



TO: IHLS Board of Directors
FROM: Leslie M. Bednar
DATE: September 17, 2019
RE: eResources Embargo

As eResources of all types become more popular and user friendly, libraries and their patrons have embraced the technology. The licensing models have varied widely as content providers looked for a fit that worked for different types of buyers and helped grow their businesses. Until very recently it appeared all stakeholders in the publishing process might work together. In July we learned that Macmillan Publishers planned to impose restrictions on eBooks of new titles purchased by libraries. The limitations will severely limit libraries' ability to serve the information needs of their patrons—effectively reversing the progress made to date. One of the major publishing houses, Macmillan is responding to pressure from a well-known content distributor or “middle-man.”

The following is an information packet which demonstrates how IHLS has responded to the situation, shared information with members, and our proposed response from the board. IHLS recently went live with a [resource page](#) to help library staff, boards, and patrons understand and respond to the pending changes in eResource licensing. Generally, information in this packet is in addition to that found on the resource page:

- **Draft Macmillan Publishers memo (internal) announcing embargo plan**
- **Open letter to Macmillan Publishers CEO:** we will include in Member Connection newsletter that posts after September 24, 2019 board meeting
- **Embargo communications shared with our stakeholders**
- **Final Report of the ALA – ASGCLA National eBook Summit:** a focus of the American Library Association has been an improved model for eBook licensing. As a division of ALA, the Association for Specialized, Government and Cooperative Library Agencies led a group of stakeholders to create a national agenda for eBooks. One component of the report is a move for a licensing solution that serves all sides well.
- **Proposed IHLS Embargo Resolution:** follows ALA-provided language, affirms IHLS eResource sharing principles, and denounces Macmillan Publishers' plans to severely limit access to new eBooks. If approved by the board, this will also be featured in the newsletter following the September board meeting.

IMAGINING TOMORROW ~ DELIVERING POSSIBILITIES TODAY!

The time to act is now-- before the Macmillan embargo takes place and before any additional content providers adopt a similar model. I welcome any comments and questions you have prior to the board meeting and look forward to our conversation next Tuesday.

Thank you for your thoughtful consideration.

CONFIDENTIAL - EMBARGOED UNTIL THURSDAY, JULY 25 at 10:15 AM EST

DRAFT

To: Macmillan Authors, Macmillan Illustrators, and Agents
From: John Sargent

I am writing to tell you about a change that we will make today in our ebook terms of sale to public libraries. First, some background.

Last year, in response to our growing fears that library lending was cannibalizing sales, we windowed a portion of the Tor ebook frontlist for 16 weeks as a test. Since then we have been reviewing all the available data, from all sources, to determine the effects of library ebook lending on digital and physical book sales. We have also been talking to library systems large and small and to the ALA to understand their needs.

One thing is abundantly clear. The growth in ebook lends through libraries has been remarkable. For Macmillan, 45% of the ebook reads in the US are now being borrowed for free from libraries. And that number is still growing rapidly. The average revenue we get from those library reads (after the wholesaler share) is well under two dollars and dropping, a small fraction of the revenue we share with you on a retail read.

The increase in library ebook reading is driven by a number of factors: a seamless delivery of ebooks to reading devices and apps (there is no friction in e-lending, particularly compared to physical book lending), the active marketing by various parties to turn purchasers into borrowers, and apps that support lending across libraries regardless of residence (including borrowing from libraries in different states and countries), to name a few.

It seems that given a choice between a purchase of an ebook for \$12.99 or a frictionless lend for free, the American ebook reader is starting to lean heavily toward free.

After our conversations with many libraries across the country and with many of you, we decided to change our library terms of sale. Our new terms are designed to protect the value of your books during their first format publication. But they also ensure that the mission of libraries is supported. They honor the libraries' archival mandate and they reduce the cost and administrative burden associated with ebook lending. We are trying to address the concerns of all parties.

The terms: We will make one copy of your ebook available to each library system in perpetuity upon publication. On that single copy we will cut the price in half to \$30 (currently first copies are \$60 and need renewal after two years or 52 lends). This change reflects the library request for lower prices and perpetual access. Additional copies of that title will not be available for

library purchase until 8 weeks after publication. All other terms remain in place. It is important to note that the 8-week window only applies to ebooks; the library can order as many physical books as they like on publication. It is a window for only a single format.

Historically we have been able to balance the great importance of libraries with the value of your work. The current e-lending system does not do that. We believe our new terms are a step toward reestablishing that balance.

I hope that you agree.

Please let us know if you have questions or concerns. Thanks, as always, for entrusting us with your work.

All best, John



Illinois Heartland Library System

**AN OPEN LETTER TO MR. JOHN SARGENT, CEO, MACMILLAN PUBLISHERS
REGARDING PLANNED EMBARGO**

The Illinois Heartland Library System is extremely disappointed in the decision by Macmillan Publishers to further limit access to eBook titles for library patrons. The new purchasing model for libraries, due to take effect on November 1, 2019, will only allow a library to purchase only a single copy of each new title in eBook format upon release and places an embargo on the purchase of additional copies for eight weeks. This decision not only severely limits patron access to new titles and important works; it also directly contradicts our libraries' mission to respond to community needs and provide access to all. Libraries have a long history of encouraging readers to discover new titles and authors and Macmillan's new policy makes it impossible for those new discoveries to take place in the realm of eContent.

The Illinois Heartland Library System joins professional organizations including the America Library Association, Public Library Association, and Canadian Urban Library Council in denouncing the new library ebook lending model. This model harms libraries and readers alike and we encourage library patrons at our member libraries to speak out against this harmful policy by contacting Macmillan directly:

Macmillan Publishers
Attn: Mr. John Sargent, CEO
120 Broadway Street
New York, NY 10271
Phone: 646-307-5151

IMAGINING TOMORROW ~ DELIVERING POSSIBILITIES TODAY!

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SHARED VIA NEWSLETTER



August 13, 2019

Macmillan Creates Embargo Against Libraries

Does your library lend eBooks? New restrictions on eBook purchases for libraries have been announced by Macmillan Publishers that will affect your budget and your patrons starting November 1.



*Under the Frontlist Perpetual License, a library can buy on a perpetual license ***only one*** copy of a frontlist release within the first eight weeks post publication date at \$30. Under the second option, the Frontlist Standard License, a library can buy frontlist titles on a two-year expiration model after eight weeks post publication at \$60 each. There is no cap on how many copies can be bought, and there are no per-system restrictions.*

The American Library Association (ALA) has denounced Macmillan's new lending model, and IHLS will also be crafting a response in the coming weeks.

"Macmillan Publishers' new model for library ebook lending will make it difficult for

libraries to fulfill our central mission: ensuring access to information for all,” said ALA President Wanda Brown. “Limiting access to new titles for libraries means limiting access for patrons most dependent on libraries.”

Recent news stories regarding this change:

- Library Journal: [Macmillan Announces Two-Month Embargo on Library Ebooks](#)
- ALA: [ALA denounces new Macmillan library lending model, urges library customers to voice objections](#)
- Publishers Weekly: [Libraries Must Draw the Line on E-books](#)

SHARED VIA SOCIAL MEDIA

Macmillan spat over e-books highlights library woe — and that’s bad news for readers



By [John Warner](#)
Chicago Tribune |
Aug 13, 2019 | 6:00 AM



Libraries and publishers have yet to figure out how to handle e-book lending -- a circumstance brought to the fore again involving Macmillan. (Casanova / MCT)

I think a lot of writers who have been fortunate enough to publish a book or books have been approached by readers and experienced a scenario that goes something like this:

Reader: I read your book.

Author: Wow, fantastic, that’s wonderful to hear.

Reader (looking sheepish, eyes downcast): I borrowed it from the library. Sorry about that.

It’s kind of nice when people implicitly acknowledge that the way writers make money is through people purchasing things they’ve written. But for those who feel any guilt about telling an author you’ve borrowed a book from the library, please don’t.

There are a number of reasons you shouldn’t feel guilty.

1. If the writer was published under a traditional “advance against royalties” agreement, odds are that they’ve earned all the money they’ll get from that book the day it was published. Many books don’t earn back their advances. Of my seven books, I’ve only earned back the advance on two, and one of those is because the advance was very low.

2. Libraries are significant purchasers of books and under certain conditions they pay more for books. Without libraries, some books would never get published. Particularly for university presses, knowing libraries have the resources and will to purchase books without obvious commercial potential makes them more likely to publish academic and off-the-radar titles. However, this is now under threat, due to budget cuts, particularly at university libraries.

3. Libraries are awesome because they help maintain a culture of reading and knowledge by providing access to books, regardless of people's income.

Right now, libraries are in a dispute with publisher Macmillan over e-book purchasing and rights, and today, even though I am a writer of books and enjoy making money from people who buy them, I'd like to publicly declare myself a member of team library when it comes to this particular issue.

[Writing at CNN.com](#), Vermont librarian Jessamyn West lays out the core of the issue. A physical book can be in the hands of only one reader at a time, but with digital files, theoretically capable of infinite duplication, it is complicated to figure out a way to manage lending and borrowing.

Macmillan believes that e-book lending depresses sales and is experimenting with embargoing some titles from being distributed through libraries for four months. After that, the number of digital copies available to libraries will be restricted.

While we can respect Macmillan for trying to protect its own interests as well as its authors', this is a perfect example of being penny wise, but pound foolish. As West observes, it "doesn't make sense." She argues, "Allowing a library like the Los Angeles Public Library (which serves 18 million people) the same number of initial e-book copies as a rural Vermont library serving 1,200 people smacks of punishment, not support."

Work must be done to find a balance between the interests of publishers, libraries and the public. The truth is, much of this angst is driven by the dominance of Amazon in the e-book market, which allows that behemoth to put the squeeze on publishers.

Publishers turning around and pinching libraries is no solution. In fact, if libraries are degraded, and readers lose their faith that these institutions are worth preserving, publishers will have truly shot themselves in the foot.

Or someplace worse. Someplace more fatal.

A thriving reading ecosystem requires all of these players to be healthy and well supported. When one necessary organism turns on another, we should be worried.

John Warner is the author of "Why They Can't Write: Killing the Five-Paragraph Essay and Other Necessities."

[Twitter @biblioracle](#)

SHARED VIA SOCIAL MEDIA

The proposed changes to digital lending models have had a negative impact on libraries' ability to provide high-quality digital services.

A statement from Tom Mercer, SVP of Digital Products, with bibliotheca (cloudLibrary) offers a unique insight into the challenges libraries face, the data that is driving publishing decisions, and the ways that both libraries and the industry can respond.



Dear

Customers,

I'd like to take this opportunity to address the many changes that are impacting your library's ability to offer a high-quality digital lending service to your users. As the leader of our cloudLibrary solution since its 2010 inception, I have worked closely with libraries and publishers on specific issues faced by the library industry. Given recent changes that have rightly upset you, it's important that we discuss what has led to today's digital content landscape, what bibliotheca is doing to support libraries, and where we go from here.

First, let's review how the digital library lending market looked in early 2012. Penguin had stopped selling digital content to libraries completely, Random House had raised its prices, and HarperCollins had changed its terms to allow only 26 checkouts per eBook. Macmillan, Hachette, and Simon & Schuster had no library lending models at all. In the beginning, we leveraged our position as 3M, a trusted company with a history of innovation, to have meaningful conversations with publishers, understand their concerns, and ultimately convince them of the benefits of partnering with libraries.

Through lengthy discussions, including a strategic partnership with NYPL, we were able to experiment, gather data, and pilot a new digital library lending model with a limited group of libraries. Owing to this hard work, we were the first library vendor to sell Penguin, Hachette, Macmillan, and Simon & Schuster eBooks. Once publishers were comfortable with the model we'd established, they opened up their terms of sale to all vendors in the market. This infusion of content into the library market resulted in the dramatic growth of digital lending that's been well documented.

Now, fast-forward to the digital library lending market today, where we're seeing a shift from several of the major publishing companies. Blackstone Audio is embargoing audiobook titles for 90 days, Hachette has changed from perpetual access to two-year expirations (also implemented by Penguin Random House last October), and Macmillan will limit the quantity of frontlist titles effective November 1. It's unlikely that all of these publishers would be changing their terms without external pressures. So, where is the pressure coming from? ~~There~~ There is evidence to suggest that in recent years, authors and agents have come to feel that the library market is eroding their revenue. I think it's telling that Macmillan CEO John Sargent addressed his letter about the library model change to "Macmillan Authors, Macmillan Illustrators and Agents."

This begs the next question: if authors and agents are voicing concerns about library lending, where are they getting their data from? I doubt it's publishers, since a report on library lending is not part of an author's royalty statement. There is only one company that has access to readers' digital retail purchases as well as users' digital library borrowing habits, and that is Amazon.

In 2009, Amazon created a publishing division, Amazon Publishing, which doesn't sell any of its eBooks or audiobooks to libraries. They have teams of people talking with authors and agents trying to secure rights and make them as exclusive as possible to the Amazon ecosystem. It's highly probable that they use the data provided by library users to argue that library lending is undercutting retail sales. This is a major concern that we need to understand and to face together as an industry.

As long as data is shared with Amazon by library users, Amazon will spin that data to create concern, and publishers will be forced to alter their digital library lending models or risk losing key authors.

Where do we go from here? I think libraries can respond in a few ways. First, they can pressure their existing vendors to terminate relationships or refuse to share data with Amazon. If Amazon won't sell their content to libraries, then why should libraries share their data with Amazon? Second, they can appeal to ALA to engage authors the same way they engage publishers and demonstrate how digital lending contributes to the discovery and accessibility of their works. The book ecosystem starts with authors and we need to ensure that they understand the value libraries provide. It is also advisable to consider joining the efforts of the Association of American Publishers, who are currently pressuring the Federal Trade Commission to monitor Amazon.

In closing, I want to assure you that we at bibliotheca are continually working to ensure libraries have equitable access to content. We unconditionally support the ability for libraries to acquire content on publication date, and we will persist in advocating on their behalf. Our collaborative

approach of open discussion with both publishers and libraries has helped create the market we have today, and I am confident we will be able to improve access again as the market evolves.



Tom Mercer

SVP of Digital Products, bibliotheca

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Final Report of the 2018 ALA-ASGCLA National Ebook Summit

January 22, 2019

The National Ebook Summit was born from the work of the ASGCLA Consortial Ebooks Interest Group and has been made possible with financial support from the American Library Association, Califa Group and the Reaching Across Illinois Library System (RAILS). Generous staff time has been provided by the Association of Specialized, Government and Cooperative Library Agencies, a division of the American Library Association, Califa Group, Massachusetts Library System and the Reaching Across Illinois Library System. Summit planning was led by Paula MacKinnon, Veronda Pitchford and Stephen Spohn with support from Luma Consulting.



ASGCLA
Association of Specialized, Government
and Cooperative Library Agencies

ALA American
Library
Association

From the Summit Conveners

Thank you to everyone who participated in the first ebook summit at the 2018 Annual Conference of the American Library Association in New Orleans. Your contributions were critical to this effort and we are forever in your debt. The national agenda that is set forth in this report sets the stage for cross-industry collaboration to solve challenges and to co-create positive changes to better serve readers.

Thank you as well to the readers of this report and to all those who will join us in the coming months and years to bring this agenda to life. ***This is our dare to be great moment!*** As you will see in this report, there is much work to be done by all partners and the summit was only the beginning. Please let us know how we can engage you in this important work.

We appreciate the support from ALA, ASGCLA, the Summit Advisory Committee and all participants who helped to make this summit a success. Many thanks to ALA Immediate Past President James "Jim" Neal for championing this initiative and to all those who personally and professionally supported and guided us in this effort!

Yours in library love,

Paula MacKinnon, Califa Group

Veronda J. Pitchford, Califa Group (formerly of RAILS)

Stephen Spohn, Massachusetts Library System

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Executive Summary

A National Ebook Summit was convened at the 2018 American Library Association Annual Conference to discuss challenges and opportunities in the library ebook marketplace. The summit represents the work of thought leaders throughout the industry from libraries, library consortia, publishers, distributors and other experts. It was sponsored by the American Library Association and its Association for Specialized, Government and Cooperative Library Agencies (ASGCLA) division and emerged from conversations among members of ASGCLA's Consortial Ebooks Interest Group.

Summit Goals

- To create a national agenda for ebooks,
- To create synergy among people, organizations and initiatives in the ebook marketplace,
- To build consensus on ebook strategy and principles and
- To establish a working platform for constructive and meaningful dialogue, strategy development and progress.

The National Agenda for Ebooks

The summit itself was a working day organized around five themes established by an advisory committee that helped to shape the day and the national agenda that follows.

Licensing Models

Having more flexibility to choose from among different models in order to meet different usage and circulation patterns.

1. Work with industry partners to push for the adoption of the current [ONIX 3.0 standard](#) to accommodate multiple licensing models per item and to provide input in ongoing development of the standard.
2. Nurture results-oriented dialogue among publishers and librarians to optimize available licensing models to best meet library and industry needs and budgets.

Impacts and Benchmarks

Accurately portraying the current impact of ebooks. Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action.

3. Convene library and industry leaders to develop and publish a study of ebook usage that connects with existing research efforts.
4. Educate libraries, publishers, distributors and authors about the impact of ebooks distributed via libraries.
5. Develop core training on data and data analysis for library workers.



Accessibility

Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.

6. Promote awareness of and compliance with EPUB Accessibility standards.
7. Perform accessibility testing on major consumer and library eBook platforms and apps.
8. Develop model licensing language that creates appropriate focus on accessibility that improves adoption of the Voluntary Product Accessibility Template (VPAT).
9. Develop training for librarians on accessibility, accessible features of computers and mobile devices, accessible content and accessibility features of ebook platforms and apps.

Curation

Giving libraries greater ability to curate materials and help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).

10. Support the development of standards that drive the interoperability of ebook systems for easier library curation and end-user discovery. Evaluate existing standards and identify gaps where new standards should be created.
11. Develop talking points on the importance of standards that can be used for marketplace advocacy, negotiation, development and fundraising.
12. Research the ebook supply chain and where libraries can most effectively exercise curation. Make recommendations that are applicable across library types and scalable to all sizes of libraries.
13. Support the development of standards that will drive the interoperability of ebook systems to improve end-user discovery and use.
14. Evaluate gaps in metadata that hinder curation and discovery and make recommendations for improvement.
15. Support the development and expansion of SimplyE.
16. Advocate for increased interoperability by proprietary eBook platforms with SimplyE.

Content “Deserts”

Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).

17. Study user demand for ebooks in the content desert.
18. Develop a coordinated approach to expand access to this content along with guideposts for similar initiatives to keep the momentum.
19. Ensure that content made available is discoverable via SimplyE to maximize access.
20. Add OpenLibrary content to SimplyE.

The full report outlines the following for each of the themes in greater detail:



- Problems, challenges and opportunities
- Priorities
- Organizational partners
- Opportunities to get involved

A Call to Action for ALA

The summit conveners respectfully call upon ASGCLA and ALA to support the National Agenda for Ebooks that emerged from this summit. The summit conveners will meet with the ASGCLA Board at the 2019 ALA Midwinter Conference to discuss next steps.

For More Information

To learn more about the summit or to get involved in efforts related to this national agenda, contact the conveners of summit:

Paula MacKinnon, Califa Group

pmackinnon@califa.org

Veronda J. Pitchford, Califa Group

veronda@califa.org

Stephen Spohn, Massachusetts Library System

steve@masslibsystem.org



Background

This summit was born from ongoing dialogue among the summit conveners and many colleagues who are passionate about ebooks and who hope to design a better path forward. We believe that the system today is not doing its best to connect ebooks to readers and that we can do better. We also believe in a constructive approach that is focused on dialogue. To that end, we were committed to engaging with many thought leaders and industry partners in the development of the summit. We needed a national conversation among all stakeholders in the ebook ecosystem - librarians, publishers, distributors and other partners.

To be clear, this summit was focused on ebooks and eaudiobooks, collectively referred to as ebooks in this report, as they are distributed via libraries. Also, the summit and the national agenda that follows were a bit more focused on issues facing public libraries. We hope that as this agenda continues to evolve in the future that its scope expands to fully address the ebook challenges and opportunities facing all types of libraries and their readers.

Our Vision

There are numerous national initiatives and conversations that must coalesce to effect positive change on the ebook reading ecosystem. This summit aims:

- To create synergy among people, organizations and initiatives in the ebook marketplace,
- To build consensus on ebook strategy and principles and
- To establish a working platform for constructive and meaningful dialogue, strategy development and action.

Preparing for the Summit

Our biggest challenge was to invite a small, representative group of thought leaders in the ebook space to tackle those themes and to ensure that the work of the summit continued beyond the day. There were so many great people that we could not invite to attend this summit, but we knew that the summit was only the beginning and that everyone would find their place in the work that is to come.

To prepare, we formed an Advisory Committee to set goals and to shape the event. We worked with the Advisory Committee to refine our vision and to consider themes that would form the basis of our work together. We also surveyed the Advisory Committee and invited participants to refine the themes and to hone the agenda.

Limited Scope

Another challenge was to limit the scope of conversations to a manageable set of themes. It should be understood that those themes are not intended to be exhaustive and that the summit itself is only a beginning. As our work continues, we expect that scope to evolve to reflect the priorities of the libraries, consortia and industry partners and maintain the momentum of the national agenda.



People and Organizations

Summit Advisory Committee

The following individuals advised on summit goals, activities and prospective attendees.

Cindy Aden Washington State Library	Mitchell Davis BiblioLabs	Andrew Medlar BookOps
Michael Bills Baker & Taylor	Skip Dye Penguin Random House	Mary Minow Harvard University
Carson Block Carson Block Consulting, ASGCLA Liaison	James English LYRISIS	Brian O'Leary Book Industry Study Group
Mallori Bontrager Independent Publishers Group	Sari Feldman ALA Office for Information Technology Policy	Veronda J. Pitchford Califa Group
Dana Bostrom Orbis Cascade Alliance	Keith Fiels American Library Association (retired)	Steve Potash Overdrive
John S. Bracken Digital Public Library of America	Susan Hildreth University of Washington Information School	Michael P. Santangelo BookOps
Deirdre Brennan Reaching Across Illinois Library System	Laura Irmscher Boston Public Library	Stephen H. Spohn, Jr. Massachusetts Library System
Todd Carpenter National Information Standards Organization	Paula Mackinnon Califa Group	Lisa Wadors Benetech
Becky Clark Library of Congress		Scott Wasinger EBSCO



Attendees

Summit participants developed the initial action plans in this report and helped to shape next steps for this important work.

Cindy Aden
Washington State Library

Becky Brasington Clark
Library of Congress

Linette Greske
bibliotheca

Greg Aden
NetRead

Wendy Cornelisen
Georgia Public Library Service

Christine Lind Hage
Rochester Hills Public Library

Tina Baich
IUPUI University Library

Mitchell Davis
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Sarah Houghton
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Michael Bills
Baker & Taylor

Heidi Dolamore
Califa Group

Marilyn Howard
Arizona State Library

Michael Blackwell
St Mary's County Library

Lori Donovan
Chesterfield County Public
Schools

Laura Irmscher
Boston Public Library

Mallori Bontrager
Independent Publishers Group

Skip Dye
Penguin Random House

Sara Jones
Marin County Free Library

Dana Bostrom
Orbis Cascade Alliance

Colleen B. Eggett
Utah State Library

Michele Kimpton
Digital Public Library of America

John S. Bracken
Digital Public Library of America

Sari Feldman
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Hong Ma
Loyola University Chicago

Deirdre Brennan
Reaching Across Illinois Library
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Rachel Bussey
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Chris Freeland
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Anne E. McKee
Greater Western Library Alliance

Galadriel Chilton
Ivy Plus Libraries

Sara Gold
WiLS

Andrew Medlar
BookOps



Attendees (cont.)

Robert Miller
LYRASIS

J. Elizabeth Mills
University of Washington
Information School

Mary Minow
Harvard University

Jill Morris
PALCi

Janet B. Morrow
Northeastern University Libraries

Jim Neal
American Library Association

Sharon Nemechek
Douglas County Libraries

Lisa Novohatski
Gale | Cengage Learning

Brian O'Leary
Book Industry Study Group

Kellie O'Rourke
Cambridge Press Group

Christine Peterson
Amigos Library Services

Veronda J. Pitchford
Califa Group

Jane Plass
Reaching Across Illinois Library
System

Steve Potash
OverDrive

Greg Pronevitz
Massachusetts Library System

Michael Santangelo
BookOps

Tressa Santillo
Massachusetts Library System

Rebecca Seger
Oxford University Press

Mary Soucie
North Dakota State Library

Stephen Spohn
Massachusetts Library System

Paul Swanson
Minitex

Lisa Wadors Verne
Benetech

Consultants

[Luma Consulting](#)

John Smith
William Vesneski

Luma Consulting assisted with summit planning, provided facilitation at the summit and recorded notes that were used to inform this report.



Conveners

Paula MacKinnon

Paula MacKinnon is Executive Director of Califa Group, the largest library network in California. Califa brokers the procurement of library products for California libraries, administers statewide and federal grant projects including a statewide ebook platform, and offers Continuing Education training through the Infopeople project. She is a library professional with 20+ years' experience developing and managing innovative web services for public and special libraries. Her recent projects include award-winning library services enki Library, a California ebook platform that makes ebook ownership a reality for libraries; Discover & Go, a downloadable museum pass platform for California libraries; and LiveChat, an eGovernment Customer Relationship Management service provided by libraries. Paula holds a master's degree in library science from Dalhousie University.

Veronda J. Pitchford

At the time of the summit, Veronda J. Pitchford was the Director of Membership and Resource Sharing for the Reaching Across Illinois Library System (RAILS), a resource sharing state agency serving multi-type libraries in northern and western Illinois, where she managed eRead Illinois on the Baker & Taylor Axis 360 platform and the multi-use, statewide and geolocated Biblioboard ebook platform with content and curation partners such as the Independent Publishers Group, the Chicago Children's Museum and Publisher's Weekly. In November 2018 she became the Assistant Director at the Califa Group. Veronda works nationally with library consortia, vendors and publishers to position libraries as the purveyors of econtent in the communities they serve. She was named a Library Journal Mover and Shaker in 2005 and received the 2018 Cathleen Bourdon Service Award administered by the Association of Specialized, Government and Cooperative Library Agencies (ASGCLA). She has a master's degree in library and information science from North Carolina Central University, a historically black college in Durham, North Carolina.

Stephen Spohn

Steve is the Resource Sharing Director at Massachusetts Library System, a statewide library consortium serving nearly 1,600 libraries of all types. Following a successful pilot, Steve helped launch Commonwealth eBook Collections, a statewide eBook program in 2014. Since then, the program has evolved into a statewide collaboration among multiple entities focused on expanding access to ebooks and marketplace advocacy for library-friendly policies, pricing and technology. Beyond ebooks, Steve leads assessment and advocacy efforts at Massachusetts Library System and works statewide to nurture and support resource sharing. In his spare time, he enjoys conspiring with his colleagues - Veronda Pitchford and Paula MacKinnon - on national ebook priorities and the quest for the perfect nacho at ALA conferences. Prior to joining Massachusetts Library System, Steve was a library consultant and an academic library director. He received his M.L.S. from the University of Maryland.



The Summit

The Summit took place on Friday, June 22, 2018, at the American Library Association Annual Conference in New Orleans. There were 63 total participants including the conveners and consultants.

The Agenda

The day began with opening remarks from then ALA President James Neal. This was followed by a panel discussion with thought leaders from different parts of the industry to help set the stage for the work to come. The remainder of the day was devoted to work group sessions.

8:00 **Welcome**

James Neal, ALA President

8:15 **Overview**

Paula MacKinnon, Califa Group

John Smith, Luma Consulting

William Vesneski, Luma Consulting

8:45 **Panel Discussion**

Cindy Aden, Washington State Library

Dana Bostrom, Orbis Cascade Alliance

Skip Dye, Penguin Random House

Brian O'Leary, Book Industry Study Group

Veronda Pitchford, Reaching Across Illinois Library System-Moderator

Michael Santangelo, BookOps Library Service Center

9:45 **Work Groups I**

12:15 **Work Groups II**

1:30 **Work Group Reports**

Deirdre Brennan, Licensing Models

Todd Carpenter, Impact Data, Benchmarks & Research

Andrew Medlar, eBook Content Deserts

Michael Santangelo, Curation & Discovery

Lisa Wadors Verne, Accessibility

2:30 **Closing**

Paula MacKinnon, Califa Group

Jeanette Smithee, ASGCLA President

3:00 **Adjourn**



Work Groups and the Summit Themes

There were work groups for each of the five themes of the summit. Each work group had two facilitators who helped to guide discussions and take notes for the group. Participants were assigned groups for the morning session based on their ranked preferences submitted prior to the summit. In the afternoon, participants joined groups based on their secondary interests. The following themes were the basis of their work:

- **Licensing Models**
Having more flexibility to choose from among different models in order to meet different usage and circulation patterns.
- **Impacts and Benchmarks**
Accurately portraying the current impact of ebooks. Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action.
- **Accessibility**
Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.
- **Curation**
Giving libraries greater ability to curate materials and help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).
- **Content “Deserts”**
Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).

Numerous Ebook Initiatives and Organizations

One of our important goals was to be a bridge among important ebook initiatives for interested people. In addition to the work groups, we also attempted to contact as many initiatives and organizations as we could find to share information about their efforts with participants. We placed information into the summit packet and encouraged lunchtime dialogue among on the following initiatives and organizations:

- [ASCLA Consortial Ebook Interest Group](#)
- [Book Industry Study Group](#)
- [Charlotte Initiative](#)
- [COSLA Ebook Working Committee](#)
- [DPLA Ebook Exchange](#)
- [Library for All](#)
- [NISO Ebook Projects](#)
- [Occam’s Reader](#)
- [Open Libraries](#)
- [Panorama Project](#)
- [SimplyE](#)



Note that this is not an exhaustive list of related initiatives and organizations. This is simply a list of organizations who supplied information.

There were many intersections with the work of the summit and the national agenda. A substantial focus after the summit was to engage with the people behind these initiatives to refine the National Agenda for Ebooks and to recruit coalition partners. This work led to a delay in this summit report but was critical to our efforts.



A National Agenda for Ebooks

What follows is a synthesis of the ideas and aspirations from summit attendees along with follow-up conversations with key partners that will help to put this national agenda in motion.

At the summit, participants defined the problems they wished to address as well as tentative action plans to set priorities. Following the summit, the conveners meet with key partner organizations to discuss the action plans developed by participants and how they fit into existing or planned initiatives. This national agenda attempts to honor the participants, to bring light to critical existing initiatives and to focus our collective attention to maximize our progress.

The agenda remains organized around the themes of the summit and calls out the key organizational partners who will provide leadership. In addition, the agenda highlights important upcoming meetings and events along with other opportunities so that interested community members can join the efforts.

Licensing Models

Developing simpler and more flexible choices from among different models that best serve the libraries, readers and the industry.

Co-facilitated by Deirdre Brennan and Sari Feldman

Problems, Challenges and Opportunities

The first set of challenges discussed by this workgroup center on the [ONIX standard](#). The ONIX for Books standard governs the sharing of metadata from publishers on eBooks. Currently, U.S. publishers primarily use ONIX 2.1 which only accommodates a single licensing model per record. This results in multiple records for the same work available via different lending models and overcomplicates purchasing, recordkeeping and end-user discovery. The ONIX 3.0 standard allows for multiple licensing models, but its use in the United States is limited by the willingness of trading partners to adopt the standard.

Next, participants discussed the shortfalls of the current suite of licensing models. It is unlikely that there is a single ideal model for licensing ebooks. Different licensing models reflect the myriad ways that libraries make books available for long-term use and to meet short-term needs and demands. All partners in the ebook ecosystem must come together to develop a standardized menu of licensing models. Additionally, any solution to this challenge must reflect that this is an ecosystem and the “business” of ebooks needs to work as well as the library use.

Libraries have a rich history of resource sharing, that is sharing print books and physical media amongst themselves via interlibrary loan to meet demand for content that is beyond the scope of their local collections which must evolve to meet reader needs in the digital age. Participants then discussed additional areas that deserve attention, such as interlibrary loan. Digital licenses often do not have provisions for interlibrary loan or specifically prohibit interlibrary loan, placing artificial obstacles between readers and ebooks. This is both a licensing and technology challenge that must be addressed.

While the conversations in this area were mainly focused on public library distribution, conversations and solutions in this theme must reflect distribution by all types of libraries. It was noted that academic libraries



have been more proactive and have made more progress with distribution and lending of academic library content. Future work on licensing models should build upon that progress.

It should also be noted that pricing, while widely recognized as a big challenge, was not covered during the summit so that all participants throughout the industry could fully participate in the summit.

Priorities

1. Work with industry partners to push for the adoption of the current [ONIX 3.0 standard](#) to accommodate multiple licensing models per item and to provide input in ongoing development of the standard.
2. Nurture results-oriented dialogue among publishers and librarians to optimize available licensing models to best meet library and industry needs and budgets.

Organizational Partners

[Book Industry Study Group](#) (BISG) and [ReadersFirst](#) will support this area. Book Industry Study Group is responsible for the implementation and maintenance of the ONIX standard in the U.S. market. Its mission includes fostering dialogue among publishers and librarians. ReadersFirst membership represents people from libraries, publishers and distributors who are committed to better user experience for readers. Together, they are well-positioned to carry forward the national agenda as it relates to licensing models.

Get Involved

- [Join BISG](#)
- [Join ReadersFirst](#)
- Attend the next Readers First meeting at ALA Midwinter 2019 Seattle Conference: Friday at 12:30 in the Hyatt Junior Ballroom East
- Contact Book Industry Study Group: Brian O'Leary brian@bisg.org
- Contact ReadersFirst about this initiative: Paula MacKinnon pmackinnon@califa.org
- Contact ReadersFirst in general: Michael Blackwell mblackwell@stmalib.org



Impacts and Benchmarks

Accurately portraying the current impact of ebooks (sharing statistics and aggregating metrics across libraries, vendors, publishers with data in current form). Setting future standards and benchmarks for sales and usage statistics. Creating a research agenda and specifying needed studies to inform future action (e.g. determining who is reached by ebooks, understanding the impact of ebook marketing, gathering data to make ebooks more inclusive and representative of society).

Co-facilitated by Todd Carpenter and Rachel Frick

Problems, Challenges and Opportunities

This work group explored the need for a solid study of libraries and ebooks. How can we measure the accumulated use of a work? How can we assess the impact of library distribution on overall distribution of an individual work? How do libraries through readers advisory drive overall distribution and readership of individual works through libraries?

Currently, data on sales, distribution and library use are siloed. Libraries, in particular, have massive amounts of local data. Participants discussed how libraries can share data in a meaningful way to contribute to this work. Additionally, participants discussed potential intersections with the work of COUNTER, Project Outcome, Measures That Matter, the Panorama Project, IMLS, state libraries and other statistical programs or initiatives.

Additionally, the work group considered how national scale data might help to explore equity of access to digital content. How do socio-economic factors correlate to access and use, and how can we share and use this data while maintaining patron privacy?

Moving ahead, this work must come to agreement on metrics and practices for sharing and analyzing data. It was noted that there is an ASGCLA Research Agenda Task Force that may have some relation to the work of this group.

Finally, participants discussed a skills gap that must be addressed. Data, data analytics and ethical applications of data are not consistently or adequately addressed in LIS education today. We must establish a set of core competencies and develop/coalesce training to help librarians to effectively use data to drive decisions and understand the use and implications of access to digital content in their communities.

Priorities

3. Convene library and industry leaders to develop and publish a study of ebook use that connects with existing research efforts.
4. Educate libraries, publishers, distributors and authors about the impact of ebooks distributed via libraries.
5. Develop core training on data and data analysis for library workers.



Organizational Partners

[Book Industry Study Group](#) (BISG) will support this area. The conveners have also suggested that the [Chief Officers of State Library Agencies](#) (COSLA) partner with BISG to bring focus here. Book Industry Study Group is already working with industry partners on open access ebook usage, a project sponsored by the Mellon Foundation. A preliminary report that informed a December 2018 summit is available for review. A final report of this effort will be published in May 2019.

COSLA, in partnership with the Institute for Museum and Library Services, launched the [Measures that Matter](#) project to “examine, evaluate, and map the landscape of public library data collection in the United States.” COSLA will consider points of intersection between Measures that Matter and ebooks as it moves forward with the Measures that Matter [Action Plan](#).

Get Involved

- Read the [open access ebook usage data preliminary report](#) from BISG.
- Learn more about [Measures that Matter](#) and its newly released [Action Plan](#).
- [Join BISG](#)
- Contact Book Industry Study Group: Brian O’Leary brian@bisg.org
- Contact COSLA: info@cosla.org

Accessibility

Ensuring that ebooks and ebook platforms meet accessibility guidelines for people who are blind or visually impaired or for people with intellectual disabilities.

Co-facilitated by Becky Brasington Clark and Lisa Wadors Verne

Problems, Challenges and Opportunities

This work group took an expansive view of accessibility. In addition to people who are blind or visually impaired, the group considered intellectual differences, e.g. autism, and people impacted by the digital divide due to socioeconomic and geographic factors. There are a variety of different definitions of accessibility that are shared within the industry. This leads to misunderstandings and mismatched expectations. The group felt that a shared definition of accessibility must be established and then applied to all aspects of ebook creation and distribution.

First and foremost, this group grappled with the lack of accessibility in mobile devices, ebook apps and ebook files themselves. Accessibility, it seems, is often an afterthought in the development of library ebook applications. Additionally, [EPUB 3](#) provides the greatest level of support for accessibility. However, EPUB 3 is not fully supported or implemented in all ebook platforms and very few ebooks are currently made available in EPUB 3 format. ONIX 2.1 does not adequately reflect accessibility when a library has multiple copies of an ebook from which to choose, and licensing does not often adequately convey expectations and obligations to make platforms and content fully accessible. A lack of ebook accessibility metadata in ONIX leads to a lack of metadata in library discovery systems for readers. (VitalSource is making some progress on this front.) This problem is more fully addressed in ONIX 3.0, but the standard is not widely implemented in the United States



(see Licensing Models). Also, it was noted that accessibility of ebook content in foreign languages is particularly poor in the United States.

Similar to the Impacts and Benchmarks work group, participants in this group felt that there is also a skills and training gap when it comes to accessibility. They recommend enhancements to LIS education and the development of core competencies and training to fill the gap. Public library staff in particular lack access to accessibility experts who can assist them to meet the needs of their communities or who can advise them on the procurement of accessible digital content.

Finally, participants reflected on ebook industry practices that unknowingly affect accessibility, specifically the digital divide. According to Pew and other research, mobile use is greater in lower income communities where there is a higher prevalence of older mobile devices. Many products are not fully backward compatible with older devices. One step to address these issues and increase access is to build applications that adapt seamlessly to lower-bandwidths.

Priorities

6. Promote awareness of and compliance with [EPUB Accessibility standards](#).
7. Perform [accessibility testing](#) on major consumer and library eBook platforms and apps.
8. Develop model licensing language that creates appropriate focus on accessibility and that improves adoption of the Voluntary Product Accessibility Template (VPAT).
9. Develop training for librarians on accessibility, accessible features of computers and mobile devices, accessible content and accessibility features of ebook platforms and apps.

Organizational Partners

Accessibility efforts will be supported by the [DAISY Consortium](#) with additional support from the [Book Industry Study Group](#). Both organizations have already been working hard on this theme, and we are delighted to help connect the broader library community to their work. In particular, the DAISY Consortium has two important related initiatives. [Inclusive Publishing](#) promotes awareness of and compliance with EPUB Accessibility standards along with related resources for publishers and authors. They also have a crowd-sourced initiative to [evaluate ebook applications for accessibility](#).

Get Involved

- Learn about [accessible digital publishing](#).
- Volunteer to [test eBook platforms and apps](#).
- Volunteer to [develop model licensing language on accessibility](#).
- Contact [Inclusive Publishing](#).



Curation

Giving libraries greater ability to curate materials to help patrons discover them (through easier acquisition, flexible displays, improved “browsing” and “filtering” functions).

Co-facilitated by Michael Bills and Michael Santangelo

Problems, Challenges and Opportunities

Many ebook platforms are proprietary and not standards-based, making interoperability and discovery difficult especially when a library has multiple ebook providers. Library ebook platforms must be based on standards that enable libraries to streamline discovery and to fulfill their roles to lead readers to the best content to meet their needs. It was noted that standards for ebooks and ebook platforms need to be flexible, living documents, as the pace of technological change is rapid. Projects like SimplyE rely on standards such as OPDS and ONIX.

Additionally, participants noted that it is difficult to provide seamless discovery of ebooks in and out of copyright simultaneously. Public domain ebooks via open websites are often not built for effective library distribution.

Priorities

10. Support the development of standards that drive the interoperability of ebook systems for easier library curation and end-user discovery. Evaluate existing standards and identify gaps where new standards should be created.
11. Develop talking points on the importance of standards that can be used for marketplace advocacy, negotiation, development and fundraising.
12. Research the ebook supply chain and where libraries can most effectively exercise curation. Make recommendations that are applicable across library types and scalable to all sizes of libraries.
13. Support the development of standards that will drive the interoperability of ebook systems to improve end-user discovery and use.
14. Evaluate gaps in metadata that hinder curation and discovery and make recommendations for improvement.
15. Support the development and expansion of SimplyE.
16. Advocate for increased interoperability by proprietary eBook platforms with SimplyE.

Organizational Partners

NISO and the soon-to-be SimplyE governance group are poised to take supporting roles in this thematic area. [FASTEN](#) (Flexible API Standard for E-content NISO) is a NISO working group that is developing standards and tools to seamlessly integrate digital content into library discovery and delivery solutions. [SimplyE](#) is a library developed eBook discovery and delivery platform originally developed at New York Public Library with grant funding from the Institute of Museum and Library Services.



Get Involved

- Learn about the [NISO FASTEN Working Group](#) and its efforts.
- Learn about [SimplyE](#).

Content Deserts

Obtaining desired but unavailable or difficult to find content (e.g. backlist, non-English language, out of print).

Co-facilitated by Dana Bostrom and Andrew Medlar

Problems, Challenges and Opportunities

This group considered the definition of “content deserts.” (The name choice for this theme may have hindered progress at the summit.) In what parts of the content desert is user interest greatest and how can we maximize access to this content once it is made available?

Priorities

17. Study user demand for ebooks in the content desert.
18. Develop a coordinated approach to expand access to this content along with guideposts for similar initiatives to keep the momentum.
19. Ensure that content made available is discoverable via SimplyE to maximize access.
20. Add OpenLibrary content to SimplyE.

Organizational Partners

ReadersFirst will support this work along with its work on licensing models. ReadersFirst is already committed to carrying forward the work of the summit, and its members are well-suited to provide input on priorities for a focused approach to securing access to ebooks in the “content desert.” It is recommended that ReadersFirst and ALA engage with the Internet Archive’s Open Library Project which already facilitates access to ebooks that are difficult to find or unavailable in electronic formats.

Get Involved

- [Join ReadersFirst](#)
- Attend the next Readers First meeting at ALA Midwinter 2019 Seattle Conference: Friday at 12:30 in the Hyatt Junior Ballroom East
- Contact ReadersFirst about this initiative: Veronda Pitchford veronda@califa.org
- Contact ReadersFirst in general: Michael Blackwell mblackwell@stmalib.org
- Learn about Internet Archive’s [Open Library Project](#).



Overall Coordination and Communication

The ASGCLA Consortial Ebooks Interest Group will remain as a convener and connector for this work as it moves ahead. Other allies, such as the Book Industry Study Group and Digital Public Library of America, are also eager to provide forums for ongoing dialogue. Interest group leaders and summit conveners will meet with ASGCLA leadership at the 2019 ALA Annual Conference to discuss an appropriate place to situate this work that positions ALA to proactively and responsively provide leadership for this effort.

Meetings at ALA Midwinter and Annual

The Consortial Ebooks Interest Group holds regular meetings at ALA Midwinter and Annual on Fridays and shares space with other ebook meetings that day. These meetings will be the place to go for updates on the national ebook agenda and to get involved. The interest group also has an ALA email list that will be used for updates and to nurture participation.

Regular participants at these meetings also share informative and timely updates about library ebook initiatives that are well-received by participants. All are welcome at these open meetings.

Get Involved

We can't do this without you! This national agenda is only the beginning. Together, we can make a difference and maintain focus on this agenda as it continues to evolve to guide our efforts.

- Join the [ASGCLA Consortial Ebooks Interest Group listserv](#).
- Attend the [interest group's meeting](#) at ALA Midwinter 2019.
- Attend the ebook meetings at [DPLAfest 2019](#).
- Reach out to one of the partner organizations mentioned in this report.
- Share this report with your colleagues and foster involvement with the National Agenda for Ebooks.



**Illinois Heartland Library System
RESOLUTION No. 2020 – 01**

RESOLUTION DENOUNCING MACMILLAN LIBRARY EBOOK EMBARGO

WHEREAS, On July 25, Macmillan Publishing announced it would become the only major (Big 5) publisher to limit eBook lending for U.S. libraries. Under its new licensing model, scheduled to begin November 1, 2019, a library may purchase one copy upon release of a new title in eBook format, after which the publisher will impose an eight-week embargo on additional copies of that title sold to libraries, and

WHEREAS, the American Library Association (ALA) President Wanda Brown asserted that same day, “Macmillan Publishers’ new model for library eBook lending will make it difficult for libraries to fulfill our central mission: ensuring access to information for all. Macmillan’s new policy is unacceptable,” and the Public Library Association (PLA) President Ramiro Salazar stated, “Access to digital content in libraries is more than a financial issue: it is an equity issue. We encourage Macmillan Publishers to reverse course before libraries and the people they serve are harmed,” and

WHEREAS, the people of southern and central Illinois now use digital content as their preferred or only access to books, music, and movies. Digital content is portable, accessible to people with print disabilities, available anywhere 24/7, and brokered by libraries to provide diverse options to our diverse communities. Libraries not only pay for books; they market them. Lost marketing means lost publicity and sales for publishers and authors.

NOW THEREFORE, the Illinois Heartland Library System Board of Directors joins the ALA in denouncing this measure and calling for Macmillan Publishing to cancel the embargo and restore full access to its complete eBook catalog upon release to the public.

Furthermore, IHLS affirms the principles that:

- All published works must be available for libraries to purchase and lend to library users.
- Access to and use of eBooks must equitably balance the rights and privileges of readers, authors and publishers.
- Digital content must be accessible to all people, regardless of physical or reading disability.
- Library patrons must be able to access digital content on the device of their choosing.
- Reading records must remain private in the digital age.

PASSED BY THE BOARD OF TRUSTEES OF THE ILLINOIS HEARTLAND LIBRARY SYSTEM, OF MADISON COUNTY, STATE OF ILLINOIS, THIS ___ DAY OF _____ 2019.

President, Illinois Heartland Library Board

(ATTEST)

Secretary