

**Administrative Council Mid-Year Meeting
January 31, 2020 - 9:00 a.m. – 3:00 p.m.**

**Solano County Library, Fairfield Cordelia Branch
5050 Business Center Drive
Fairfield, CA 94534**

- | | | |
|---|---------------|--------------------|
| 1. Welcome and Roll Call | Deck, Chair | |
| 2. Public Invited to Address the Council | Deck | |
| 3. Approval of the Agenda (Action Item) | Deck | |
| 4. Approval of Minutes of June 14, 2019
Administrative Council Meeting (Action Item) | Brinkley | Attachment 1 p. 2 |
| 5. Old Business | | |
| A. Approve Amendment of NLS/Innovative Link+ Contract
to Include Nevada County (Action Item) | Olawski | Attachment 2 p. 9 |
| B. Link+ Resource Sharing Grant Update | Olawski | |
| C. Update from Ad Hoc Committee | | |
| a. Review and Discuss CLSA Formula Survey Results
(Action Item) (to be distributed separately) | Perry | |
| 6. New Business | | |
| A. Approve Rita Lovell to Replace Yolande Wilburn on
NLS Executive Committee (Action Item) | Deck | Attachment 3 p. 17 |
| B. Discussion of NLS OverDrive Committee's
Recommendation to Boycott Macmillan and
Blackstone eMaterials through April 30, 2020
and Review and Discussion of Boycott Survey Results (Action Item) | Fink | Attachment 4 p. 18 |
| 7. State Library Report | Rebecca Wendt | |
| 8. Presentations | | |
| A. Michael Blackwell – ReadersFirst and ePubublishing | | Attachment 5 p. 27 |
| B. Trish Garone – Lunch at the Library (to be distributed separately) | | |
| C. Common Knowledge – Recovering Together LSTA Project | | Attachment 6 p. 55 |
| D. Library Program Sharing | | |
| 9. Adjournment | | |
- Working lunch to be provided.



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DRAFT MINUTES
NLS Administrative Council – Annual Meeting
June 14, 2019 – Solano County Library/Cordelia Branch Library

Name	Library
Rita Lovell	Alpine County
David Dodd	Benicia Public Library
Stacey Costello	Colusa County Library
Shane Pipinos-Gausepohl	Del Norte County Library District
Aida Buelna	Dixon Public Library
Lori Easterwood	Folsom Public Library
Nick Wilczek	Humboldt County Library
Christopher Veach	Lake County Library
Christopher Platt	Mono County Library
Danis Kreimeier	Napa County Library
Yolande Wilburn	Nevada County Library
Jody Meza	Orland Free Library
Mary George	Placer County Library
Lindsay Fuchs	Plumas County Library
Natasha Martin	Roseville Public Library
Rivkah Sass	Sacramento Public Library
Henry Bankhead	San Rafael Public Library
Michael Perry	Siskiyou County Library
Bonnie Katz	Solano County Library
Suzanne Olawski	Solano County Library
Chris Kreiden	St. Helena Public Library
James Ochsner	Sutter County Library
Todd Deck	Tehama County Library
Jody Meza	Willows Public Library
Greta Galindo	Woodland Public Library
Mark Fink	Yolo County Library
Carol Frost	Pacific Library Partnership
Andrew Yon	Pacific Library Partnership
Jacque Brinkley	NorthNet/Pacific Library Partnership

Meeting called to order by Chair, Deck, at 9:35 a.m.

Deck welcomed attendees and asked for Roll Call.



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No public in attendance.

Motion to Approve Agenda. Meza moved; Wilburn seconded. Motion approved.

Motion to Approve Minutes of Administrative Council meeting of January 25, 2019. Fink moved; Martin seconded. Motion approved.

Old Business

Olawski presented an update from the Link+ Ad Hoc Committee referring to the memo included in Agenda Packet. She reported that by the end of June, confirmation will be made of any remaining NLS libraries who can commit to joining Link+. Delivery remains an issue for several of the libraries. The goal is to draft an NLS contract to finalize with any new libraries. Nevada County has confirmed their commitment. With all NLS libraries finalized, the Ad Hoc Committee will begin drafting criteria and Request for Interest (RFI) for grant funds to other CA public libraries who have interest in joining Link+. The Ad Hoc Committee will work with Janet Coles, the State Library grant monitor for this project to finalize grant criteria and develop the final application. Libraries interested in joining Link+ will be asked to obtain a quote from Innovative and submit that with their funding application. The proposed plan for distribution of the balance of CLSA funds will be presented at the California Library Services Board (CLSB) meeting on September 17, 2019. The written plan must be submitted to the State Library on or before September 1 to be included in the CLSB packet. Olawski noted that the original concept of NLS joining Link+ had been exploratory and as a feasibility study and through this work it was determined that delivery persisted as the challenge to include more libraries.

Frost noted that the dollar amounts listed on the Ad Hoc Link+ memo in the packet has changed due to updated Year 1 delivery costs for the 3 new NLS libraries. Frost also noted that she and Olawski will attend the September 17 CLSB meeting to present the NLS proposed plan for distributing the one-time CLSA funds allocated for resource sharing. Frost clarified that while NLS would administer the grant, libraries receiving grant funds from this CLSA award would be creating their own individual contracts with Innovative and not be included on the NLS contract.

Bankhead asked why Innovative and only Innovative runs the Link+ services in CA and suggested that CA consider running it from the State Library level.

Fink noted that Innovative is bringing on a consultant to look at other models used across the country and acknowledged that delivery has been a problem in other states. He said that Innovative is looking to the effectiveness of more libraries joining Link+ outside of CA.

George asked about the NLS CLSA \$200,000 yet to be allocated (found in NLS budget). Frost responded that those funds are Communications and Delivery funds and NLS has 3 years to expend. There has



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been no action to date to allocate and expend these funds and they are to be discussed under the Budget Item at this meeting.

Deck thanked the Ad Hoc Committee and PLP staff for all work on Link+.

Fink commented that CLSB members may not be familiar with Link+ and they have expressed concern with the time it is taking to expend the funds. He recommended that anyone presenting to CLSB be clear in communicating the work involved to set up and implement Link+ and the expected results in order to provide a more complete picture for the CLSB members, especially when comparisons are drawn to Zip Books.

Deck presented an update on the CalPERS revised unfunded liability amortization policy and its effect on NLS legacy systems. CalPERS approved an accelerated amortization from 30 years to 15 years for non-active employers, which applies to each legacy system. Frost noted that MVLS and NBCLS are each developing cost-sharing models to allocate annual CalPERS obligations among their members. NBCLS is documenting former members and exploring their obligation to participate in CalPERS payments. NSCLS has previously established a cost-sharing model for their membership and will continue using for the future.

George asked about the System Pension Liability question found on the FY 2019/20 CLSA Plan of Service document and the amount reported in the report. Frost responded that this question is new to the Plan of Service form and based on a CLSB member asking about CalPERS obligations for the Systems. Frost noted that the CLSB has no purview over these funds. George noted that the amount reported does not reflect the total amount due.

Perry asked if NLS can retain legal services of BB&K to get direction in communicating with other libraries (former system members) or county counsels regarding the CalPERS obligations of member libraries or the systems. Perry asked if NLS can retain legal services to communicate on behalf of the legacy systems.

George commented that when she was serving as MVLS Chair, she received a call from CalPERS asking about system and member history. She stated that she was not prepared for or feel authorized to provide information in her capacity as library director or MVLS Chair. Perry commented that it would be of value having a legal “coach” to refer to.

Frost commented that this was a good question for all legacy systems to consider and that NLS had agreed in the past to retain legal services for the systems. The funds set aside for those services have now been fully expended, but the Executive Committee could consider this proposal. Frost noted that NBCLS has recently approved funds to retain BB&K for counsel on CalPERS questions. She mentioned that NLS member dues could be directed to retaining legal counsel.



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Bankhead asked if the system's "loan" owed to CalPERS could be sold to another entity for payoff. Frost and others confirmed that the obligation is owed by the systems and CalPERS would not consider a third party for payoff.

Perry stated that he would follow-up with the Executive Committee to request retaining legal services for the 3 NLS legacy systems.

New Business

Deck thanked out-going Executive Committee Members (Dodd, Hunt and Ochsner) and presented slate of nominees for in-coming Executive Committee Members.

Motion to Approve Slate of Executive Committee Members. Perry moved; Dodd seconded. Motion approved.

Deck and Brinkley presented the LSTA NLS Regional Competitive Grant proposal, "Recovering Together" and provided background on the concept and proposed project plan that will conduct first-person interviews and curate stories from library directors, staff, volunteers and community partners who have experienced or witnessed disaster in their own or neighboring communities and the library's role in rebuilding. Brinkley described phases of the project that will include surveys to all NLS directors, phone or in-person interviews with selected libraries, and meeting with consulting team of Common Knowledge at the NLS Mid-Year meeting. Olawski noted that the goal is to gather the human stories shared about recovery, versus a disaster preparation toolkit. George asked about funding to sustain the project beyond the grant cycle. Deck explained that at this time, the work will be posted in online format with a blog access to encourage on-going content creation. Brinkley noted that future funding requests through LSTA or other means may allow for additional interviews and formatted for audio or print presentation, but at this time all deliverables produced will be posted and accessible online.

Motion to Accept LSTA Regional Grant, "Recovering Together." Perry moved; Sass seconded. Motion approved.

Deck presented the CLSA Link+ Grant Agreement and Award for acceptance and invited discussion. No discussion.

Motion to accept CLSA Grant Award "Link+ Regional Resource Sharing Project" for \$450,000. Olawski moved; Wilburn seconded. Motion approved.

Deck presented the CLSA Zip Books Grant Agreement and Award for acceptance. Deck remarked that he was pleased the Zip Books project administration will stay with NLS.

Motion to accept the CLSA "Zip Books Statewide Expansion Project Administrator for 2019-21" Grant for \$1M. Lovell moved; George seconded. Motion approved.



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Perry presented and led discussion of a proposal to revise the current consortia-managed services model with CLSA Communications and Delivery funds allocated to NLS. Deck thanked Perry for his analysis and work on this issue. Perry expressed that at end of discussion at this meeting, he hopes to enlist an Ad Hoc Committee to continue the research and feasibility of any revisions to the current model. He stressed that his goal is to encourage more libraries to join the consortial purchases and not be forced to drop out due to increased costs to them when other members drop out.

Wilburn commented that Nevada County is an example of having to drop out due to increased costs from of other members discontinuing with a consortial purchase. She asked why the State Library could not purchase these services for statewide access and pointed out that CSL would have greater leverage to negotiate statewide contracts with vendors.

Discussion ensued regarding “universal borrowing” and work arounds many libraries are using to offer their patrons access to other system catalogs.

Frost noted that the “menu” model for NLS and their CLSA allocations was set up 5-8 years prior and acknowledged that it may now be time to review and revise this model.

George commented that the consortia model works well for testing new products and what works well for individual libraries can be contracted individually.

Volunteers for the Ad Hoc Committee include: Perry, Siskiyou County; Platt, Mono County; George, Placer County; Martin, Roseville Public; Fink, Yolo County; Easterwood, Folsom Public; and Sass, Sacramento Public.

Brinkley presented the FY 2019/20 CLSA Plan of Service and Budget.

Motion to approve FY 2019/20 CLSA Plan of Service and Budget. Olawski moved; Easterwood seconded. Motion approved.

Frost reviewed the new CLSA Plan of Service form and format and pointed out that recent changes in CLSA regulatory language have allowed for broader interpretation of what is allowable under Communications and Delivery, including eResources. She also noted that at this time, funding for Assessment (i.e. Analytics on Demand) is included under System Administration, but efforts are underway to move this item to C&D, under Planning, Coordination & Evaluation (PC&E). Moving Assessment out of System Administration would give systems more flexibility in utilizing these funds without reducing any further the System Admin budgets that may not fully cover a system’s administrative costs.



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Frost presented the FY 2019/20 NLS/PLP Administrative Baseline Contract and Additional Work memo and supporting documentation. She reported that the Executive Committee had approved this contract at their June 6, 2019 meeting, but the Additional Work now reflects the new grants and CalPERS work.

Motion to approved FY 2019/20 NLS/PLP Administrative Baseline Contract and Additional Work. Wilburn moved; Olawski seconded. Motion approved.

Break at 10:55 – Resumed at 11:10

Yon presented the FY 2019/20 NLS Budget. He noted that this budget reflects two options for the OverDrive funds – one using the original formula (pg. 76) and a second option that incorporates a proposed new formula for OverDrive budget (pg. 78). Frost noted that the Executive Committee had approved the revised OverDrive schedule for FY 2019/20 and recommended its adoption by the Council.

Yon pointed out that there are unallocated non-CLSA funds of \$128,962 (pg. 81).

Frost commented that the Member Dues and Fees schedule is based on figures obtained from the California State Library statistics that are reported annually by each library.

Buelta asked for clarification on the OverDrive budget. Frost reviewed budget from Member Dues and Fees schedule of Page 78 in agenda packet.

Motion to approve Membership Dues & Fees and Motion to approve NLS Budget. Martin moved; Fink seconded. Motions carried.

Perry suggested that if variances from year to year in library's population and budgets are small, that it would be assumed that no further approval would be needed. Deck acknowledged and thanked Yon for his review of all budget documentation for the Administrative Council and his patience with questions.

Brooks provided her report from the California State Library (CSL) and noted that the State May Budget Revision would be finalized soon and anticipated funding for the State Library includes: Zip Books Project at \$1M, Lunch at the Library for \$1M, \$3M for mobile libraries, and \$5M for Early Learning, After School and Teen projects. Brooks noted that CSL will reach out to library directors via survey and other means to determine community need and high impact projects. CSL will request libraries to consider how state funds would be used to meet community needs and that support from the State Library will be provided when and where needed. She continued to say that funding for any of these projects will require one or more community partners, and that new projects may be dove-tailed with existing projects.

Brooks reported that a CSL Library Programs Consultant position was to be posted soon. She noted that with reduction in staff in Library Development Services (2 retirements), there may be changes in existing



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grants to reduce workload. Efforts will be made to give advance notice with all upcoming opportunities to allow for planning on part of libraries.

Fink noted that there appears to be a disconnect between the CLSB and CSL staff and asked if there is anything NLS or libraries can do to better communicate with CLSB. George suggested a “speakers series” to present at each CLSB meeting.

INFORMATON SHARING and Continued discussion with CSL Liaison Brooks

George asked how libraries are preparing for PG&E power shut downs throughout fire season. Discussion regarding planning and impact on communities. Kreimeier commented that from her experience, radio media is most effective means in sending out communications and recommended all libraries build a relationship with their radio station(s) will in advance of need.

Meeting Adjourned at 12:10 p.m.



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To: NLS Administrative Council

From: Suzanne Olawski, NLS Vice- Chair

Subject: Approve Amendment of NLS/Innovative Link+ Contract to Include Nevada County

Date: January 31, 2020

Nevada County is the fourth and final NLS library to receive Link+ Regional Resource Sharing grant funds to join Link+. In doing so, they have been added to the NLS Link+ contract. Attached is a copy of the amendment and the scope of work, along with the final costs for libraries participating in this grant.

Recommendation

The NLS Executive Committee discussed and approved adding Nevada County to the Link+ contract at its November meeting, and recommends that the NLS Administrative Council approve this amendment.

AMENDMENT TO AGREEMENT

This **AMENDMENT** is made and entered into as of the date of the last signature of the parties hereto (the "**Effective Date**"), by and between **INNOVATIVE INTERFACES INCORPORATED**, a California corporation ("**Innovative**"), and the **NORTHNET LIBRARY SYSTEM** (the "**Client**"). Capitalized terms not otherwise defined in this Amendment will have the meanings set forth in the Agreement (as defined below).

WHEREAS, the Client and Innovative Interfaces Incorporated are parties to the Subscription License Agreement made effective as of February 1, 2109 (as amended from time to time, the "**Agreement**"); and

WHEREAS, the Client desires to purchase from Innovative certain upgrades to the Software and, in connection with such purchase, the parties desire to amend the Agreement as set forth in this Amendment; and

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound hereby, the parties hereby agree as follows.

1. Software. Exhibit A of the Agreement is hereby amended to include the attached Pricing Exhibit EST-INC10674. The term of the Software subscription purchased pursuant to this Amendment will run concurrently with the Term of the Agreement, through January 31, 2024.

2. Miscellaneous.

- a. This Amendment will become effective upon execution by both Innovative and the Client.
- b. Except as otherwise amended hereby, the other provisions of the Agreement will remain in full force and effect as of the date hereof. In the event of a conflict between the provisions of this Amendment and the Agreement, the terms of this Amendment will control.
- c. This Amendment may be signed in any number of counterparts, each of which will be an original, with the same effect as if the signatures thereto and hereto are upon the same instrument.
- d. This Amendment will be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3. Assignment: This Amendment is not assignable by either party, whether by operation of law or otherwise, without the prior written consent of the other party, which shall not be unreasonably withheld; provided, however, that Innovative may assign this Amendment to affiliates and successors in interest and in connection with a merger, acquisition or other such reorganization of its business. Any purported assignment in violation of this provision will be void and of no effect. Any permitted assignee will assume all obligations of its assignor under this Amendment.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to enter into this Amendment as of the dates specified below.

NORTHNET LIBRARY SYSTEM

Signature: Carol Frost

Print Name: Carol Frost

Title: CEO, Pacific Library Partnerships
NorthNet Admin: straton

Date: Sept 25, 2019

INNOVATIVE INTERFACES INCORPORATED

Signature: [Signature]

Print Name: Akin Adekeye

Title: VP & General Counsel

Date: Sep 26, 2019



Pricing Exhibit

Innovative Interfaces Incorporated
1900 Powell St.
Suite 400
Emeryville CA 94608
United States

Date 9/19/2019
Quote # EST-INC10674
Payment Terms Net 30
Overall Contract Term (Months) 36
Contract Start Date
Contract End Date
Sales Rep Tom McNamara
Site Code nnet
Expires 10/31/2019

Bill To
NorthNet Library System
2471 Flores St
San Mateo CA 94403-2273
United States

Ship To
NorthNet Library System
2471 Flores St
San Mateo CA 94403-2273
United States

Currency
US Dollar

Item	Item Category	Qty	Description	Options	Unit Price	Amount
Innovative Resource Sharing - GROUP		1	Innovative Resource Sharing - add Nevada County			7,575.00

Total Fees US\$7,575.00

Statement of Work

This Statement of Work (the "SOW") dated September 19, 2019 is entered into pursuant to the Master Professional Services Agreement between NorthNet Library System ("Client") and Innovative Interfaces Incorporated ("Innovative") effective as of February 1, 2109 (the "Agreement"). Innovative and Client may each be referred to as "Party" from time to time or collectively as "Parties".

A. Purpose of this Statement of Work

This SOW outlines the Professional Services that will be provided by Innovative in order to implement the INN-Reach Link+ Member Library Adds described herein. The SOW provides an overview of the scope of the project and cost to complete the engagement based on Innovative's prior experience with similar projects and preliminary discussions with Client. The Client hereby acknowledges that the SOW is not meant to capture all detailed requirements but documents the high level requirements and implementation approach discussed and that additional detailed requirements discussions will be required to outline the full scope of work between the Parties.

B. Project Scope of Services

The Scope of the project includes the following set of professional services:

1. *INN-Reach Add Services for a Polaris Local Server*

Innovative will add Nevada County to the Link+ INN-Reach system.

All specified work includes, where necessary:

- Project management
- Requirements consultation between client and Innovative
- Implementation of changes to production environment
- Post-implementation testing
- Remediation of post-implementation issues, found during our own testing or found by the client

No work will be performed, on the client's production environment, without prior notification to, and approval from, the client. Work will be performed in pre-specified maintenance windows, as agreed upon in advance by the client and Innovative.

Any requested work, outside of the specifications listed above, will be quoted at an additional cost, and written approval must be provided by the client before work can proceed.

C. Fees and Payment Terms

Fees for Services delivered under this SOW will be charged on a fixed price basis as set forth in the Innovative Pricing Exhibit EST-INC10675 attached herewith. Payment terms for this SOW are as set forth in the Professional Services Agreement. This Statement of Work estimate is valid for 30 days. Work is deemed to be accepted as delivered. Any delays in deliverables that are attributable to the customer may result in additional Services fees.



D. Innovative Services Team

The Services Team will have the following resources available for this project:

1. Project Manager: An experienced INN-Reach Product Specialist who will assist with the configurations and coordinate the work required for the library adds.
2. INN-Reach Data/Configuration Specialist: An experienced INN-Reach expert who will handle the data configuration necessary.

E. Client Implementation Team

1. Librarian Lead – Works closely with Project Manager to ensure requirements are clear and complete for the library. The Librarian Lead will coordinate with key members of the team as required.
2. Technical Lead - Responsible for assisting with Client responsibilities related to data loading and any other system level duties required by Client.

F. Implementation Assumptions

1. Software will need to be downloaded so the necessary ports will need to be open.
2. Timeline for the completion of this project will be established, through joint planning conversations between the client and Innovative during the initial stage of the project.
3. Client will have adequate resources available to ensure timely completion of any library tasks outlined in the project schedule.

IN WITNESS WHEREOF each party has caused this SOW to be executed by its duly authorized representatives.

AGREED:

Client	Innovative
NorthNet Library System	Innovative Interfaces Incorporated
By: <i>Carol Frost</i>	By: <i>[Signature]</i>
Name: <i>Carol Frost</i>	Name: Akin Adekeye
Title: <i>CEO, Pacific Library Partnership;</i>	Title: VP & General Counsel
Title: <i>North Net Administrator</i>	
Date: <i>Sept. 25, 2019</i>	Date: Sep 26, 2019



Pricing Exhibit

Innovative Interfaces Incorporated
1900 Powell St.
Suite 400
Emeryville CA 94608
United States

Date
Quote #

9/19/2019
EST-INC10675

Payment Terms
Sales Rep
Technical Contact
Site Code
Expires

Net 30
Tom McNamara
CU0773 Peninsula Library System :
nnet
12/18/2019

Bill To

NorthNet Library System
2471 Flores St
San Mateo CA 94403-2273
United States

Ship To

NorthNet Library System
2471 Flores St
San Mateo CA 94403-2273
United States

Currency

US Dollar

Item	Item Category	Qty	Description	Options	Unit Price	Amount
INN-Reach Add Member Library	Services	1	INN-Reach Add Member Library - Nevada County		2,500.00	2,500.00

Total Fees US\$2,500.00

NorthNet Link+ Contract Updated Oct 2019 with Nevada County

	Link+ Subscription Year 1 FY 2019/20	Link+ Subscription Year 2 FY 2020/21	Link+ Subscription Year 3 FY 2021/22	Link+ Subscription Year 4 FY 2022/23	Link+ Subscription Year 5 FY 2023/24	One-Time Software Implementation Fee	Year 1 Delivery	Year 1 Supplies	Year 1 Total Costs
MARINet	\$66,644	\$68,643	\$70,702	\$72,824	\$75,008	N/A	Current Costs	Current Costs	\$69,976
SPLASH	\$62,411	\$64,284	\$66,212	\$68,198	\$70,244	N/A	Current Costs	Current Costs	\$65,532
Napa County	\$14,047	\$14,469	\$14,903	\$15,350	\$15,810	N/A	Current Costs	Current Costs	\$14,749
Sacramento	\$23,610	\$24,318	\$25,048	\$25,799	\$26,573	N/A	Current Costs	Current Costs	\$24,790
Yolo	\$15,050	\$15,501	\$15,966	\$16,445	\$16,938	N/A	Current Costs	Current Costs	\$15,802
El Dorado	\$17,404	\$17,926	\$18,464	\$19,018	\$19,588	\$18,750	\$13,068	\$1,000	\$51,092
Sonoma County	\$26,170	\$26,955	\$27,763	\$28,596	\$29,454	\$28,200	\$13,068	\$1,000	\$69,746
Woodland	\$5,235	\$5,392	\$5,554	\$5,720	\$5,892	\$2,500	\$13,068	\$1,000	\$22,065
TOTAL ORIGINAL CONTRACT	\$230,570	\$237,488	\$244,612	\$251,951	\$259,509	\$49,450	\$39,204	\$3,000	\$333,753
Nevada	\$7,575	\$7,802	\$8,036	\$8,277	\$8,526	\$2,500	\$13,068	\$1,000	\$24,522
NEW GRAND TOTAL	\$238,145	\$245,290	\$252,648	\$260,228	\$268,035	\$101,400	\$91,476	\$7,000	\$449,929

Green - Current libraries

Cost results in approx. 7% decrease for existing libraries; and 7% for new libraries compared to a 'single contract' cost

Year 1 Supplies estimated \$1,000, Year 2 on estimate \$100 annually

Yearly costs includes supplies, subscription fees for new libraries. For existing libraries, only includes costs for subscription.

Contract for Delivery is separate from Innovative Link+.

3% annual increase for 5 year contract

El Dorado, Sonoma County, Woodland part of master contract. Nevada County joining Fall 2019, implementation Jan-Feb 2020



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To: NLS Administrative Council
From: Todd Deck, NLS Chair
Subject: Nomination of Executive Committee Member
Date: January 31, 2020

I am recommending the approval of Rita Lovell, Alpine County Library Director, to fulfill the vacancy on the NLS Executive Committee due to the resignation of Yolande Wilburn, Nevada County Library.

The term of this position will expire June 30, 2020, however Rita will be eligible for nomination and appointment in June 2020 to continue on the NLS Executive Committee for a full 2-year term.

Thank you for considering this recommendation.

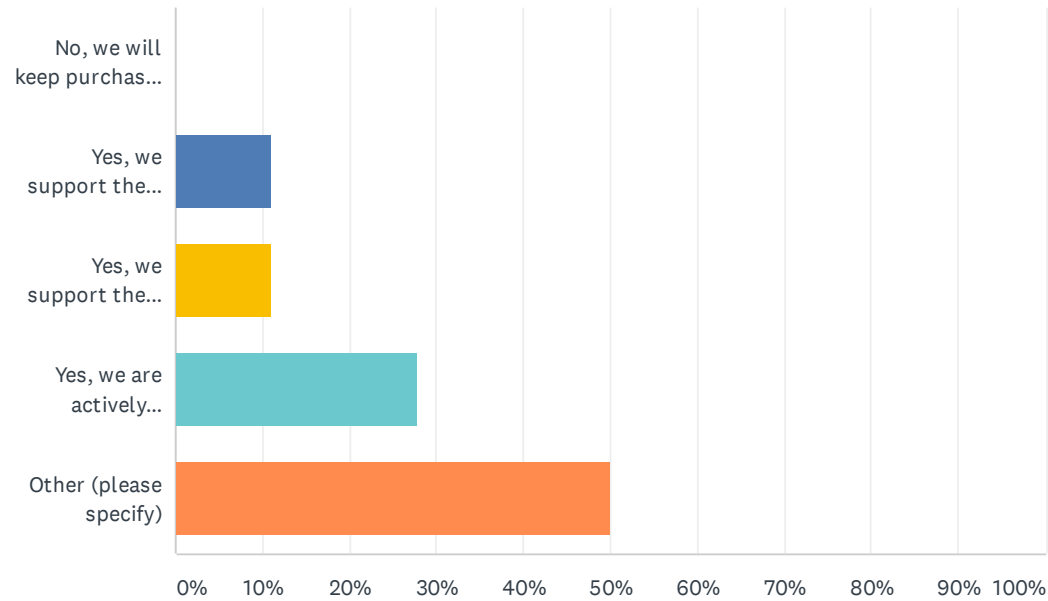
Q2 For which library do you work?

Answered: 18 Skipped: 0

#	RESPONSES	DATE
1	Yolo County Library	1/22/2020 12:42 PM
2	Folsom Public Library	1/21/2020 1:52 PM
3	Plumas County Library	1/15/2020 2:48 PM
4	Sutter County	1/15/2020 8:51 AM
5	San Anselmo Public Library	1/14/2020 1:14 PM
6	Sonoma County Library	1/14/2020 10:29 AM
7	Colusa County Free Library	1/14/2020 10:19 AM
8	Benicia Public Library	1/14/2020 9:53 AM
9	Tehama County Library	1/14/2020 9:46 AM
10	Siskiyou County Library	1/14/2020 8:16 AM
11	Nevada County Community Library	1/13/2020 9:34 AM
12	Placer County Library	1/10/2020 4:38 PM
13	Butte County Library	1/9/2020 12:33 PM
14	Mono County Library System	1/9/2020 11:09 AM
15	Orland Free Library & Willows Public Library	1/9/2020 9:56 AM
16	Roseville Public Library	1/9/2020 9:45 AM
17	Solano County Library	1/9/2020 9:17 AM
18	Napa County Library	1/9/2020 8:58 AM

Q3 Does your library support a publisher boycott? (Select one answer)

Answered: 18 Skipped: 0



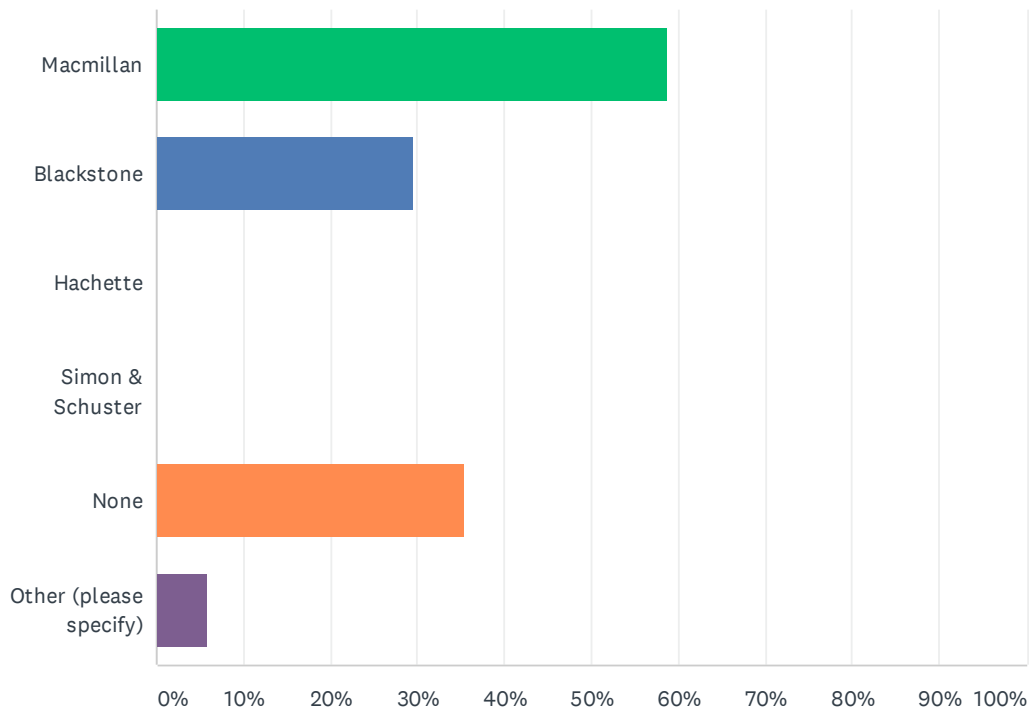
ANSWER CHOICES		RESPONSES	
No, we will keep purchasing titles as usual		0.00%	0
Yes, we support the boycott efforts of other libraries, but we cannot participate		11.11%	2
Yes, we support the boycott efforts of other libraries and will sign a letter of support but cannot participate		11.11%	2
Yes, we are actively boycotting publishers		27.78%	5
Other (please specify)		50.00%	9
TOTAL			18

Public Libraries and Publisher Embargoes

#	OTHER (PLEASE SPECIFY)	DATE
1	Not purchasing, but not talking about it yet either	1/21/2020 1:52 PM
2	We are currently de facto boycotting but plan to actively participate/sign the letter in Feb.	1/15/2020 2:48 PM
3	We are in a consortium and have agreed to limited ebook purchasing.	1/14/2020 1:14 PM
4	we are not boycotting, but we are also not purchasing titles as usual. We are delaying the purchase of Macmillan titles until the very end of the 8-week embargo period	1/14/2020 10:29 AM
5	We will support what the group consensus is, however, we do not purchase any eBooks or eAudios outside of the consortia, and therefore aren't actively boycotting aside from that.	1/14/2020 10:19 AM
6	We are silently boycotting but we don't have much money for ebooks anyway.	1/9/2020 12:33 PM
7	No it's too narrow, but we can't afford to purchase on our own so we're de facto in the consortial boycott	1/9/2020 11:09 AM
8	We will support a North Net boycott, but have not taken a stance as an organization.	1/9/2020 9:17 AM
9	We have been following the language from the fall & refrained from purchase but not actively calling it a boycott. Would need additional County approval to change/adopt language explicitly calling it a boycott.	1/9/2020 8:58 AM

Q4 Which publishers are you boycotting? (Select all that apply)

Answered: 17 Skipped: 1

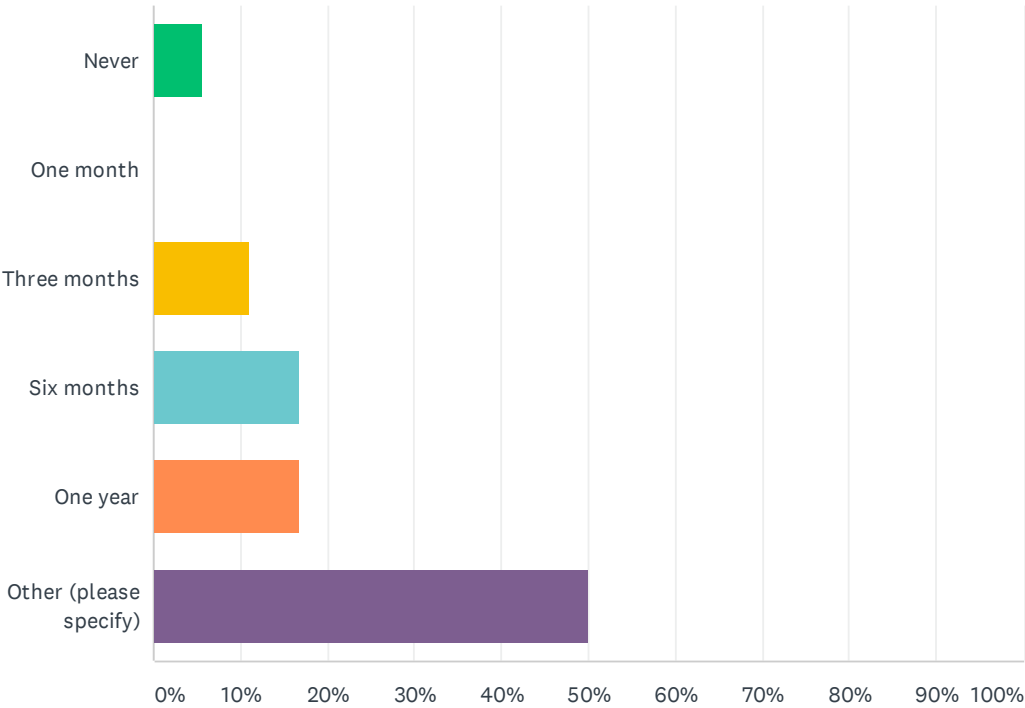


ANSWER CHOICES	RESPONSES	
Macmillan	58.82%	10
Blackstone	29.41%	5
Hachette	0.00%	0
Simon & Schuster	0.00%	0
None	35.29%	6
Other (please specify)	5.88%	1
Total Respondents: 17		

#	OTHER (PLEASE SPECIFY)	DATE
1	see above	1/14/2020 10:19 AM

Q5 How long should a library boycott a publisher? (Select one answer)

Answered: 18 Skipped: 0



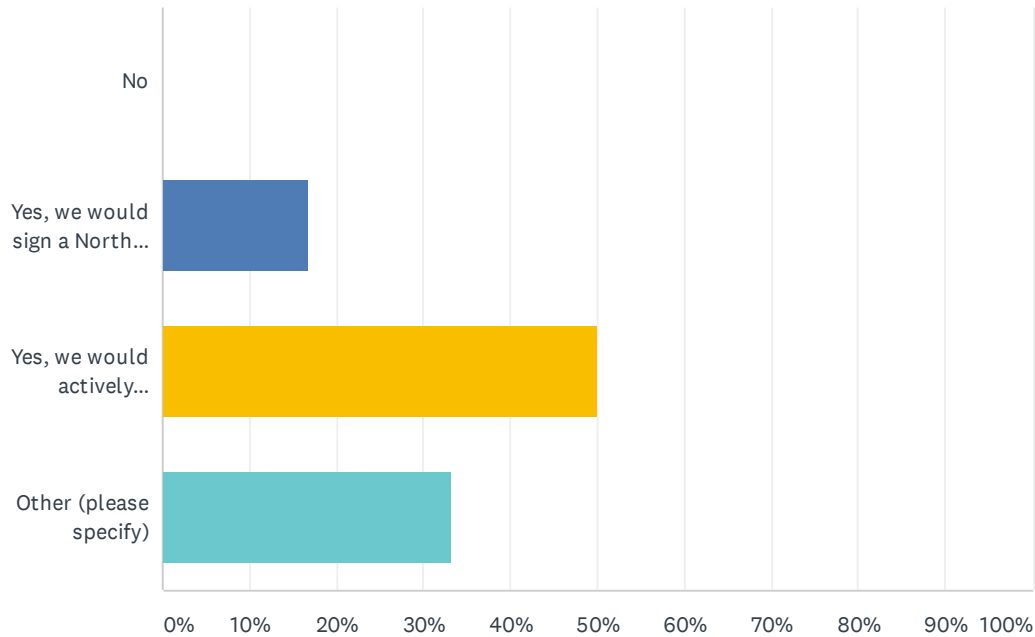
ANSWER CHOICES	RESPONSES	
Never	5.56%	1
One month	0.00%	0
Three months	11.11%	2
Six months	16.67%	3
One year	16.67%	3
Other (please specify)	50.00%	9
TOTAL		18

Public Libraries and Publisher Embargoes

#	OTHER (PLEASE SPECIFY)	DATE
1	not sure	1/15/2020 8:51 AM
2	Tricky--depends on whether they change their policy.	1/14/2020 1:14 PM
3	As long as is needed to be taken seriously! The Montgomery Bus Boycott was 381 days!	1/14/2020 10:19 AM
4	Whatever the agreed-upon strategy indicates. Long enough to make the point, and possibly until the publisher's policy changes.	1/14/2020 9:53 AM
5	Until libraries win!	1/10/2020 4:38 PM
6	Playing this by ear.	1/9/2020 12:33 PM
7	for as long as their actions are unacceptable	1/9/2020 9:56 AM
8	It depends on the facts of the situation. I am not in favor of placing a limit on the length of a boycott without knowing more details.	1/9/2020 9:17 AM
9	If the boycott has a defined end date, what motivates publishers from reviewing their policy instead of just sitting it out?	1/9/2020 8:58 AM

Q6 Would your library support a NorthNet Library publisher boycott?

Answered: 18 Skipped: 0



ANSWER CHOICES	RESPONSES	
No	0.00%	0
Yes, we would sign a NorthNet Library letter of support but not participate	16.67%	3
Yes, we would actively participate in a NorthNet Library boycott	50.00%	9
Other (please specify)	33.33%	6
TOTAL		18

#	OTHER (PLEASE SPECIFY)	DATE
1	Yolo County Library does not use the NorthNet shared Overdrive collection, but we support the effort.	1/22/2020 12:42 PM
2	Yes, but we would probably do it as a consortium much like we currently do.	1/14/2020 1:14 PM
3	We would support it, but before actively participating would run it by our BOS/CAO	1/14/2020 10:19 AM
4	Unclear. County Counsel would need to advise	1/10/2020 4:38 PM
5	Only if expanded to include ALL content providers who do not sell to or window libraries-eg Amazon, Audible, movie studios, etc and only if a viable endgame is spelled out	1/9/2020 11:09 AM
6	See question 3.	1/9/2020 8:58 AM

Q7 What additional information would your library like to know about publisher embargoes and/or public library boycotts of publishers?

Answered: 10 Skipped: 8

#	RESPONSES	DATE
1	none	1/22/2020 12:42 PM
2	N/A	1/15/2020 2:48 PM
3	A one-stop shopping chart which lists all ebook publishers and their crazy limits.	1/14/2020 1:14 PM
4	updates on what is happening at the legislative level on this matter (currently getting updates from ALA/National Advocacy efforts and PLA)	1/14/2020 10:29 AM
5	Is the impact effective? Is the message - beyond *not* purchasing materials - getting communicated?	1/14/2020 8:16 AM
6	The financial impact the boycott has on the publishers.	1/13/2020 9:34 AM
7	The freedom for a library director to make political decisions is not a given in every county, city, or jurisdiction.	1/10/2020 4:38 PM
8	Any and if it comes to that, I should probably clear it with the County Admin Office.	1/9/2020 12:33 PM
9	n/a	1/9/2020 11:09 AM
10	If there are active lobbying efforts on the part of the state library or others to address the issue legislatively.	1/9/2020 8:58 AM

Q8 What questions or concerns does your library have about boycotting publishers or other related issues?

Answered: 7 Skipped: 11

#	RESPONSES	DATE
1	none	1/22/2020 12:42 PM
2	N/A	1/15/2020 2:48 PM
3	Our patrons want the books/materials and don't understand the rules publishers are requiring.	1/14/2020 1:14 PM
4	There is a disconnect between what patrons experience when purchasing e-material versus the library's experience. Beyond the boycott, it would be good to have a cohesive message discussing the costs and licensing models that libraries have to deal with. I'm not aware that the public buy Metered Access titles, but libraries do. So the public has no idea how different the e-landscape is compared to the physical purchase of library material.	1/14/2020 8:16 AM
5	I do worry that this , the publishers part and the libraries' part, are hurting our patrons and is a waste of time. Nonetheless, we will be quixotic about it. Bring on those windmills!	1/9/2020 12:33 PM
6	The ultimate solution should most likely be legislated rather than negotiated provider by provider, libraries need to be much better prepared to justify our case to those stakeholders than we are today--including being much clearer about who our e-users are and how they relate & support the retail and creator side of the industry. If Panorama Project isn't making a persuasive case we push sales, then we need to bolster it more with who loses out by lack of access to culturally-relevant reading/information. As an industry we also need to be more consistent about other distributors of exclusive popular collection-worthy e-material unavailable to libraries eg Amazon, Audible, video streaming, etc. This boycott of Macmillan--which didn't pull out of libraries, just changed, is risky in that it is a narrow target, a reactionary & almost backward step in that it just focuses on a book publisher, and doesn't articulate--after over a decade of ebooks in libraries experience--a viable formula for a solution. Macmillan's action indicates they are not eager for library sales to begin with so how are we sure a boycott isn't playing into their hands?	1/9/2020 11:09 AM
7	How does one navigate such an action without the stigma of politisation of a "neutral agency?"	1/9/2020 8:58 AM

PRAMILA JAYAPAL
7TH DISTRICT, WASHINGTON

HOUSE COMMITTEE ON THE JUDICIARY

VICE CHAIR, SUBCOMMITTEE ON
IMMIGRATION AND CITIZENSHIP

MEMBER, SUBCOMMITTEE ON ANTITRUST,
COMMERCIAL, AND ADMINISTRATIVE LAW

HOUSE COMMITTEE ON THE BUDGET

HOUSE COMMITTEE ON EDUCATION
AND LABOR

MEMBER, SUBCOMMITTEE ON
HIGHER EDUCATION AND WORKFORCE INVESTMENT

MEMBER, SUBCOMMITTEE ON WORKFORCE PROTECTIONS

Congress of the United States
House of Representatives
Washington, DC 20515-4707

Attachment 5
1510 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3108
1904 3RD AVENUE
SUITE 510
SEATTLE, WA 98101
(206) 674-0040

December 6, 2019

John Sargent
Macmillan Publishers
120 Broadway
New York, NY 10271

Dear Mr. Sargent:

Libraries play a key role to address inequality and ensure that communities across the U.S. have access to knowledge. To be effective, libraries must be able to connect the public with a wide range of digital tools and types of digital content. Macmillan Publishers recently placed significant limitations on libraries' access to the digital content your company controls. Many libraries are concerned that these limitations will make timely digital content inaccessible to library users.ⁱ

I have heard concerns from libraries in my district and from across the country about Macmillan Publishers' new limitations on timely library access to newly published digital content.ⁱⁱ The Seattle Public Library described this restriction on library use as "a dangerous precedent" and "the most restrictive to date", with the potential to cause "decreased access to new publications and increased wait times for popular e-book titles."ⁱⁱⁱ The American Library Association has raised the concern that such a policy "prevents libraries from accomplishing their democratizing mission of providing equal access to information to American citizens."^{iv}

In the interest of ensuring that children and adults in my district and across the nation have access to up-to-date digital content from their public libraries, I request that you provide answers to the following questions by January 5, 2020:

1. What is Macmillan Publishers' policy regarding digital content access for libraries?
2. How many libraries are impacted by Macmillan Publishers' new policy?
3. What data did Macmillan Publishers rely on when setting its new policy?
4. What steps will Macmillan Publishers take to ensure fair and equal access for libraries to all of Macmillan's digital content?
5. What steps will Macmillan Publishers take to ensure fair pricing and licensing options for libraries?

I look forward to working with you to ensure that children and adults in my district and across the nation have access to up-to-date digital content through public libraries.

Sincerely,



PRAMILA JAYAPAL

Member of Congress

ⁱ Letter from The Seattle Public Library to Chairman David Cicilline and Ranking Member Sensenbrenner (November 22, 2019) ("As you are likely aware, Macmillan Publishers, one of five major publishing companies, has recently undercut libraries' ability to provide equitable access to e-books and to meet the growing demand for this format. As of November 1, 2019, Macmillan banned all library systems (regardless of size) from purchasing newly released e-books for eight weeks except for one permanent copy. After that, libraries can purchase unlimited quantities of two-year lease copies. Macmillan is not the only publisher to change its lending terms, however, Macmillan's actions are the most restrictive to date.")

ⁱⁱ Publishers Weekly, "Macmillan CEO John Sargent: 'We're Not Trying to Hurt Libraries'" (October 30, 2019) <https://www.publishersweekly.com/pw/by-topic/industry-news/libraries/article/81596-macmillan-ceo-john-sargent-we-re-not-trying-to-hurt-libraries.html>

ⁱⁱⁱ *Supra* endnote i

^{iv} American Library Association, "Before the U.S. House of Representatives Committee on the Judiciary: Competition in Digital Markets" (October 15, 2019)

ALA American Library Association

BEFORE THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON THE JUDICIARY

COMPETITION IN DIGITAL MARKETS

October 15, 2019

The American Library Association (“ALA”) is pleased to respond to the Committee’s request for information concerning competition in digital markets. Established in 1876, ALA is a nonprofit professional organization of more than 57,000 librarians, library trustees, and other friends of libraries dedicated to providing and improving library services and promoting the public interest in a free and open information society.

America’s libraries are engines for economic development and lifelong learning in an increasingly digital world. More and more, current policies and practices in digital markets limit libraries’ ability to deliver core services. These practices threaten Americans’ right to read what and how they choose, and imperil other fundamental First Amendment freedoms.

In every community across the country, libraries work to advance their missions to inspire education, creativity, and innovation. While print books remain a staple, today’s libraries are modernizing their services to offer the latest digital technologies to meet the needs of 21st century students, jobseekers, and entrepreneurs.

However, unfair behavior by digital market actors – and the outdated public policies that have enabled them – is doing concrete harm to libraries as consumers in digital markets. Libraries are prepared to pay a fair price for fair services; in fact, over the past ten years, libraries have spent over \$40 billion acquiring content. But abuse of the market position by dominant actors in digital markets is impeding essential library activities that are necessary to ensure that all Americans have access to information, both today and for posterity. If these abuses go unchecked, America’s competitiveness and our cultural heritage as a nation are at risk.

Libraries operate in distinct digital markets. First, public and K-12 school libraries purchase popular content aimed at the general market. Second, academic and research libraries purchase scholarly communications, such as journals and monographs, as well as textbooks. Significantly, many of the publishers of both the popular and academic content are foreign-owned. Below, ALA will provide an overview of the anti-competitive conduct of content producers in these two markets. Attached to this overview are documents which describe the anti-competitive conduct in more detail.

I. POPULAR CONTENT

A. eBooks

In the past decade, eBooks have grown from a niche phenomenon to become about 19% of the U.S. book market.¹ Though consumers may acquire eBooks easily through commercial channels, libraries face major barriers because of abuse of market power by dominant firms.

The worst obstacle for libraries are marketplace bans: refusal to sell services at any price. Amazon Publishing, now a large publisher in its own right, ranks as the fifth largest publisher for eBooks by dollar sales.² Among Amazon Publishing clients are high-profile authors Dean Koontz, Mindy Kaling, and Mark Sullivan.³

The eBook titles from Amazon Publishing are not available to libraries for lending at any price or any terms. By contrast, consumers may purchase all of these titles directly from Amazon. This is a particularly pernicious new form of the digital divide; the Amazon Publishing books are available only to people who can afford to buy them, without the library alternative previously available to generations of Americans.

A related problem is the delayed release of eBooks to the library market. The Big 5 publishers⁴ control over 80% of the trade book business in the United States.⁵ One of the Big 5, Macmillan Publishers, recently announced an eight-week embargo of new eBook sales to libraries, to take effect on November 1, 2019.⁶ For a new release, a library may purchase only a single eBook copy, and then must wait until the ninth week before purchasing additional copies,⁷ regardless of the size of the library community. A single eBook is made available to serve the people of the Providence (R.I.) Public Library, or for the entire New York Public Library system of 92 locations.

Abusive pricing for libraries also is typical from the Big 5 publishers. For example, *The Codebreakers* by David Kahn and published by Simon & Schuster was quoted for \$59.99 as an eBook for a consumer purchase⁸—which means lifetime access. By contrast, the price to

¹ Based on unit sales in 2018; presentation by David Walter of the NPD Group at Book Expo America, May 2019.

² Authors Earnings report, U.S. Online Book Sales, January 2018.

³ Amazon also commands vertical integration advantages as its share of the overall sales of eBooks in the U.S. is 83%. <https://www.idealogy.com/blog/changing-book-business-seems-flowing-downhill-amazon/>.

⁴ The Big 5 publishers are Hachette Book Group, HarperCollins, Macmillan Publishers, Penguin Random House, and Simon & Schuster.

⁵ <https://www.bookbusinessmag.com/post/big-5-financial-reports-reveal-state-traditional-book-publishing/>.

⁶ Andrew Albanese, *After Tor Experiment, Macmillan Expands Embargo on Library E-books*, Publishers Weekly, <https://www.publishersweekly.com/pw/by-topic/industry-news/libraries/article/80758-after-tor-experiment-macmillan-expands-embargo-on-library-e-books.html>.

⁷ Publishers typically make eBooks available to libraries through the OverDrive platform. A library licenses a certain number of copies of an eBook title from OverDrive, and OverDrive delivers copies of the eBook to that number of user devices. After a checkout period (such as three weeks), the eBook disappears from the user's device and is available to be checked out by another user. Amazon Publishing does not make its eBooks available on OverDrive, and its own platform does not provide a library lending capability.

⁸ On Amazon, September 30, 2019.

libraries for the very same eBook is \$239.99—and this is for one copy (i.e., it can be loaned out to one person at a time, simulating the print loan model) and lasts for only two years. If a library wanted access for four years, it would pay \$479.98. If the library wanted access for 20 years, it would pay a staggering \$2,399.90—for one copy, lending that eBook to one person at a time.

As another example, *All the Light We Cannot See: A Novel* by Anthony Doerr, is priced as an eBook for \$12.99 to consumers. The library price is \$51.99—for two years⁹ or \$519.90 for 20 years—for one copy.

Denying or delaying new content to libraries certainly is a market failure. It also prevents libraries from accomplishing their democratizing mission of providing equal access to information to American citizens.

B. Streamed Content

The restrictive license terms for streamed music and audiovisual content present libraries with similar access challenges. Here too, the digital platforms refuse to negotiate terms that enable libraries to provide essential content to users.

As more players enter the marketplace for streaming content, the amount of media content available has skyrocketed. The content can be culturally significant and valuable to many educational uses when considering the increasing importance of media literacy. However, this content often is offered only online with no analog equivalent such as CDs or DVDs available to purchase. The media also can be fleeting or unavailable as rights transfer and vendors go out of business.

Libraries and educational institutions need these works to provide the services that their users demand, yet often have difficulty obtaining and distributing the content. A library could acquire a license to stream audiovisual content from platforms such as Amazon, Hulu, or Netflix, but the license typically is restricted to “personal, non-commercial use.”¹⁰ Accordingly, a library technically may be breaching the terms of its license agreement if it makes the content available to its users, even on the library premises. Additionally, there is the practical problem of enabling users to watch this content in their homes.¹¹

For example, a high school teacher might want her class to view important content such as *13 Reasons Why* (a Netflix series about teenage suicide), *When They See You* (a Netflix series about the Central Park Five), or *The Handmaid’s Tale* (a Hulu series about a dystopian, misogynistic future). This content is not available on DVD or any other physical medium. While the screening of a DVD in a classroom is clearly lawful, the streaming of these programs into a classroom

⁹ The library eBook prices were provided by Multnomah County Library, Oregon.

¹⁰ See Judy Tsou & John Vallier, *Ether Today, Gone Tomorrow: 21st Century Sound Recording Collection in Crisis*, 72 Notes 461 (2016), attached as Exhibit A.

¹¹ While there are services that enable libraries to provide users the ability to stream films, they offer foreign, independent, and documentary films, not the original content distributed by the major streaming platforms. Chris Cagle, *Kanopy: Not Just Like Netflix, and Not Free*, Film Quarterly (May 3, 2019), <https://filmquarterly.org/2019/05/03/kanopy-not-just-like-netflix-and-not-free/>.

might not be considered a “personal” use under the Netflix or Hulu licenses. And if the teacher assigns these programs for the students to watch at home in preparation for a class discussion, the public or school library cannot provide access to students whose parents cannot afford internet access and the additional subscription fee to Netflix or Hulu.

The same problem exists with music. Deutsche Grammophon released several Los Angeles Philharmonic recordings only online. Popular artists such as Frank Ocean use online releases for mix tapes, bonus tracks, singles, and live performances. Spotify has exclusive online-only releases. The licenses for these online releases typically are restricted to “personal use.”

Furthermore, the streaming licenses do not permit the creation of preservation copies. In 100 years, Netflix, Hulu, Amazon, Spotify and other companies creating streamed content may be out of business or have no financial reason for maintaining their older works. The only way to ensure the availability of this content to future generations of researchers, students, and artists is for libraries to have the right to preserve it, notwithstanding contractual restrictions to the contrary.

Libraries have made many attempts to negotiate a library license with rights holders of digital media. Unfortunately, the rights holders respond they are not interested because of the small size of the market that libraries and educational institutions represent.

II. ACADEMIC AND RESEARCH CONTENT

A. “Big Deals” in Scholarly Publishing

One of the important services that academic and research libraries provide to their communities is access to scholarly journals. These publications serve a dual purpose in higher education: to communicate the latest research results and to provide the primary mechanism for evaluation of academics. The unique dual nature of scholarly journals has created a market where academics are essentially required to publish in journals and academic institutions feel pressure to buy access to them—no matter the cost.

Like many other publications, scholarly journals have transitioned to largely digital format over the past 25 years, and this period has also been marked by unprecedented consolidation. While three decades ago, dozens of publishers published large catalogs of journals, today just five large publishers control the majority of the market (Reed-Elsevier, Wiley-Blackwell, Springer, Sage, and Taylor & Francis).¹² Over the same time period, double-digit annual price increases have raised the cost to subscribe to these publications at a pace that has far outstripped the inflation rate for other consumer goods.¹³ Additionally, since the late 1990s, these five large publishers have moved away from selling individual journals and now almost exclusively sell digital journal bundles known colloquially as “big deals.” The value proposition to publishers is to

¹² Vincent Larivière et al., *The Oligopoly of Academic Publishers in the Digital Era*, PLoS ONE, (2015), 10(6): e0127502, <https://doi.org/10.1371/journal.pone.0127502>, attached as Exhibit B.

¹³ Mark J. McCabe, *Journal Pricing and Mergers: A Portfolio Approach*, American Economic Review, American Economic Association, at 259, (March 2002), vol. 92(1), pages 259-269.

leverage the low marginal cost of digital distribution into more recurring revenue. The perceived benefit for the institutions has been access to more digital journals at a lower per-title price than a la carte subscriptions, which was standard for journals distributed in print.

Over time, however, the value of these “big deals” has been thrown into question. Because publishers often require libraries to sign non-disclosure agreements, it is extremely difficult to ascertain what any given library is paying for the same content. Because publishers also often lock libraries into multi-year arrangements with built-in price increases, libraries have found a growing chunk of their budgets allocated to servicing these big deals, forcing them to cut books, monographs, and single-journal purchases.¹⁴ What was once seen as a way to get a significant collection of journals at a discount off of list price has devolved into a restrictive agreement that limits financial and strategic flexibility. The “big deal” has often been compared to a cable or satellite TV package, an apt analogy insofar as the customer cannot choose to pass on content that is of no interest, with initial price breaks quickly giving way to locked-in increases.

A growing number of libraries are now electing to critically appraise these deals. Earlier this year, the University of California system cancelled its approximately \$11 million annual contract with Elsevier, one of the world’s largest scholarly publishers. However, the high concentration of the publishing industry gives providers significant leverage at the negotiating table. Competition in the scholarly publishing market is further limited by the fact that scholarly works are non-substitutable goods. Each journal contains unique contributions to the scholarly record, so a library cannot simply substitute one publisher’s journal with another and provide researchers with access to the same information.

B. Anti-Competitive Behavior in Textbook Publishing

Academic libraries have played an increasing role in college course materials in response to rapidly rising prices. Textbook prices have risen 184 percent over the last two decades¹⁵—three times the rate of inflation—and nearly two-thirds of students say they have skipped buying required textbooks because of the cost.¹⁶ Libraries have been active in helping students bridge this gap, establishing textbook reserve programs that provide short-term access to print textbooks.

The college textbook publishing market has a long history of anti-competitive behavior that has led to the current crisis. The same three companies—Pearson, Cengage, and McGraw-Hill Education—have dominated the market for more than two decades and currently account for an

¹⁴ Claudio Aspesi et al., *Landscape Analysis: The Changing Academic Publishing Industry – Implications for Academic Institutions*, SPARC, at 5, (March 28, 2019), <https://osf.io/preprints/lissa/58yhb/download>, attached as Exhibit C.

¹⁵ Mark J. Perry, *Chart of the day.... or century?*, American Enterprise Institute (January 11, 2019), <http://www.aei.org/publication/chart-of-the-day-or-century/>.

¹⁶ Florida Virtual Campus: Office of Distance Learning & Student Services, 2 018 Student Textbook and Course Materials Survey: Results and Findings, at 13 (March 8, 2019), <https://dlss.flvc.org/documents/210036/1314923/2018+Student+Textbook+and+Course+Materials+Survey+Report+--+FINAL+VERSION+--+20190308.pdf>.

estimated 85 percent of industry revenues.¹⁷ Competition is further limited because student consumers are effectively a captive market, since professors assign their materials and are not always fully informed about the price. However, in recent years, the publishing industry has begun an aggressive push toward digital distribution. Pearson, the market leader, announced this summer that it would begin phasing out printed textbooks, and Cengage has begun shifting its model toward a Netflix-style all-access subscription to digital services.¹⁸ This shift is driven largely by a desire to eliminate the secondary market of used print textbooks,¹⁹ and has potential to further restrict competition and limit the role libraries have played in providing access to course materials.

In May 2019, Cengage and McGraw-Hill Education—the second and third largest companies—announced plans to merge. If allowed to proceed, this merger would remake the already highly concentrated market into a duopoly, with the combined firm holding approximately 45% share. As such, the merger is presumptively illegal under the Clayton Act and is currently under review by the Department of Justice. The Scholarly Publishing and Academic Resources Coalition (“SPARC”) filed a detailed antitrust analysis against the merger with DOJ in August, and numerous organizations have opposed the merger, including the Association of Public and Land Grant Universities, consumer organizations, and more than 40 student governments.

C. Academic Publishing’s Future in Capturing and Exploiting Data

Academic publishing is undergoing a major transition from an industry traditionally focused on content toward a business built around data and analytics. As education and research materials move to digital formats, publishers are poised to capture vast amounts of data about students, faculty, research outputs, institutional productivity, and campus life. This data represents a potential multi-billion-dollar market with enormous possibility for network effects and the same kind of winner-take-all dynamics that led to the rise of platform monopolies like Facebook, Google, Amazon, and others.²⁰

Myriad consequences can arise from the publishing industry’s increasing control over academic data. The more data companies are able to gather about students and faculty, the more possible it is for that data to be compromised. For example, Pearson disclosed a major data breach affecting hundreds of thousands of students earlier this summer.²¹ Even with federal laws concerning

¹⁷ SPARC, *Opposing the Merger Between Cengage and McGraw-Hill Education*, at 17, (August 14, 2019), https://sparcopen.org/wp-content/uploads/2019/08/DOJ_Filing_08142019830.pdf, attached as Exhibit D.

¹⁸ Brian Barrett, *The Radical Transformation of the Textbook*, *Wired* (Aug. 4, 2019), <https://www.wired.com/story/digital-textbooks-radical-transformation/amp>.

¹⁹ SPARC, *supra*, at 24.

²⁰ Aspesi et al., *supra*, at 6. Additionally, publishers are seeking control of all phases of the research workflow by acquiring the tools for the production of scholarship, thereby locking scholars and institutions into their platforms. Reed Elsevier, for example, has actively sought control of a broad range of scholarly infrastructure through the acquisitions of Mendeley (research collaboration platform), Aries (manuscript submission system), SSRN (preprints), bPress (institutional repository), and Plum Analytics (altmetrics to measure scholarly impact). See Lindsay Ellis, *Elsevier’s Presence on Campuses Spans More Than Journals. That Has Some Scholars Worried*, *The Chronicle of Higher Education* (April 3, 2019), <https://www.chronicle.com/article/Elsevier-s-Presence-on/246048>.

²¹ Parmy Olson, *Pearson Hack Exposed Details on Thousands of U.S. Students*, *The Wall Street Journal* (July 31, 2019), <https://www.wsj.com/articles/pearson-hack-exposed-details-on-thousands-of-u-s-students-11564619001>.

student data privacy, publishers may capture data in other ways, such as through the financial planning and career “quizzes” offered in Cengage’s digital subscription service or Pearson’s app for Amazon Alexa devices²² that have been criticized for “listening in” on users.²³

There are also concerns over analytics products that use algorithms to derive information on everything from a student’s learning style, daily patterns, or likelihood of dropping out to the productivity of research faculty, to tracking the most promising or profitable research trends. Algorithms that are commercially controlled are often “black boxes” that cannot be analyzed for biases or held accountable for mistakes.

The future of competition in academic publishing – and the ability of academic libraries and institutions to negotiate access to education and research products on behalf of their communities – is at risk. Both the education and research segments of the market are highly concentrated with significant barriers to entry, and large firms are able to exploit the decentralized nature of academic communities to gain leverage in negotiations.²⁴ Promoting vigorous competition in these new digital markets is vital to avoid the potential consequences that can arise as publishers transition to the data and analytics business. Offering strong privacy protections, favorable terms of service, and transparency for algorithms are all potential points of competitive differentiation that must be preserved.

III. FOLLOW-UP AND CONTACT INFORMATION

ALA appreciates the opportunity to participate in this investigation. If the Committee has any questions, please contact Alan S. Inouye, Senior Director, Public Policy & Government Relations, in ALA’s Washington, D.C. office, ainouye@alawash.org; 202-628-8410.

²² Amazon Web Services, *Pearson Announces New Alexa Skill at Imagine EDU* (July 12, 2019), <https://aws.amazon.com/blogs/publicsector/pearson-announces-new-alexa-skill-at-imagine-edu/>.

²³ TJ McCue, *Alexa is Listening All the Time, Here’s How to Stop It*, *Forbes* (April 19, 2019), <https://www.forbes.com/sites/tjmccue/2019/04/19/alexa-is-listening-all-the-time-heres-how-to-stop-it/#7545a2fe5e2d>.

²⁴ Aspesi, *supra*, at 5.

TO: ALA Executive Board

RE: Update on the #eBooksForAll Campaign and the Joint Working Group on eBooks and Digital Content in Libraries

ACTION REQUESTED/INFORMATION/REPORT:

Advocacy on equitable access to eBooks continues as a top priority for ALA and our members. The attached report and oral remarks will provide an overview of the current state of this advocacy. Welcome this opportunity to explore questions on eBooks advocacy. No specific action is requested at this time.

ACTION REQUESTED BY:

Alan S. Inouye, Senior Director, Public Policy & Government Relations, ALA

CONTACT PERSON:

Alan S. Inouye, 202-276-6738, ainouye@alawash.org

DRAFT OF MOTION:

None

DATE: January 6, 2020

BACKGROUND:

ALA's eBook advocacy, under the umbrella #eBooksForAll campaign, comprises 4 components: Communications and grassroots, direct engagement with industry, federal policy, and state & local policy. This report provides an update of this campaign and anticipated future directions. Additionally, the current state of the Association's new member group, the Joint Working Group on eBooks and Digital Content will be discussed.

ATTACHMENTS:

Summary report.

EBD 12.34
2020 ALA Midwinter Meeting

**Report of the #eBooksForAll Campaign and
the Joint Working Group on eBooks and Digital Content in Libraries**

The #eBooksForAll campaign continues as a major activity of the Public Policy & Advocacy Office. This prioritization is required both because of its importance as a policy issue and demand by ALA members and the national library community. Accordingly, PPA has shifted resources and de-emphasized some other work.

With the implementation of the Macmillan embargo on November 1st, the campaign has broadened with an increasing emphasis on engaging political institutions and data-based work. The Joint Working Group on eBooks and Digital Content in Libraries was formally constituted this fall and will hold its first in-person meeting at the 2020 ALA Midwinter Meeting.

Congressional Submission

The Subcommittee on Antitrust, Commercial, and Administrative Law of the U.S. House Judiciary Committee is investigating competition in digital markets. On September 13, the Subcommittee sent a letter to ALA to request comments.

On October 15, ALA submitted comments. ALA argued that there is market failure in key areas of digital services for libraries. The Macmillan Publishers embargo was discussed specifically as well as abusive market conditions more broadly, including the lack of availability of e-titles that Amazon produces itself. ALA also referenced challenges in the higher education market. ALA's submission was initially made public via an article in Publishers Weekly.

In November, ALA began working with library advocates across the country to ramp up outreach to congressional offices of Members on this Subcommittee. We were able to identify one or more library constituents in each relevant district and initiated contact. In several districts, there has been notable interest and progress already, and some concrete action such as a letter from Rep. Pramila Jayapal, who represents the Seattle area, to Macmillan CEO John Sargent.

#eBooksForAll Advocacy Campaign

On October 30, ALA delivered our petition to Macmillan Publishers at its corporate headquarters on Wall Street. ALA representatives included Loida Garcia-Febo, Barb Macikas, Sari Feldman, Alan Inouye, Emily Wagner, and Stephanie Hlywak. Macikas, Feldman, and Inouye subsequently met with John Sargent and two other senior executives of the company. There have been further direct communications between PLA/ALA and Macmillan.

ALA continued to add and update materials on the #eBooksForAll website. Additional videos were produced, social media ads were placed, and talking points were updated. These materials provide resources for advocacy purposes as well as education and awareness of the issue.

As of January 6, the petition has 238,349 signatures.

The unprecedented grassroots engagement continued around the country. Here is a sampling (there are many more instances) since our last report to the Executive Board on October 26:

- October 28 TV news segment on KATU-2 (ABC affiliate) in Portland, Oregon: Multnomah County Library in the fight with publishers over price of e-books. "Local libraries say they are being gouged by publishers."
- November 6 editorial in *Tulsa World*: Ebook publisher takes shortsighted approach to role libraries have in developing new book consumers. "Our goal is to provide equitable access to all materials out there in the world so customers don't have to purchase every book," Anderson said. "We want people to participate in public dialogue. By closing people out of the market, by not selling to libraries, it seems very unfair and un-American to me."
- December 2 article in the *JournalInquirer*: E-book limits irk libraries. "Librarians across the country are upset by a new policy on the sale of e-books, with the Connecticut state librarian calling it 'repugnant'..."
- December 9 article in the *Los Angeles Times*: L.A. is an e-book borrower's paradise. A major publisher's crackdown could hurt. "Rather than undermining sales, readers said, borrowing brought literature into their digital diets, displacing podcasts and Instagram with new authors and genres they otherwise never would have picked up."
- December 15 op-ed in the *Indianapolis Star*: Library books have never been easier to borrow. Publishers hate that. "In short, publishers might be restricting access to library books because they finally can."

On December 17, PLA and ALA partnered to host a virtual town hall on eBooks, chaired by ALA President Wanda Brown and PLA President Ramiro Salazar.

Joint Working Group on Ebooks and Digital Content in Libraries

The Joint Working Group held its first meeting by Zoom on November 12. In addition to discussing organizational matters, the group received a briefing on eBook advocacy from Alan Inouye. Co-chairs Leah Dunn and Kelvin Watson led the group in a discussion of its priorities, recognizing that their efforts need to be narrowed. Group priorities will be further discussed at an in-person meeting at 2020 ALA Midwinter.

Updates from 2020 ALA Midwinter Meeting--to Be Discussed in Person

- Meeting of the Joint Working Group, Sunday, 8:30 – 10:00 a.m.
- Appearance by John Sargent, CEO, Macmillan Publishers, Saturday, 8:30 – 10:00 a.m.
- #eBooksForAll Campaign Update panel session featuring Ramiro Salazar, Sari Feldman, Pat Losinski, Larra Clark, and Alan Inouye, Sunday 4:00 – 5:00 p.m.
- Other updates

Future Directions

For the immediate term after Midwinter, ALA has four priority directions: 1. Continue to engage with the offices of the Congressional Subcommittee and develop definite follow-on activities. 2. Focus on communications that are based on data and specific stories. 3. Increase focus on state and local advocacy and aiding our colleagues around the country. 4. Clarify priorities for the Joint Working Group. There will be a panel session at the 2020 PLA National Conference on Friday morning.

Results of ReadersFirst E-Content Business Models Survey November 29, 2017

205 responses came into our survey of what e-content business models librarians would like. Libraries responding ranged from across Australia, Canada, and the United States. Thanks to all who responded! You can see a list of the responding libraries and also the survey comments here:

https://docs.google.com/document/d/1ZrOz3swaB0zVJ5p8by9wBBpB2hGLU8m8S_eLVaPvNc/edit?usp=sharing

A PDF of the results can be seen here:

<https://drive.google.com/file/d/1P4ElglZJ1NOmaSI6N43320Ddxun12kiX/view?usp=sharing>

88% of the responses were from public libraries; since some of the consortiums also consist primarily of public libraries, the survey seems primarily valid for this group. Academic or school libraries will require another survey.

The results and comments overwhelmingly suggest four points:

1. No business model currently available is adequate for all library needs
2. Librarians would like a choice of business model options at point of sale: the ability to choose traditional, metered, or other ways on a per-title basis
3. Librarians believe that currently available models are preventing us from fully realizing the advantages of e-content and thus limit access by patrons
4. If a variety of models were offered, librarians would likely spend as much or more on content, offering a greater variety of titles and more of less well-known or new authors

The comments also suggest many librarians believe that prices, especially for the traditional model (unlimited lease period, one user at a time per title), are expensive enough that they make some titles unattractive to acquire and maintain and that they certainly to limit circulation. A variety of models might also serve to address this issue while offering fair value to publishers. Responders also suggest that a tiered pricing (a price for one copy, a lower price per copy for 5, and a lower cost per unit still for 10 copies) would be of interest.

Fully 94% of responders said multiple license types would be beneficial. 82% would like the traditional model to be one option. Fewer—only 39%—seem to favor the metered (limited by number of circulation and/or lease period) model. If asked, more would prefer a lease limited by number of circulations (say, 26) rather than being bound by a time period such as 1 year. This option is viewed much more favorably by 65% if some metered titles could change to perpetual access after a period of time. Fully 83% would dislike metered access only for best sellers, since it prevents long-term preservation of titles. 68% would like to see some sort of subscription model, where a certain number of uses for a range of titles could be purchased, especially if librarians could choose to “bundle” certain authors. But a combination of many models, each offered for every title, is strongly favored. To quote one comment: “[We want] A model wherein a title is available in various checkout models (at various price points) such that we might . . .

purchase a perpetual one license/one user version . . . so that the long tail of the collection might be maintained but that we could also purchase a metered . . . version so that when peak demand ebbs we can still provide the title [without] versions languishing on our virtual shelves.”

Pay-per-use, although it offers the advantage of simultaneous access for titles, was not rated as highly as some might suspect. Only 42% favored it, while 44% came out strongly against. This response must, however, be considered in light of budgeting: as the comments make clear, librarians are wary of this model because the more successful it becomes, the more likely it is to be a “budget buster.” One must either keep stoking with more money or else begin to limit the number of uses. When asked to rank seven models, the response was to put pay-per-use at the bottom. The models were ranked as follows in preference (with low scores being better):

1. Simultaneous use by checkout -- i.e., when buying 26 checkouts, have the checkouts available all at once: if ten people are on a holds list, let them all have the title at the same time—score 390
2. Variable licensing (changing a license model after 6, 12 or 18 months. For instance, I choose a title on the 26 circ per license model and it does well; I would like the option to renew some or all of the copies as One-copy/One-user)—score, 453
3. Traditional (perpetual, one user at a time—score, 455
4. Metered, sequential use (when buying 26 checkouts on a title, they would be available one user at a time for that title)—score 496
5. Subscription (a lump sum either per year or per month, buying a defined number of circulations)—score 658
6. Pay-per-use with standard price—score, 710
7. Pay-per-use with variable pricing (pay per each copy checked out at a different agreed-upon price, depending on the demand for the title)—score of 800

Simultaneous use does, however, earn strong support, as is suggested by one model ranking “first” in the list above. Many comments mentioned it as a desirable model. Perhaps there is no perfect model, but one that offered flexibility in lease terms but gave some greater control over budgeting than pay-per-use seems to be getting close to that elusive ideal.

That the status quo is inadequate for librarians is reinforced by 80% agreeing that “Implementation of new business models will allow our library to expose the maximum number of titles to new audiences” and “74% agreeing that “Implementation of new models will allow our library to purchase more new authors while maintaining our purchasing of better known authors.”

ReadersFirst hopes that the results of this survey will be useful, sparking conversations among librarians and, perhaps even better, a dialogue between publishers, library e-content vendors, and librarians. That we have made progress in access to titles and in ease of use in platforms over the last five years is undeniable. Isn't it time, however, to think about how we can continue to move forward? Digital content use (especially perhaps in audiobooks but certainly in e-books too) is NOT on the decline in libraries. Indeed, we continue to see growth in digital circulation, even as print circulation remains

stagnant or even falls. If libraries could make better use of their admittedly limited materials budgets to offer more to their readers, publishers and libraries could all benefit, with more authors discovered, more books read, and (likely) in the end, more books in all formats sold. Library e-content vendors might take notice of the survey results as well. How might implementing some of these models in your platforms allow libraries to explore the ever-expanding offerings of independent e-book authors?

We have made progress, indeed, but for librarians, it is time for yet another step.

The author offers special thanks to Cathy Mason of Columbus Metropolitan Library for her work on business models for the survey, Tressa Santillo of Massachusetts Library System and Micah May of DPLA for help polishing the survey, and Andrew Albanese of Publishers Weekly for spreading awareness of our effort. The comments made by responders have been very helpful in interpreting the results and are worthy of a read.

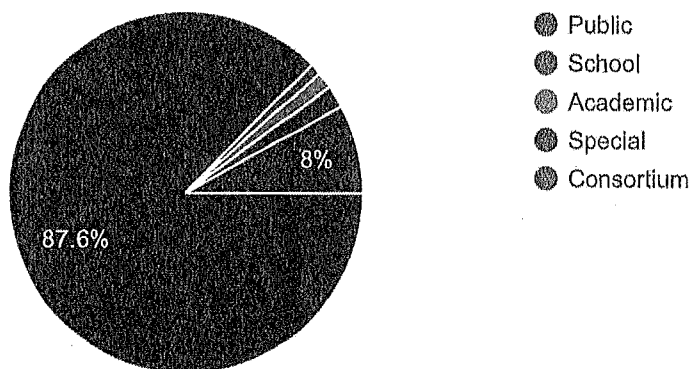


E-Content Business Models Survey

205 responses

What type of library do you represent?

201 responses



What is the name of your library/consortium?

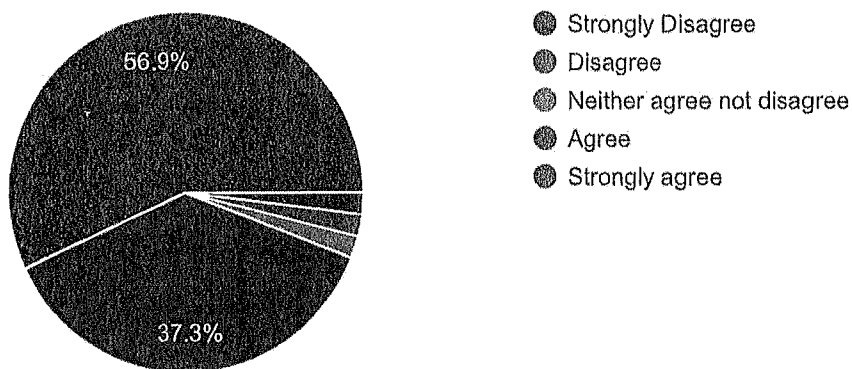
196 responses

- Monroe County Library System (7)
- RAILS (3)
- GMILCS (3)
- Alameda County Library (2)
- Rochester Public Library (2)
- Santa Clara County Library District (2)
- Cuyahoga County Public Library (2)
- Chicago Public Library (2)
- Seattle Public Library (2)
- Rodgers Memorial Library (2)

Wichita Public
 Winfield Library
 St. Mary's County Library
 Other (77)

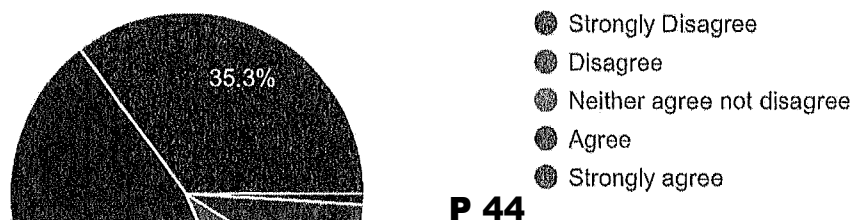
1. Publishers should embrace multiple types of licenses available for the same digital title (including both perpetual one copy/one user "forever" titles and limited loan/term licenses), so that libraries can choose the best fit for their needs

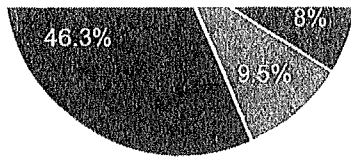
204 responses



2. My library is interested in using the traditional perpetual license: one copy/one user "forever" titles, a model supported by (for example) Penguin Random-House and many smaller publishers

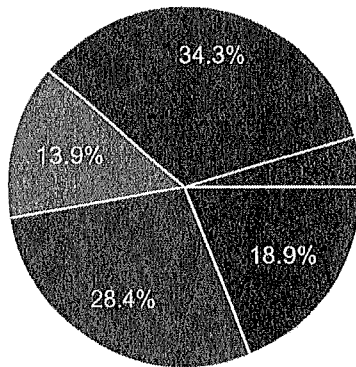
201 responses





3. My library is interested in "metered access": sequential loans, as offered for example by HarperCollins, with licenses expiring when the number of loans are complete: for example, 26 uses, one user at a time, license complete when 26 uses were done.

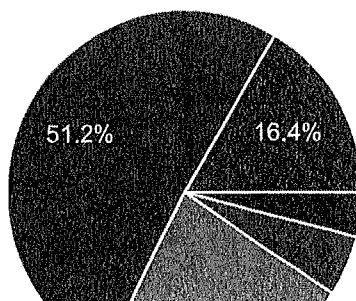
201 responses



- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

4. My library is interested in subscription pricing: we would pay for a bundle of titles to which our users had "anytime" simultaneous access.

201 responses

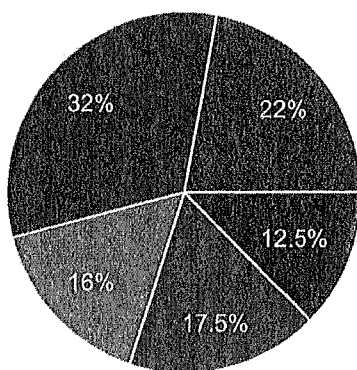


- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree



5. My library is interested in simultaneous "metered" loans: for example, 50 uses of a title, with only the 50 uses limiting the number of simultaneous users, and the license expiring when 50 loans are hit.

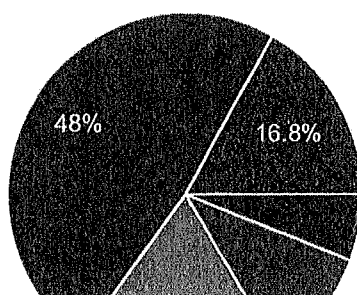
200 responses



- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

6. My library is interested in using time-bound licenses that could be converted into perpetual licenses: start with, for example, a two-year license for 10 "copies" with the option to lease one or two of the copies in perpetuity.

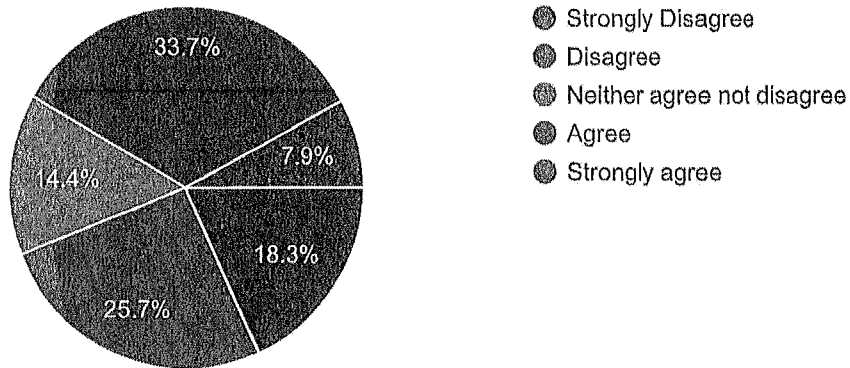
202 responses



- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

7. My library is interested in "pay per use": paying a fee for every access with no payments on a title if it were never selected by users.

202 responses



8. Implementation of new business models will allow our library to expose the maximum number of titles to new audiences.

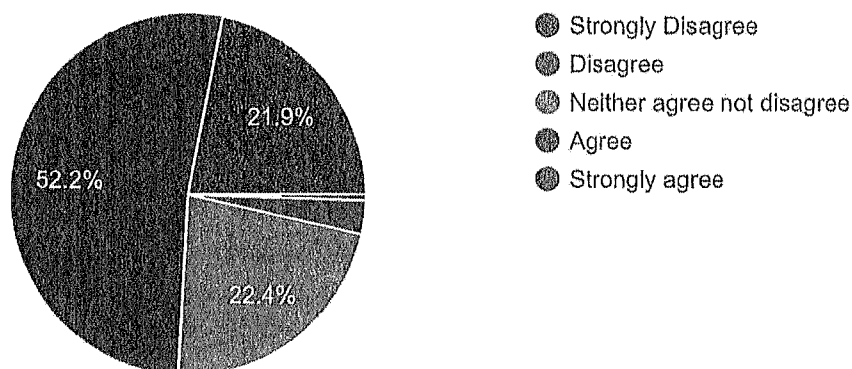
202 responses

Strongly Disagree

9. Implementation of new models will allow our library to purchase

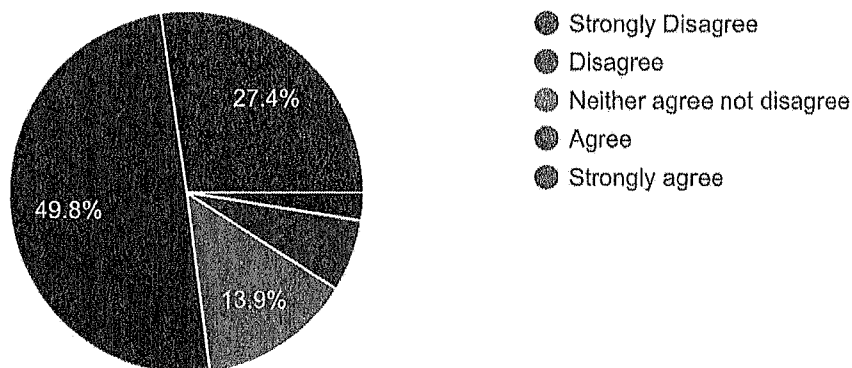
more new authors while maintaining our purchasing of better known authors.

201 responses



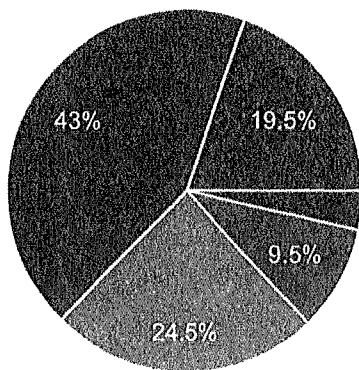
10. For some titles, my library would like to be able to buy a number of one-copy/one-user licenses as well as metered access (possibly with simultaneous users for the metered titles) to address short-term demand.

201 responses



11. I am very unlikely to buy holiday books with 12 - 24 month licenses. I prefer metered access or perpetual use

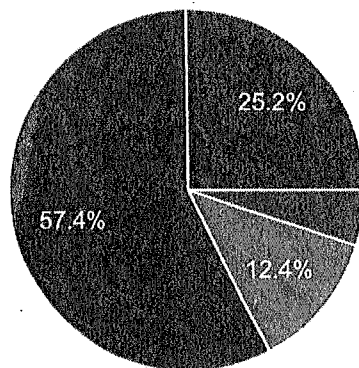
200 responses



- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

12. For blockbuster titles, 12 to 24 month metered access does not work for our library, as we need to maintain perpetual access to at least some copies

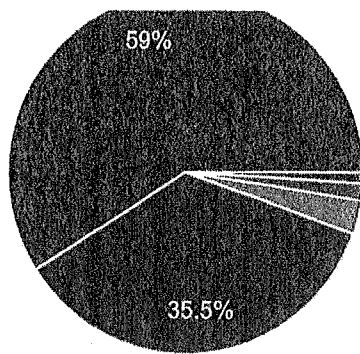
202 responses



- Strongly Disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

13. If my library could get a discount on digital titles similar to what traditional library book vendors offer their customers (i.e., Baker & Taylor or Ingram offering copies at half the cover price), I would buy more digital copies rather than decrease my e-content budget.

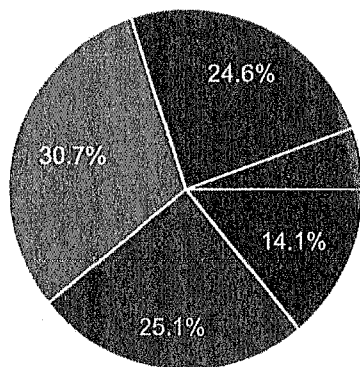
200 responses



- Disagree
- Neither agree not disagree
- Agree
- Strongly agree

14. My library could without much trouble establish buying plans for lending models that might make budgeting more complicated (e.g. pay-per-use).

199 responses

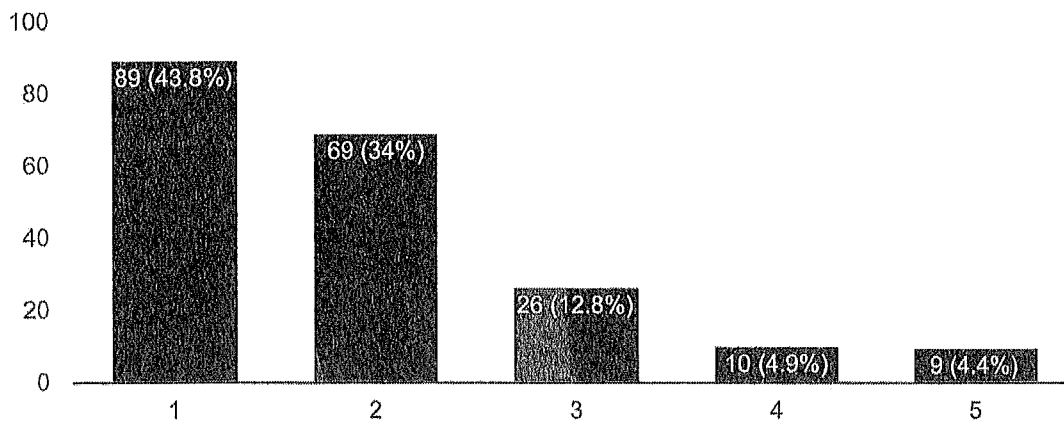


- Strongly Disagree
- Disagree
- Neither agree not disagree
- Agree
- Strongly agree

15. Please rank the following business models by order of desirability for your library, with "1" being most important and "5" the least. It is acceptable to rate different models with the same score.

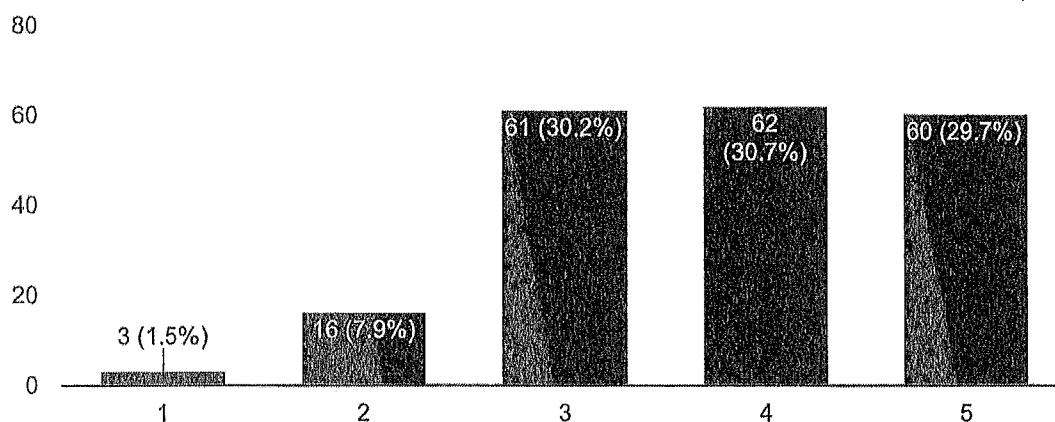
Simultaneous use by checkout -- i.e., when buying 26 checkouts, have the checkouts available all at once: if ten people are on a holds list, let them all have the title at the same time.

203 responses



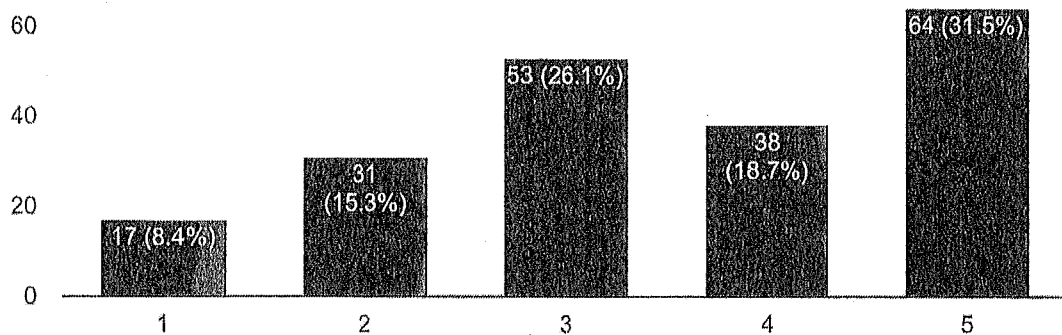
Sequential use by checkout -- when buying 26 checkouts on a title, they would be available one user at a time for that title.

202 responses



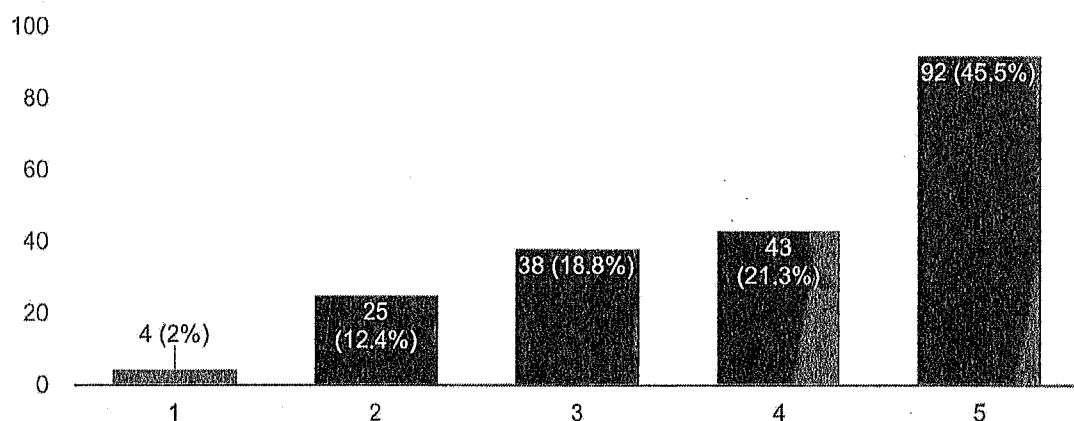
Pay per use, standard price--I pay per each copy checked out at a standard rate (for instance, \$1.00 or \$1.50), no matter what the title.

203 responses



Pay per use, variable price--I pay per each copy checked out at a different agreed-upon price, depending on the demand for the title.

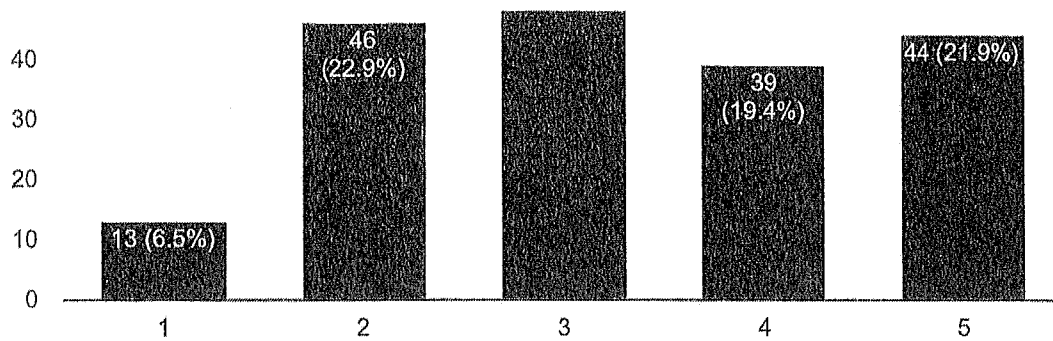
202 responses



Subscription--I pay a lump sum either per year or per month, buying a defined number of circulations. I can add to the basic amount to get more, if I want.

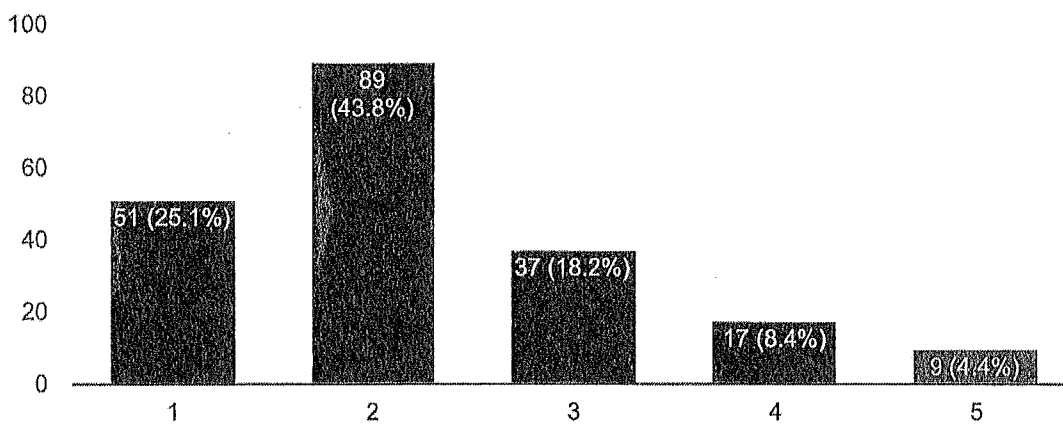
201 responses





Variable licensing: changing a license model after 6, 12 or 18 months. For instance, I choose a title on the 26 circ per license model and it does well; I would like the option to renew some or all of the copies as One-copy/One-user.

203 responses



Traditionalist: I get perpetual access on a One-copy/One-user model

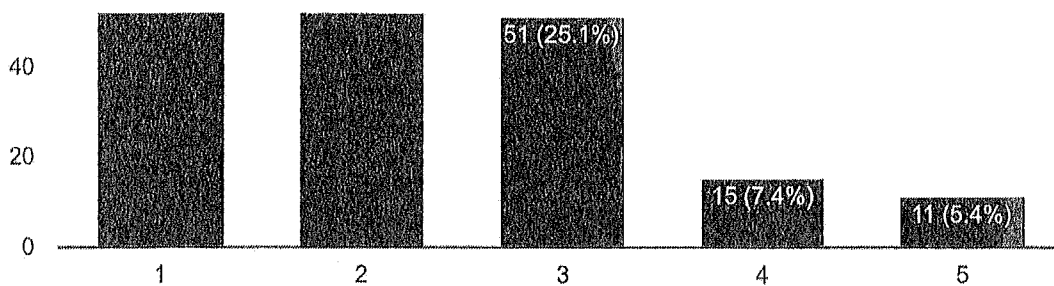
203 responses

80

60

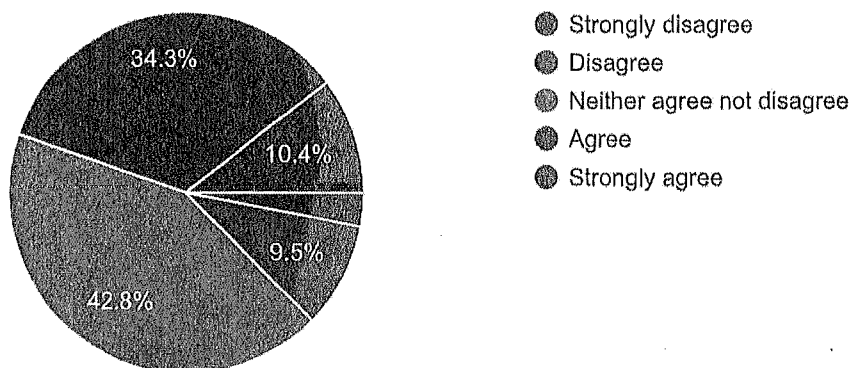
65 (32%)

61 (30%)



16. Not a publisher model but of possible interest: My library will consider investigating working with the Internet Archive on its "Open Library" model: we hold back one print copy of books we own but they have digitized, and my library can circulate those books digitally in a one reader/one circ model.

201 responses



Please comment: suggest an alternative model, give details on any answer on which you wish to comment, or frame a comment you'd like e-content publishers to hear.

70 responses

We would like to subscribe to packages of titles for unlimited, simultaneous use on an annual basis.

RECOVERING TOGETHER

MID-YEAR PROJECT UPDATE

Overview

To better support libraries in our region and throughout the state, NLS has launched Recovering Together, an LSTA-grant-funded project to help the network learn more about how libraries have responded to natural disasters and helped their communities to recover in the months and years afterwards. During this project, with help from consultant Common Knowledge, NLS is:

- Collecting insights in a way that can be easily shared
- Creating a central resource for policies, practices and lessons learned
- Facilitating collaboration and coordination between libraries
- Improving readiness before another disaster

Project Plan

Recovering Together is being guided by a Core Project Team representing multiple library systems within the NLS network. All NorthNet members have also been invited to contribute their own resources and suggestions to the project planning [Google Doc](#). A survey was conducted online from mid-August to early September 2019. Survey participants were incredibly diverse, reflecting the entire range of library roles. A total of 144 people took [the survey](#), including staff and volunteers from more than 21 county, city and academic libraries. Common Knowledge has also been conducting follow-up interviews to learn more about disaster recovery experiences and the needs of NLS libraries.

Key Findings & Themes

- Experience with disasters and emergencies is widespread throughout the NLS region. Most survey participants reported experiencing a disaster or emergency within the last four years, with wildfires (76%) and the related challenge of poor air quality (61%) being the most common. Evacuations (32%), floods (29%) and earthquakes (11%) were also frequent experiences throughout the region.
- Libraries were recognized for serving as a safe, supportive place for displaced residents and for providing much needed access to information and assistance.
- Libraries have helped to connect affected community members with resources both in the immediate aftermath of a disaster to address pressing needs. Legal assistance, mental health supports, help finding housing and space for healing were all cited as being important ways libraries have helped with long-term recovery.
- Diverse partnerships with county agencies, schools, nonprofits and faith-based organizations were cited by many participants as important factors supporting recovery.
- The most common challenges during disaster recovery were mental health concerns among patrons, evacuations, mental health concerns among staff or volunteers, and loss of access to library facilities.
- Survey participants also identified many things they would like to do differently when responding to a disaster, including:
 - Expand access to library facilities and services
 - Establish clearer protocols and policies to aid disaster response
 - Offer training and drills for staff and volunteers
 - Improve how donations are collected
 - Improve communication among staff and volunteers

- Offer additional mental health supports for patrons, staff and volunteers
- While 74 percent of respondents feel that preparing for a disaster is important, less than half said that their library has a disaster or emergency response plan in place (47%).
- Library staff have expressed an interest in improving their ability to aid in disaster response and recovery through additional planning and training.
- Participants have also identified relationships with other library staff and support from trusted leaders as being central to recovery efforts.
- There is an opportunity for NLS to help foster greater connection, collaboration and sharing among libraries ahead of another disaster.

NLS Recovering Together Online Resources

The next phase of the project involves creation of the new NLS Recovering Together resource platform. The online site will synthesize best practices from throughout the region, tell the recovery stories of NLS member libraries and connect staff members and volunteers with resources that will support recovery planning before another disaster. Survey and interview participants have expressed support for many types of content on the new NLS Recovering Together website, including:

- Disaster planning and preparation resources
- Sample disaster recovery plans
- Easy-to-use checklists
- Lists of vetted resources and people to call who can provide advice
- Best practices for strengthening community relationships before a disaster

Next Steps

At the mid-year meeting on Jan. 31, Common Knowledge will provide a summary of research conducted to date, including major themes from the survey, interviews and meeting of the Core Project Team, as well as a draft outline for the website. There will be time for members of the NLS Executive Committee to discuss the network's disaster recovery needs and help guide next steps.

In addition to the new Recovering Together website, other project next steps include:

- Connecting with libraries addressing disaster recovery in other parts of the state
- Identifying ways to sustain the Recovering Together effort into the future, including through regional and statewide convenings
- Investigating support for additional disaster recovery planning and engagement in 2020-2021