

INDIANA
HIGHER
EDUCATION
TELECOMMUNICATION
SYSTEM

To: Peter N. Fowler
Attorney-Advisor
Office of Legislative and International Affairs
U.S. Patent and Trademark Office
Box 4
Washington, D. C. 20231

From: Fritz Dolak 
Chair, Indiana Partnership for Statewide Education Copyright Committee
Fax: 765-285-2644

Date: Friday, May 2nd, 1997

Subject: Resolution on the CONFU Proposal for Educational Fair Use Distance Learning Guidelines

Pursuant to your memo dated January 14th, 1997, requesting responses to the Proposed Guidelines of the CONFU Interim Report, attached is a resolution adopted unanimously by the Indiana Partnership for Statewide Education Institutional Representatives on May 2nd, 1997 opposing the Proposal for Educational Fair Use Guidelines for Distance Learning.

copies: IPSE Institutional Representatives - 10
Laura Gasaway

To: The Indiana Partnership for Statewide Education, Institutional Representatives

From: The IPSE Copyright Committee

Date: Friday, May 2nd, 1997

Subject: Resolution on CONFU Distance Learning Guidelines

The Indiana Partnership for Statewide Education (IPSE) is a consortium of public and private institutions of higher education in the State of Indiana. The Partnership facilitates the effort by its members to coordinate and consolidate their distance learning endeavors. This effort enables students throughout the State of Indiana to pursue two-year and four-year degree programs by not having to attend a local campus. The members of IPSE are:

- Ball State University
- Independent Colleges of Indiana
- A consortium of 32 accredited, non-proprietary, non-sectarian private colleges and universities [including, for example, the University of Evansville, Butler University and the University of Notre Dame].
- Indiana University
- Indiana State University
- Ivy Tech State College
- Purdue University
- University of Southern Indiana
- Vincennes University

The IPSE Copyright Committee opposes the "Proposal for Educational Fair Use Guidelines for Distance Learning" as included in the Interim Report of the Conference on Fair Use, dated December 1996. The proposed guidelines would further the discriminatory treatment of students who are not able to attend traditional classes due to family obligations, work commitments, geographical limitations, or physical disability. The disparity of treatment that begins with the standards of Section 110(2) of the Copyright Act ought not be perpetuated or reinforced in voluntary guidelines.

This IPSE position does not reflect the position of each individual member of IPSE, and those members may individually submit separate statements on this matter.