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This issue of the newsletter features the results of the recent ILA/ACRL election and summaries of the sessions sponsored by ILA/ACRL at the recent Iowa Library Association Conference.

Election Results

These are the winners of the ILA/ACRL elections held October 15 to 23. Their terms begin in January 2013.

Vice President/President-Elect and Nominating Committee
Chair Dan Chibnall, Grand View University

Secretary/Treasurer
Chris Neuhaus, University of Northern Iowa

Member-at-Large
Jennifer Sterling, William Penn University

ILA Conference Session Summaries

These sessions, held at the 122nd Iowa Library Association Conference on Oct. 10 to 12 in Dubuque, were each co-sponsored by ILA/ACRL:

Session: The Possibilities and Limits of Fair Use: The National Conversation
Dwayne Buttler, Evelyn J. Schneider Endowed Chair for Scholarly Communication, University of Louisville
Co-sponsored by ILA/ACRL and Community College Librarians Roundtable
Reported by Julia Dickinson, St. Ambrose University

More than fifty librarians listened while Dr. Buttler led us through fair use doctrine with a sense of humor. Copyright law has significantly increased its reach in terms of years of coverage and has been applied to more types of sources than was initially conceived in the late 1800s. Its purpose has been stretched from protecting an author's creative work to ensuring the ownership of a product—in any format. Today, copyright law and fair use doctrine straddle the dichotomies of intellectual property rights and open access, and patents and open source.
Dr. Buttler drew several examples from the Google Books and Hathi Trust debates. Fair use case law includes those lawsuits commonly known as "Kinko's," "Texaco Labs," "Michigan

Documents Service," and "Turnitin." Dr. Buttler also used the Georgia State case to highlight how the fair use checklist was applied in the recent decision favoring that school. Listeners were encouraged to peruse the first 40 pages of the decision because it includes important vocabulary to consider as the fair use checklist continues to be applied.

The next possible revision of the U.S. Copyright Act is 2019. Dr. Buttler asked librarians to imagine what the guidelines might look like in terms of our collective objective to nurture a more informed citizenry that is better able to deal with complex problems in the world. Congress can't take away the fair use doctrine [17 USC §107], but what should §108 look like in the future? (Section 108 of the U.S. Copyright Act outlines provisions made to libraries and archives regarding the copying and dissemination of certain materials.) Librarians can play a significant role in influencing change. Dr. Buttler suggested that revision of the Copyright Act should avoid the "justifiable bafflement" when legalese is engineered as a top-down mandate; strive to mitigate risk; and rely on social policy solutions instead of digital locks and technology-based encryption. We need to consider "who owns our stuff" as consumers of information, as content providers, and as creators of new information in the burgeoning "cloud." Dr. Buttler believes that we need not continue to allow copyright to "create a nation of scofflaws, lawbreakers, ne'er-do-wells, and pirates."

Session: To Make a Long Story Short: Libraries and Copyright Today
Dwayne Buttler, Evelyn J. Schneider Endowed Chair for Scholarly Communication, University of Louisville
Co-sponsored by ILA/ACRL and Community College Librarians Roundtable
Reported by Rebecca Funke, Des Moines Area Community College

Dwayne Buttler spoke to a full room during his Thursday session at ILA. He opened his presentation with a discussion of orphan works and how such material is creating an important conversation given the longevity of copyright today. A standard of due diligence in terms of "reasonable effort" (§108c) and "reasonable investigation" (§108e) was mentioned briefly before moving into a discussion of fair use. Mr. Buttler encouraged the use of a fair use checklist and cited a need to have sections 107 and 108 work together when handling copyright issues. Dwayne very briefly touched on the history of copyright as well as the notion that the right of first sale does not apply to digital material. At the end of the presentation he answered questions from the audience.

Session: e-Content and Its Discontents
Joseph Sanchez, Instructional Designer, Auraria Library, Denver, Colo. ([The Book, My Friend](#))
Co-sponsored by ILA/ACRL and Community College Librarians Roundtable
Reported by Brett Cloyd, University of Iowa

Sanchez is the Instructional Designer for Auraria Library in Denver, Colorado. Auraria Library is interesting in that it serve multiple institutions: University of Colorado–Denver, Metropolitan State University of Denver, and Community College of Denver.

Sanchez gave a very dynamic and stimulating presentation on e-content. He had been an early fan of e-books, and used a variety of e-book readers. However, in the user agreements he was seeing, the law of first sale (via contract law) ceases to exist. Libraries cannot resell e-books via a book sale, or count on freedoms to lend books.

One of his big arguments is that companies do not care about our communities like libraries do, and also that evolution during these periods of change will not be pretty. If libraries want to be relevant, people need a solid connection point. In general, corporations want as much money and influence as they can get, but they're good at creating connection points through their brands. Sanchez worked with Jamie LaRue, Director of the Douglas County Libraries in Colorado, to develop a platform for hosting an e-publishing platform. He would like other libraries to use this platform and look more like publishers. He emphasized that it is important for academic, public, and state libraries to work together and stay engaged. He predicted that data storage issues will begin to disappear when users can save data on small strands of DNA.

Session: High School to College

Pam Rees, Grand View University; Sam Garchik, Ottumwa High School; Debora Robertson, Briar Cliff College; Sarah Passonneau, Iowa State University; Ericka Raber, University of Iowa
Co-sponsored by ILA/ACRL, Iowa Association of School Librarians, and Community College Librarians Roundtable
Reported by Claudia Thornton Frazer, Drake University

A five-person panel of academic and high school faculty members and librarians shared their own stories about their K-16 collaborative efforts to focus on preparing students for university-level research and writing. The participants informed the audience members about their own personal experience related to reaching out and making the necessary connections with either the school teacher or academic librarian.

In each situation, lessons were learned along the way, as each member of the panel had advice to offer to librarians about how to proceed. One panelist advised that librarians not come into a classroom with preconceived ideas about expectations, but rather focus on the goal of student improvement. Another recommended the importance of establishing a method of assessment. Still another emphasized the fundamental importance of "developing relationships" between the two institutions.

Speaking to an audience of nearly three dozen librarians and teacher-librarians, the discussion continued after the panelists reported out, as questions were addressed to and answered by each member of the panel. One audience member stressed that public libraries should also be involved in the conversation.