

23 April 2014

Dr. David Farrar
Provost & Vice President Academic
Walter C. Koerner Library
1958 Main Mall, Room 640,
Vancouver, BC V6T 1Z2

Dr. Cynthia Mathieson
Provost & Vice-Principal Academic
Okanagan Campus
ADM119 - 3333 University Way
Kelowna, BC Canada V1V 1V7

Dave Cynthia
Dear Dr. Farrar & Dr. Mathieson,

Re: Policy 81: Use of Teaching Materials in UBC Credit Courses

Pending the outcome of the Faculty Association's grievance regarding Policy 81, and in order to preserve existing rights of faculty members, the Faculty Association, as the exclusive bargaining agent for faculty members at the University, hereby issues this notice to the University on behalf of each and every faculty member at the University: Teaching Materials may not be used by the University or by other UBC Instructors as contemplated in Policy 81, in the absence of express permission from individual faculty members to do so. This notice is issued in relation to Policy 81 and its Procedures. For the purposes of Policy 81 and the Procedures, this notice should be deemed to be placed in or on all Teaching Materials in accordance with Article 2.1(a) of the Procedures. This notice is issued "without prejudice" to the position of the Faculty Association, that Copyright Law requires owners to consent to the use of their materials before they can be used or revised, and that the University has improperly attempted to change Copyright Law by way of Policy 81

Collaboration and the open exchange of ideas are essential components of the academic environment. However, the sharing of Teaching Materials must occur in ways that are reasonable and fair, that do not vitiate the requirement of consent to use copyrighted materials, and that do not limit or restrict the common law and statutory rights of faculty members. While the Faculty Association does not dispute, and, in fact, encourages proper and appropriate sharing of Teaching Materials, Policy 81 does not achieve this result. If faculty members wish to share their Teaching Materials with others, sharing should be accomplished in the way that it has historically and traditionally been done at this and other universities: namely, the owner or the creator of the Teaching Materials must provide express permission to specific users for specific purposes. The Faculty Association does not object to individual faculty members explicitly making a revocable choice to "opt-in" to the application of Policy 81 to their Teaching Materials.

Sincerely,

Nancy Langton

Dr. Nancy Langton
President

C Allison Matacheskie, Director, Faculty Relations
Pauline Brandes, Director, Human Resources, Okanagan Campus