CARL Executive Director's Report

Tabled at the CARL Board Meeting, May 25, 2020

The following provides an overview of selected activities undertaken or supported by the CARL Office since the January 27, 2020 report to the Board, which was also shared with the Membership.

Special Activities to Support Institutions During the Pandemic

Reference Documents for CARL Institutions

The CARL office collected useful information into shared documents for use by CARL directors and their institutions as part of their COVID-19 strategy and work-at-home planning. These documents included: a regularly updated list of library closure announcements at CARL institutions, a spreadsheet to compare planned reopening services amongst CARL member libraries, and a compilation of resources for research libraries on transitioning the library to online, facilitating work-from-home for staff, access to online sources, and online professional development opportunities.

Friday Zoom Calls for Directors

Since the start of the pandemic, CARL has been facilitating a weekly Friday afternoon informal Zoom session where CARL directors come together to update each other on changes and decisions at their establishments, but also to lend an ear to their colleagues in this difficult time.

Portage Water Cooler Chats

The Portage staff are hosting weekly one-hour informal Zoom sessions where research data management professionals from across the country can come together, share ideas and questions, and support each other in their work.

Webinar & Community Call Series

CARL and Portage both launched series of regular webinars and community calls on topics of interest to the various library communities of practice that they support, that would be free and open to all – both CARL members and non-members. The academic library community was invited to submit suggestions for sessions relating to library assessment, research by librarians, scholarly communications, open repositories, open education, and copyright -- or other themes. CARL's program officers also worked with CARL's working groups to develop sessions of interest to these communities. The resulting calls and webinars are described in the corresponding strategic direction sections below.

Website Template for Communicating Copyright Compliance in Digital Course Delivery

CARL developed some copyright guidance to assist in the rapid transition to online course and exam delivery at Canadian institutions. Released March 18, *Serving Student Access Needs As We Rapidly Shift to Online Course and Exam Delivery: Copyright Considerations* is a

template available as a Google Doc that institutions could adapt and use in their messaging to instructors who are moving course materials online. Ann Ludbrook, Graeme Slaght, Heather Martin, and Stephanie Orfano collaborated with CARL on creating this resource.

Access to Educational Resources

On March 26, CARL released a ***CARL Statement on Optimal Equitable Access to Post-Secondary Learning Resources During COVID-19***, in which CARL described what would constitute an optimal equitable access scenario and called upon various stakeholders in higher education to reduce barriers and help ensure an even access in light of the rapid move to virtual course delivery.

Policy and Public Affairs

York v. Access Copyright Federal Court of Appeal Decision

The York v. Access Copyright Federal Court of Appeal Decision found that the Access Copyright's Copyright Board tariffs are not mandatory. This constitutes a major victory for universities, upholding their right to choose whether to obtain a licence from Access Copyright or comply with their copyright obligations through other legal means. The decision was less favourable on fair dealing. CARL issued a statement about this decision on April 22, 2020. CARL will be hosting a webinar to discuss the implications on May 28th and may host a community call or working group with our members' copyright specialists to explore implications for guidelines and safeguards.

Crown Copyright

S. Haigh and M. Swartz participate actively on a CFLA Copyright Committee working group on Crown Copyright chaired by Amanda Wakaruk (University of Alberta). The group has met twice with government officials from Canadian Heritage, Innovation, Science and Economic Development, and Treasury Board Secretariat to discuss the challenges Crown copyright and its administration pose for academic learning and research. After those discussions and a meeting with Michael Geist, Jeremy DeBeer and Carys Craig, we have concluded that the best option in the short term is to advocate for Creative Commons licensing as opposed to legislative reform to abolish Crown Copyright. We are currently considering whether COVID-19 closures point to the need to press for a policy decision that would allow most retrospective government content be openly licensed by default.

Open Course on Copyright

The project to produce an online course for university instructors is nearing completion. Video production was halted owing to the COVID closures but will resume shortly, and the completed modules will be launched in time for use during the Fall term.

USMCA

Canada has 30 months from July 1, 2020 to implement the extension of copyright term to life of author plus 70 years that is agreed under USMCA. After meeting with some academic legal experts, we are investigating the potential use of a system that would allow rightsholder to register in order to get an addition 20 years of copyright protection. We will also advocate so

that this extension will not apply retroactively to works that have entered the public domain over the last 18 years.

Marrakesh Guide and Treaty Implementation

Work on a Canadian Guide for Marrakesh for Librarians was completed and will soon be posted on the CARL, CFLA and IFLA sites. A proposal was developed to strike an ARL and CARL Task Force to implement a pilot project of cross-border flow of accessible works, spearheaded by a Visiting Program Officer who would report jointly to both organizations.

International Letter to WIPO; and Response to ACP Letter

CARL and CFLA both signed a letter to the director general of WIPO urging the exercise of copyright exceptions to enable access during the COVID period. Both our organizations subsequently received a letter on April 28 expressing concern from the Association of Canadian Publishers, to which we sent a letter of reply on May 22.

Code of Best Practices for Software Preservation

M. Swartz and G. Slaght are currently working on the development of an addendum that will be added to the US Code of Best Practices for Fair Use so that it can be applied in the Canadian Legal Context. They are writing a paper that will make the case for the applicability of Fair Use codes in Canada more generally. As part of the Software Preservation Network, G. Slaght is developing a guide to help libraries apply Section 30.1 (1) of the Copyright Act to software preservation. This section is designed is designed to facilitate the management and maintenance of library collections.

Controlled Digital Lending

CARL and CFLA are working on adapting the "Controlled Digital Lending (CDL) by Libraries" US whitepaper to the Canadian legal context. CARL and CFLA will be offering a CDL webinar in July. This webinar will focus on the use of CDL to provide emergency access to collections during the COVID pandemic, and will also feature some prominent Canadian CDL projects.

Privacy

- On March 17th, CARL submitted a letter to the Office of the Privacy Commissioner of Canada's as part of their consultation on artificial intelligence and PIPEDA.
- M. Swartz is a member of the current cohort of the Library Freedom Institute – a US based privacy course for librarians. CARL will be offering a joint privacy webinar in July with CFLA that will focus on the privacy implications of the pandemic for libraries and library staff.

Management, Advancement and Assessment of Research Libraries

Librarians' Research Institute (LRI)
The peer mentor team met regularly from December 2019 to March 2020 and 25 participants were accepted into the program. Unfortunately, the LRI was postponed indefinitely due to the

COVID-19 pandemic. CARL and the University of New Brunswick are hoping to reschedule once it is feasible to do so. In the meantime, peer mentors have been meeting with participants for one-on-one 'virtual coffee chats' upon request.

CARL Research in Librarianship Grant
The 2020 Student Grant was awarded to Risa Hatanaka (MLIS student, University of British Columbia) for her research: "Using Non-English Sources for Academic Research: Information-seeking Behaviours of Graduate Students." A call for applications to the 'practicing librarian' category of the grant was circulated on April 30th.

Workplace Diversity
Under the leadership of M. Just with support from M. Kumaran, the EDI Working Group continues to meet regularly and is working on a draft workplan for SCC approval.

Core Competencies Working Group (CCWG)
The survey on the consultation draft of the revised competencies closed on January 17th and the Competencies Working Group has implemented feedback where appropriate. The final document will be included in the CARL Spring Meeting package, and the publication and promotion of the document will be discussed during the lightning talks.

Academic Librarians' Leadership Institute (ALLI)
A call for participants was circulated on February 13th, and 15 applications were received. Unfortunately, ALLI was postponed indefinitely due to the COVID-19 pandemic. CARL and the Gardiner Centre are hoping to reschedule once it is feasible to do so.

CARL Statistics Program
The 2018-2019 survey closed in December and the reports will be published shortly, pending the receipt of a few remaining institutions' data.

Library Impact Working Group
The Library Impact Toolkit Project Team, co-chaired by Tania Gottschalk (University of Manitoba) and Justine Wheeler (University of Calgary) has been meeting regularly. A sample of impact framework will be presented at the next Assessment Committee meeting.

Data Visualization Project Group
The LibGuide developed and initially hosted at Memorial University, has been translated and migrated to a WordPress template now available on the CARL website.

Canadian Library Assessment Workshop
So far, the Continuing Education Working Group has repurposed two of the CLAW 2019 sessions into webinars. *To Be in Sync or out of Sync: Considerations for Switching from LibQUAL+® to the Insync Survey* was held April 20, 2020, and a webinar on countering bias, promoting equality, and improving customer service through qualitative fine data analysis is scheduled for June 2nd.

CARL-Coordinated Library Assessment Tool
The Assessment Committee developed a brief survey to gauge the interest among its members about coordinating another major library survey for member institutions. 17 CARL

directors responded, the majority of whom were in favour of another survey (10 yes, 5 uncertain, 2 no). The ability to benchmark among institutions and the ability to benchmark longitudinally were identified by respondents as the most important aspects of a new survey. The Assessment Committee is investigating current assessment options.

Support to Research Production, Preservation and Dissemination

Portage

The Portage report of activities will be submitted to the members at the Annual General Meeting.

S. Haigh continues to meet weekly with the Portage management team, and often attends the weekly team meeting as well as its frequent webinars and water cooler meetings. Portage is functioning exceptionally well. There has been no issue in our dealings with CANARIE pertaining to the flow of CANARIE funds; and the first CANARIE audit is underway with no issues anticipated. The Portage management team and S. Haigh successfully developed and defended a statement of work and detailed budget as part of the negotiations leading to the signing of the agreement with NDRIO for $3M for the period April 2020 to March 2021. In this process, and we drew on CARL Salary Statistics to document comparable salary levels.

Open Scholarship

In the past few months, CARL has coordinated two meetings (one in-person, one via Zoom) of library organizations (CARL and CRKN) and Canadian funders toward collaborating on increasing open access and open scholarship take-up in Canada. Kathleen Shearer facilitated both sessions and has drafted a Coordinated Action Plan for OA that includes several priority areas: monitoring open access compliance, funding coordination, awareness raising, mapping the landscape, and advancing adoption by Canadian researchers. While the funding agencies have indicated that their priorities have shifted due to COVID-19, CARL is hopeful that some of these activities will advance in coming months.

On March 12, CARL offered a webinar featuring members of the Coalition Publica team. *Update from Coalition Publica on its Efforts to Increase Visibility and Sustainability of Canadian Journals* was meant as an opportunity for dialogue with Coalition Publica, the joint project between Érudit and PKP to advance research dissemination and digital scholarly publishing in Canada. Engagement was high, with many questions about Coalition Publica's service offerings and models.

In April, IARLA (of which CARL is a member) issued a statement of support for the Sorbonne declaration on research data rights, which had been originally issued in January 2020 by a group of international associations of research institutions (which included the U15 Group of Canadian Research Universities).

In April, CARL's Program Officer, Lise Brin, participated in the SCOSS Advisory Board's assessment of the services that had applied to be included in its third funding cycle. The Advisory Board then prepared a report for the SCOSS Board that included its rationale for the shortlist it presented. This shortlist was approved by the SCOSS Board (of which S. Haigh is

the member for CARL/Canada) at its meeting on May 4; pending some questions, six services will be invited to submit formal proposals, with three likely to be selected for the third funding cycle.

On May 14, CARL released its long-awaited Institutional *Open Access Policy Template and Toolkit*. News of this toolkit was shared with scholarly communications organizations internationally and has garnered much admiration and interest. CARL wishes to recognize the leadership and work of Joy Kirchner (Dean of Libraries, York University), who with support from Lise Brin (Program Officer, CARL) developed this policy template and accompanying toolkit. Thanks as well to Guylaine Beaudry, Jonathan Bengtson, Gwen Bird, Donna Bourne-Tyson, Richard Dumont, Mark Robertson, Diane Sauvé, Martha Whitehead, and Elizabeth Yates.

Also after a considerable lead time, the Open Repositories Working Group (ORWG) released April 30 the report *Advancing Open: Views from Scholarly Communications Practitioners* by Lindsey MacCallum (Mount St. Vincent University), Ann Barrett (Dalhousie University), Leah Vanderjagt (University of Alberta), and Amy Buckland (University of Guelph), on behalf of the CARL Open Repositories Working Group's Task Group on Community Building and Engagement. Initiated by a group of repository managers and supported by CARL as part of its ongoing commitment to open scholarship in Canada, the Advancing Open workshop (held in May 2019 in Vancouver) was envisioned as a unique (and free) opportunity for the Canadian academic library scholarly communication practitioner community to convene and explore refreshed strategies to foster open scholarship (including open access, open data, and open education) in Canada.

Having issued a press release in December announcing that a number of Canadian research libraries had funded the development of an extension to DSpace 5 & 6 that would support compliance with the OpenAIRE Guidelines for Literature Repository Managers v4, CARL issues a follow-up press release on May 20 announcing that the work had been completed by 4Science and that the update was in testing and available for early implementation by institutions.

Open Education

At its April meeting, the Advancing Research Committee approved strategic directions for the Open Education Working Group (OEWG) proposed by OEWG Chair Joy Kirchner. The proposal included the renewal of the OEWG's mandate for an additional 2-year term, review of previously established goals and activities towards wrap-up of current activities, continued activities to strengthen the community of practice launched at the *Open Educational Leadership Essentials (OeLE)* workshop in January 2020, exploration of new areas, and issuing a call for expressions of interest for a new VPO for OE to commence in Fall 2020. A call for expressions of nominations was issued in early May to the open education library community to join the OEWG for its second term (2020-2022). The current members of the OEWG were also offered the chance to remain on the working group. Quite impressively, all but one of the current 16 librarian members expressed an interest in continuing. This is in itself a clear indication of how valuable this opportunity is to those working in this area.

The OEWG held a *Community Call on OER Findability* Issues April 29, led by Ali Versluis (Open Educational Resources Librarian, University of Guelph) and Lise Brin (Program Officer, Canadian Association of Research Libraries). The session was very well attended, with

attendees sharing similar frustrations around searching for OER content, and enthusiastically sharing ideas for improving this situation, including the possibility of a national repository for aggregated content from across the country. Following up on this call, the OEWG offered a webinar by Erin Fields (CARL's VPO for Open Education) on May 21, ***Discoverability and Sharing Open Educational Resources***, which offered practical tips on how to ensure maximum

Preservation

Corey Davis joined CARL as Visiting Program Officer for Digital Preservation, reprising his role as chair of the Canadian Web Archiving Coalition (CWAC) Coordinating Committee, and also becoming the main CARL liaison for the Digital Preservation Working Group.

In light of the pandemic, the CWAC Coordinating Committee reluctantly had to cancel its planned one-day in-person meeting of the CWAC community in Montreal in May 2020, to be held immediately following the International Internet Preservation Consortium (IIPC) General Assembly (May 11th) and Web Archiving Conference (May 12-13th) 2020, both of which were also cancelled. CWAC was nevertheless active, with Corey Davis hosting a community call on April 16 to discuss and coordinate efforts to archive web resources related to COVID-19.

The Digital Preservation Working Group distributed a call for digital preservation job descriptions, which will be used for an analysis to better understand the current positions and responsibilities of those doing this work in Canadian institutions.

National Collective Print Strategy

Having postponed them from their original March dates, Gwen Bird and Doug Brigham of the Canadian Collective Print Strategy Working Group led in April three instances of a facilitated Zoom discussion for institutions having participated in the National Overlap Study. Those who participated were asked to provide feedback of their expectations and experience of the process, in order to better plan for future steps regarding governance, communications, and future collective efforts. A public webinar on the project is planned for June.

<p align="center">CARL Administration & Outreach</p>

E-Banking

K. McColgan and K. Kozyra-Kocikowska have successfully completed a project to move CARL to RBC Express, so that all financial transactions can now be undertaken online. This was a significant project involving much learning, testing, and some new procedures. Congratulations to them for their successful project to modernize a key administrative function.

Policies

K. McColgan has been working with legal counsel from Clark Wilson to develop our Privacy Policy and Cookies Policy, and has as well been reviewing several other policies including a remote worker policy.

Technology

We have upgraded our Zoom contract in order to support webinars up toe 500 people. We have already offered several that have had over 100 attendees (the previous limit) and one that had over 300 attendees.

Conferences & Events

Not surprisingly, there have been few conferences or meetings to attend since the last report, as all travel has been halted since approximately March 12 due to COVID-19. Nevertheless, since the last report and in addition to other events noted in this report, S. Haigh or other CARL staff attended events as follows:

- LAC Stakeholders' Forum – Toronto – Jan 28 – J. Bengtson, S. Haigh
- Ontario Library Association SuperConference – Jan 29-31 – S. Haigh, L. Brin
- National Data Services Framework Summit – Feb 5-6 – S. Haigh, J. Moon, L. Wilson
- IFLA Management of Library Associations Standing Committee midterm meeting – Feb 27-28 - ALA Offices, Chicago – S. Haigh
- Breakfast with Presidents of the federal funding agencies – March 11 – S. Haigh, K. McColgan
- NDRIO Members' meeting – March 11 – S. Haigh, J. Moon

Member Site Visit

On February 14, S. Haigh visited Sylvie Fournier at Université de Sherbrooke for meetings, a tour of the libraries, and a lovely lunch in downtown Sherbrooke.

CARL Member Transitions

M. Just accepted a position as interim provost and vice-president academic at the University of Saskatchewan, and Charlene Sorensen will serve as acting dean of the University Library during this term.

Staff

During this period, Corey Davis joined CARL as VPO for Digital Preservation.

The current general division of responsibilities is:

- *Susan Haigh – Executive Director*: Overall executive direction and management; lead for CARL advocacy and public policy; outreach and strategic national and international relations;
- *Katherine McColgan (@20% until Feb 2020; 80% to end May) – Manager, Administration and Programs*: Board Secretariat; financial and office administration; support to Policy Committee; website and communications
- *Lise Brin – Program Officer*: Support to Advancing Research Committee; open access initiatives; E-lert production lead; support as needed to copyright; website and communications;
- *Julie Morin – Program Officer*: Support to Strengthening Capacity Committee and Assessment Committee; support to policy as needed; website and communications;
- *Katarzyna (Kasia) Kozyra-Kocikowska– Administrative Officer & Event Coordinator*: Book-keeping and financial administration; meeting and hospitality arrangements; office management and administrative support; support to Standing Committee on Finance and Audit

Visiting Program Officers (part-time)

- *Mark Swartz* – VPO, Copyright and Privacy
- *Maha Kumaran* – VPO, Equity, Diversity, and Inclusion
- *Erin Fields* – VPO, Open Education
- *Corey Davis* – VPO Digital Preservation

CARL Portage

- *Jeff Moon – Director, Portage:* Direction and coordination of Portage
- *Lee Wilson – Service Manager, Portage:* Manage development and rollout of FRDR and other services and platforms
- *Veronica Amirault* – Project Manager, Portage: Project management for RDM initiatives and organizational transition; financial administration; meeting and hospitality arrangements
- *Beth Knazook* – Preservation Coordinator.
- *Caitilin O'Hare* – Communications Officer.
- *Erin Clary* – Curation Coordinator.
- *Melanie Parlette-Stewart* – Training Coordinator.
- *Kelly Stathis* – Discovery and Metadata Coordinator
- *Jennifer Abel* – Project Officer

Consultants/On retainer

- *Kathleen Shearer – Research Associate* - RDM, scholarly publishing and open science initiatives.
- *Temple Scott Associates (Don Moors, Josh Matthewman)* – Government relations
- *Macera & Jarzyna, LLP (Howard Knopf)* - Copyright
- *Clark Wilson LLP (Michel Jaworski, Jeff Holloway)* – Contracts
- *Emond Harnden LLP (Colleen Dunlop)* – Human resources

Respectfully submitted,
Susan Haigh

May 25, 2020