

**Ministry of Education**

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**Ministère de l'Éducation**

Ministre

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October 19, 2009

Dear Chair,

As you know, on June 26, 2009, the Copyright Board of Canada issued its decision on the Access Copyright school photocopying tariff for the years 2005-2009. I am writing to inform you that the Ministry of Education will provide financial support to school boards facing retroactive copyright fees and interest as a result of the decision.

In total, the Ministry of Education will be providing \$20,913,306 in one-time funding to boards across the province, with the funds being allocated on a board-by-board basis.

Allocations will be based on the invoices each board received from Access Copyright seeking retroactive fees and interest for usage that occurred between 2005 and 2009. Funds provided by the ministry will help cover retroactive payments and interest owed by boards up to June 30, 2009.

While we are pleased to offer this support, it is important to note that each board is responsible for any interest charges incurred for the late payment of retroactive fees, and are responsible for any other costs resulting from the ruling and certified tariff.

The decision by the Copyright Board is not going unchallenged. Together with Ontario school boards, the ministry has joined the Copyright Consortium of CMEC in appealing the Copyright Board's decision, which we feel imposes too high a price for using photocopied materials in the classroom.

We are hopeful that a successful appeal will broaden the scope of what teachers can photocopy for their students and reduce what we believe is a high tariff rate.

Thank you for your ongoing dedication to Ontario students.

Sincerely,

A handwritten signature in blue ink that reads "Kathleen Wynne".

Kathleen Wynne  
Minister of Education