress of the Humanities and Social Sciences (SD 3.3.1)
The CARL Preservation Conference *Here Today, Gone Tomorrow?* held in Winnipeg on June 2 included presentations by Clifford Lynch and Luciana Duranti (<http://www.interpares.org>). It also marked the release of the CARL Statement on Digital Preservation *Stewardship of Scholarly Resources in a Digital World*.

The Executive Director thanked K. McColgan and G. Su for their work on behalf of CARL. The Chair reiterated this thanks.

2. Committee Reports

2.1 Standing Committee on Copyright (G. Hill) (SD 1)

Mr. Hill reported on the June 14 Committee meeting. In January 2004 Access Copyright wrote to 23 organizations (mostly AUCC institutions but also some large urban public libraries) requesting information on copies made by libraries pursuant to section 30.2 of the *Copyright Act*. The request in each case was “to provide us with the records, including the request forms, maintained under Subsection 4(1) of the Regulations for all instances of reproduction under Subsection 30.2 of the Act since September 1999” for any of the works listed on two Excel Spreadsheets sent on an accompanying CD. The Spreadsheets contained a listing of over 94,000 “works” for which Access Copyright administers the rights.

It was pointed out to Access Copyright that about 90% of the works referred to were books, and that these are generally lent, not copied, for the purposes of ILL. For the remainder of the list, many titles appeared to be journal titles. Subsection 4(7) of the Regulations states that a person requesting to see a record must indicate the name of the author of the work and the title of the work. A journal is a compilation of articles works so an institution would not be able to comply with such a request.

This action seems to have been a response to a survey carried out, principally by CARL, on behalf of Industry Canada in 2003: of 33 replies received, 24 were from CARL members. The survey found that no library had received a request from a rights holder for access to the records of library copying, as permitted by the Regulations. The Chair noted that some record-keeping requirements lapsed at the end of 2003, whilst others (dealing with Interlibrary loan) remain in place.

The Chair advised that AUCC had written to Access Copyright (February 12, 2004) stating that in the view of AUCC’s legal counsel, the regulations in questions were *ultra vires* and unenforceable and asked Access Copyright to reconsider the request: no reply has been received from Access Copyright to date.

As a result of the Executive Director’s attendance at the Third Zwolle Conference on Universities and Copyright, February 12-13, 2004 www.surf.nl/copyright and the *International Copyright Analysis Project* the Committee recommends that CARL increase its international interests and representation on copyright on other appropriate bodies such as the IFLA Committee on Copyright and other Legal Matters, and the CLA Committee on International Trade Agreements.

Mr. Hill briefly described the sequence of events leading up to the release of the *Interim Report on Copyright Reform: Report of the Standing Committee on Canadian Heritage* (May, 2004) <http://www.parl.gc.ca/InfocomDoc/Documents/37/3/parlbus/commbus/house/reports/herirp01/herirp01-e.pdf> Further background information, briefing notes and updates are available on the CARL website.

The House of Commons Standing Committee on Canadian Heritage resumed its hearings following tabling of a *Status Report on Copyright Reform* by the Ministers of Canadian Heritage, and of Industry (March 24, 2004) <http://strategis.ic.gc.ca/epic/internet/incr-prda.nsf/en/rp01134e.html>

In the Report the Government identified 15 short-term issues that it hoped to settle during the current year. The three issues of most importance to the education and library communities were:

- The use of the Internet material for educational purposes
- The use of technology to enhance learning
- The electronic delivery of interlibrary loan material

The Chair appeared before the Heritage Committee on April 29 to discuss Interlibrary loan. The CARL *Brief* is posted on the website. He acknowledged, with thanks, faxes sent in advance of the occasion from McGill, Manitoba and Toronto, at CARL's request, to key Heritage Committee members. As feared, the *Interim Report* strongly favoured licensing as a preferred solution in all cases. It recommended:

- That the *Copyright Act* be amended to allow for extended licensing for Internet material used for educational purposes.
- That a licensing process be created to ensure the orderly and efficient electronic delivery of copyright material to library patrons. Where appropriate that regime could be and extended collective licensing regime.

The Committee took no account of the public policy principles on which copyright is founded, nor the role of copyright to encourage creativity and innovation. In the case of electronic delivery of interlibrary loans it did not recognize that that Secure Desktop Delivery is fully operational and that technological safeguards exist to prevent the making of unauthorized copies.

CARL wrote to the Chair of the House of Commons Committee on Industry, Science and Technology, Mr. Brent St. Denis, M.P. (May 19, 2004) asking that the Committee engage in the copyright reform process.

The Executive Director met with the Minister of Industry on May 11 together with representatives of CLA and ASTED: the Minister expressed her commitment and that of her Department to copyright reform.

CARL will write to the two new Ministers, of Industry and Canadian Heritage following the federal election on June 28, advising them of our concerns.

Mr. Hill also drew members attention to the importance of the Supreme Court of Canada decision in the Law Society of Upper Canada (LSUC) *vs.* CCH Canadian. This may be viewed at <http://www.lexum.umontreal.ca/csc-ccc/en/rec/html/2004scc013.wpd.html>

He felt the decision was encouraging, in particular the finding that when considering s. 29 of the Copyright Act, fair dealing for the purpose of research or private study, that "research" must be given a large and liberal interpretation in order to ensure that users' rights are not unduly constrained; and that this is not limited to non-commercial or private contexts.

An inquiry had been received from the University of Calgary as to whether or not under section 30.2 (5) of the *Copyright Act* if a user clicks on an icon to print an article (but does not view the article electronically) this violates the Copyright Act (which stipulates that under the provisions

of the Act, a digital copy may not be delivered directly to the end user). CARL will consult and seek a legal opinion on this matter.

2.2 Standing Committee on Effectiveness Measures and Statistics (L. Copeland) (SD 2)

L. Copeland advised that the revised *Statistical Survey of Canadian University Libraries* questionnaire is almost complete. There have been substantial changes and the Survey has been reduced considerably. All members are encouraged to complete and submit the survey promptly. In response to a request from Martha Kyrillidou, Senior Program Officer, ARL, it was moved by L. Copeland and seconded by M. Swanson that CARL accept the invitation of ARL to add the CARL logo to the ARL Statistics and Measurement website in support of the LibQual initiative. Carried.

Publication of the CARL 2001-2002 Ratios has unfortunately been further delayed owing to the unavailability of current and consistent enrolment data. The Committee will publish the Ratios in electronic format using interim figures as soon as these are available.

The Committee concluded that it is premature to hold a programme for CARL Directors on statistics and new measures, but will be happy to do so at an appropriate time in the future. It was suggested that information on LibQual (<http://www.libqual.org>) be provided to Maclean's as it revises its annual survey of universities.

2.3 Government Policies and Legislation Committee (F. Winter) (SD 1)

Mr. Winter reported that CARL had decided not to engage in the federal election process but to present its positions to the new government as soon as the new government is announced. Copyright legislation will be a major concern. CARL expects to make a presentation to the House of Commons Finance Committee as part of the Committee's pre-budget consultation process.

The Committee asked that the Board investigate possible representation and financial support of the CLA Committee on International Trade Agreements.

The Committee will survey CARL members to see how each is dealing with both federal and provincial government documents in electronic format in terms of acquisition, access and preservation. A question on each member library's future intentions in this area will be included. The Committee welcomed the news that the President of CARL will write to the Auditor General, Ms. Sheila Fraser. In her November 2003 Report to the House of Commons Ms. Fraser called on the government to preserve Canada's heritage sites and their collections (Chapter 6). Appearing before the Standing Committee on Canadian Heritage on April 1 Ms. Fraser called for a nationwide strategy and plan of action to accomplish this. See http://www.oag-bvg.gc.ca/domino/media.nsf/html/20031106pr_e.html. The President will also draw the attention of the Auditor General to the CARL statement on digital preservation (*Stewardship of Scholarly Resources in a Digital World*).

The future viability and location of the Depository Services Program remains an issue not only for the intrinsic importance of access to published government but because two additional agreements made by the DSP affect the provision of materials to the research community. Under an agreement with the National Research Council Press the 15 NRC Press journals are made freely available to all Canadians. Under a second agreement concluded with Natural Resources Canada, topographic data (including both print and in electronic format) are made available to the research community. Funding for both agreements will expire unless renewed. This is of great concern to CARL.

The Committee would also like to ascertain that research libraries are duly compensated under the federal programme for the reimbursement of Indirect Costs of Research.

F. Groen thanked Mr. Winter and the Executive Director for the full and informative periodic updates of the work of the Committee which she has been able to share with ARL members and officials.

2.4 Committee on Scholarly Communication (C. Archer) (SD 2)

The Committee is keen on revisiting the conclusions of the Final Report of the AUCC-CARL Task Force on Academic Libraries and Scholarly Communication October 1996, stressing that it will be critical to evaluate and incorporate the findings of the Knowledge Dissemination Study, when these are released. The aim is a new report rather than an update. Members supported conducting a Canadian version of the 2003 OCLC Environmental Scan as part of this initiative.

The Committee looks forward to working with the Canadian Association of Learned Journals (CALJ) and the Association of Canadian University Presses (ACUP) on scholarly communication issues.

The CARL Conference on Digital Preservation *Here Today, Gone Tomorrow?* was “superb.” But strategies need to be replanned to meet the target audience of researchers.

2.4.1 Stewardship of Scholarly Resources in a Digital World (SD 3)

C. Archer congratulated the Committee Working Group, chaired by G. Ebbett, on producing the Statement. It is available on the CARL website at <http://www.carl-abrc.ca/projects/preservation/CARL-position-e.pdf>. The final French translation will follow as soon as some of terminology have been resolved.

2.4.2 Information Literacy Task Force (J. Garnett) (SD 2)

The CARL Task Force plus members of the discussion group will hold an inaugural meeting on June 17 to determine if there is a role in this field for CARL. All Directors are invited to attend.

In discussion, J. Teskey invited Directors to attend the forthcoming conference *The Serials Ecosystem: Perspectives on the Transition from Print to Electronic Journals* (Fredericton, September 25-26, 2004). Further information is available at <http://www.lib.unb.ca/SEC/>.

3. Other Strategic Developments

3.1 Recruitment and Retention Study (Guest: Kathleen Delong) (SD 1)

K. Delong provided an update of the *8 Rs Canadian Library Human Resource Study*. The 8 Rs are: recruitment, retention, remuneration, repatriation, rejuvenation, re-accreditation, retirement, and restructuring.

The institutional survey was sent to libraries in May/June 2003. The response rate from CARL libraries was 86%. The five most pressing human resources challenges were identified as: the replacement of retiring librarians; financial concerns (e.g. salaries, and the ability to staff libraries adequately); the implementation of new technologies; recruiting librarians with the appropriate competencies; and the education and training of librarians both through the MLIS degree, and within the organization.

The draft report may be found at <http://www.cdncouncilarchives.ca/events/summit.html>. The data consists of some 500 variables and will be available for further research: the research team may produce a ‘toolkit’ to assist future researchers. In this way a researcher could, for instance define the characteristics and needs of CARL-member libraries. In discussion it was noted that for academic libraries, recruitment for entry-level positions was not a major concern: there is

more difficulty in staffing at senior levels. Staff willingness to re-locate to fill positions is also a concern.

The next study will be a Personnel Survey of 8,500 librarians and paraprofessionals. The results are expected to be available in September 2004.

The projected expenditure for the initiative is \$184,000. Ms. DeLong thanked CARL as a major financial supporter of the project.

The Chair thanked Ms. DeLong for her presentation.

3.2 Canadian Research Knowledge Network (Guest: Deb deBruijn) (SD 2)

The CRKN was incorporated as a non-profit organization on April 1, 2004 following extensive consultations with stakeholders. It replaces the former Canadian National Site Licensing Project. The inaugural Annual General Meeting was held April 22-23, 2004 in Toronto. A Board of Directors and an Executive Committee were elected. CARL is represented on the Board by the President and Ms. Carolynne Presser. The Executive Director is an observer. As of June 15 there were: 54 members (including 9 non-CNSLP participants), 15 membership applications pending Board approval (includes 1 non-CNSLP participant) and 5 further applications expected from CNSLP institutions.

As regards content licensing, the goals of the organization remain the same: agreements will reflect public good and public value, equitable access, and capacity-building. This will require multi-year commitment and continuing investment on the part of the participants.

There is a commitment to expand the initiative to include social sciences and humanities content. This was the basis of the proposal submitted to the Canada Foundation for Innovation (CFI) in May 2003. There were 65 university signatories. The proposed national project amounted to \$72,804,521. Unfortunately the CFI did not accept the proposal project (March 2004). However the need remains and the CRKN will examine how to address this. In discussion members drew attention to the Synergies proposal, which also was not funded in the most recent CFI competition. This proposal will also be re-examined for future implementation.

3.3 Research Development Initiative (Guest: Kathleen Shearer) (SD 2)

K. Shearer provided an update on the SSHRC-CARL Knowledge Dissemination Study. The Consensus Panel met on January 14, 2004 to formulate and prioritize the most important issues expected to affect the dissemination of scholarly knowledge in Canada. Six such issues were identified. Two days of expert presentations followed (April 19-20, 2004). These were by teleconference and provided the Consensus Panel with further knowledge about each of the issues.

A two-day Consensus Panel conference was held in Halifax on May 5-6, 2004, where the participants had the opportunity to revisit the issues and make recommendations. A preliminary report was then issued which represents the framework expected to shape a research programme for scholarly communication in Canada. Five major themes for research in scholarly communication were outlined:

- knowledge systems
- knowledge/data storage and retrieval
- knowledge production and the social contract
- power and infrastructure within the academy and
- intellectual property and copyright.

The final report will be released in the next six months. Further information is available at www.kdstudy.ca

3.4 SSHRC Consultations – Draft CARL submission (SD 1)

The Executive Director reiterated that SSHRC had invited CARL to a Bilateral Consultation to explore issues of scholarly communication and how these will affect SSHRC in its transformation process. The meeting was held in Ottawa on April 16: the following Directors represented CARL: J. Garnett, F. Groen, W. Howard, W. Maes, C. Moore, F. Pannekoek, D. Polnicky and M. Ridley. Thanks to the contributions and insights received, CARL was then invited by SSHRC to submit a formal Brief. The Board would appreciate comments and suggestions from Directors before the submission of the final text (due at the end of June). [Ed note – the Brief is available on the CARL website at <http://www.carl-abrc.ca/projects/sshrc/transformation-brief.pdf>].

4. Future Meetings (J. Garnett)

4.1 2004 Study Tour

The Chair stated that 13 CARL members had accepted the invitation of the Ligue des bibliothèques européennes de recherche to attend the June 28-July 3 LIBER Conference in St. Petersburg. Six Directors are expected to take part in the Northern Europe Study Tour (July 4-14). Visits will be made in Helsinki, Stockholm, Copenhagen and Amsterdam to examine digital library initiatives in different countries. The focus will be on acquisition, providing access, and preservation; also best practices and ideas for Canada. Background material and further reading has been provided to all the participants.

The group will report its findings and recommendations at the 2004 CARL Fall General Meeting.

4.2 Annual General Meeting 2005

4.2.1 Date and location

The meeting will be held in Saskatoon, in recognition of the centenary of the province of Saskatchewan. Directors will be advised when arrangements have been finalized. [Ed update - the dates will be June 7-10, 2005.]

In discussion it was recommended that CARL re-examine the length and format of the General Meetings with a view to shortening them if possible.

5. New Business

5.1 CARL Elections

The CARL Secretary D. Polnicky, announced that M. Ridley and E. Ingles had been elected to the Board as representatives for Ontario and the West respectively. Their terms will run from June 2004 to June 2006.

On behalf of the Board and the membership J. Garnett thanked the outgoing Board members G. Ebbett and F. Pannekoek for their contributions to the advancement of the goals of the Association.

5.2 CARL Award

The Chair congratulated F. Groen as the recipient of the 2004 CARL Award for Distinguished Service to Research Librarianship.

5.3 Other New Business

5.3.1 Online Learning Working Group

L. Copeland announced that the Board has approved the establishment of a CARL Working Group on Online Learning. She reviewed the draft mandate and asked that it be inserted in the minutes.

Draft CARL Online Learning Working Group Mandate:

1. To review the literature on libraries and online learning, particularly in regard to best practices, learning outcomes, learning objectives and repositories
2. To identify, consult and work with major political partners including Canadian and regional initiatives and organizations in regard to online learning, e.g. CMEC, AUCC, etc.
3. To develop a CARL policy statement and position paper on the role of libraries in e-learning

The Chair advised that the Board will review the draft with Ms. Copeland and then issue a call for members. A Working Group of 4-5 members is envisaged. Funding in the amount of \$5,000 was requested. It was noted that CRKN provides an infrastructure for e-learning. It was noted further that the library presence and role in online learning need to be addressed vigorously, or the opportunity will be lost.

5.3.2 Membership Criteria

The Chair stated that in view of an expression of interest in joining the Association the Board agreed at its June 13 meeting to revisit the membership criteria, and procedures for application. J. Teskey (Chair) E. Ingles and G. Hill will form a working group to address the issues, and draft a policy document. The working group welcomes suggestions from all Directors. The document will be prepared for review by the membership at the 2004 Fall General Meeting.

Adjournment

The meeting adjourned at 1:25 p.m.

For further information on the Association or its activities, please contact Executive Director Timothy Mark at (613) 562-5385 (phone), (613) 562-5195 (fax) or carl@uottawa.ca (Email).

cc.	D. Webster	-	ARL	S. Slade	-	COPPUL
	L. Cabral	-	ASTED	O. Dupuis	-	CREPUQ
	D. Costello	-	CAUL	P. Ledwell	-	CFSSH
	S. Collins	-	CAUL	F. Abrams	-	OCUL
	J. Turk	-	CAUT	T. Bainton	-	SCONUL
	D. Butcher	-	CLA	M. Renaud	-	SSHRC
	D. deBruijn	-	CRKN			