TO: ALA Council and President, Roberta Stevens

FROM: The Presidential Task Force on Equitable Access to Electronic Content (EQUACC)

Interim Report

The Equitable Access to Electronic Content (EQUACC) Task Force met for the first time at a meeting held at ALA Midwinter and had a more substantive session at a one-and-a-half day retreat at the Washington Office, March 7-8, 2011. The retreat happened to coincide with the announcement that HarperCollins would limit loans for its e-books. Throughout the retreat, the significance of the HarperCollins decision factored into most of the discussions. In addition to addressing this timely issue, the Task Force made significant progress toward identifying challenges and solutions for improved electronic access, use, distribution, and preservation. The Task Force focused on long-term strategic issues given that there could easily be a situation similar to the HarperCollins decision in the future and ALA must be prepared to respond effectively.

The Task Force charge (attached) asks that the group prepare a report and make recommendations to ALA Council at Annual 2011. The Task Force interpreted that charge to include specific actions to develop projects that if acted on immediately would advance the original charge. The Task Force quickly established a solid working relationship that was enhanced by the working group activities and discussion. Much of the progress made during the retreat can be attributed to the highly organized and energetic work ethic of the members.

The Task Force had agreed to focus on five issues:

1. Environmental Scan (Working group: Michael Porter, Robert Maier, Cynthia Orr and Heather Wicht)

The Task Force determined that we need more information about the existing e-content environment, recognizing the difficulty of such a task in a dynamic technological and market context. The Task Force is investigating whether a scan would be an effective means to understanding the current context so that future ALA actions will be well informed and strategically effective.   An environmental scan of the digital resources marketplace as it currently exists would identify specific data that should be regularly collected to make future projections. A scan would provide a narrative framework for the data that is presented, which will include publishing, sales, consumer, and usage data. Other elements to be addressed in the scan might include hardware and software options, sales and access models, and freely available content. While a lot of information is already available (e.g., Book Industry Study Group (BISG) survey data, the recent COSLA report on e-books, studies conducted over the past few years by the Office of Research and Statistics, etc.), the Task Force members believe that this information and any new data needs to be synthesized to establish a comprehensive review of the situation facing libraries. Any such endeavor would require additional funds.

2. Licensing   (Working group: Bob Wolven, Christopher Harris)

Current and potential future models for licensing electronic content were considered by the Task Force. The key concepts to guide discussion about licensing were:

- Flexibility, the ability to negotiate terms appropriate for libraries, type of material, intended use, and collection development needs;
- Models not constrained by analogies to print;
- Enduring access or ownership models that secure access for future users, not dependent on short-term fluctuations in funding;
- Models that provide a viable path for access not dependent on local demand and current popularity;
- Models that encourage more direct interactions between libraries and publishers/authors; and
- An understanding of licensing digital content without the first-sale doctrine.

The Task Force's role is not to dictate or negotiate licensing terms on behalf of libraries but to provide more information about the models and their implications for libraries – particularly in case study format that addresses the unique needs of different library types. This information could guide contract negotiations between publishers and/or authors. The Task Force discussed the possibility of engaging in more dialogue with publishers.

3. Accessibility (Working Group: Barbara Mates, Char Booth, Axel Schmetzke)

The Task Force believes that real progress can be made to enhance access to information for people with disabilities and libraries need to play a leading role. The Task Force identified barriers to identify existing guidelines, laws, and policies relating to equitable access to libraries and electronic information. The following barriers were identified:

- Libraries/librarians tend not to have insight into accessibility best practices and standards or knowhow to work with people with disabilities (e.g., how to actually use assistive technology (AT) and show patrons how to use it);
- Inaccessible library websites that erect barriers for users of AT;
- Inaccessible search and discovery tools (databases, OPACs);
- Inaccessible content (e-books, e-journals) and inaccessible containers (apps and reader devices) due to DRM and poor design/ information architecture; and
- Lack of awareness among users with disabilities that library options are available.

The Task Force discussed ways to address these barriers including raising librarian awareness of accessibility challenges and standards, taking the necessary steps to ensure library web accessibility, improving access to library e-resources by raising vendors' awareness of

accessibility standard, providing model e-selection policies and best practices, and funding an external research/auditor team to conduct usability tests with people using assistive technology.

4. Public Relations (Working Group: Jackie Rafferty, Bonnie Tijerina, Floyd Pentlin)

The Task Force believes that an awareness campaign about libraries' key role in the reading ecosystem, including all formats is necessary. This working group discussed messaging to and education for various groups including the general public, publishers, authors, vendors, readers, librarians as well as state and federal policy makers. Messaging themes would include the following concepts:

- There is a need to educate and convince publishers that libraries increase book sales by promoting books and authors. Many people "try out" a book by borrowing from library and then purchase it from bookstores. Statistics are needed.
- There is a need to educate the general public in order to communicate the threats to the library resource-sharing model due to inaccessibility to e-content, and a need to rectify public misperceptions about the issues. An emphasis should be placed on patron access to quality information as we transition from analog to digital.
- All audiences need to understand the real possibility of inadequate access to e-content and publications due to arbitrary nature of e-content pricing, declining library budgets, and lack of e-content business partnerships between libraries and publishers (due to restrictive licensing or content not available for purchase by libraries).
- Legislators need to understand that the historic library resource-sharing model, which fosters literacy and education, thus contributing to an informed and engaged citizenry, is at risk.
- Authors need to understand that libraries do not hurt their "bottom line" but improve it by exposing their existing works to a wide audience and creating a market for future works. They also need to be convinced that they can and should help with this issue and cannot be innocent bystanders because they also have much at stake.

The Task Force developed key messages for each audience that could be used if such a PR campaign were undertaken. Again, the Task Force itself does not expect to develop and conduct a national campaign but feels it is an important step for ALA to take as soon as possible.

5. Model Projects (Working Group: Linda Crowe, Mark Stoffan, Jamie LaRue)

The Task Force believes that librarians should be encouraged in testing new models for acquiring and providing access to e-content. These experiments will identify successful and do-able

projects that will shape the e-content marketplace, reader interest, and carve out new roles for libraries such as publishing. The Task Force will proceed with three projects that members had already set in place. One is to enhance e-book discovery in libraries with wall size displays and content servers. The second project is a partnership with the Internet Archive providing electronic access to books from the library through digitization and enhancing accessibility. The final project with Internet Archive is convincing small publishers to sell e-books directly to libraries.

Discussion of these projects may be included in EQUACC's proposed Annual program.

New Website

Recognizing the need for librarians to talk about developments like the HarperCollins decision and other arising issues surrounding access to e-content, the Task Force created an EQUACC web site (http://www.equacc.ala.org/). Task Force members felt it was important that ALA have a centralized, public place that would allow ALA members and the general public to become aware of the work of EQUACC, to be able to post comments, and discuss issues. The website includes a moderated forum which will have pages for each working group. EQUACC members will post regularly to the website on various topics related to access to e-content. Initial topics were generated and assigned during the retreat. Members of the OITP E-books Task Force will also contribute content to the website.

Task Force Next Steps

EQUACC continues its monthly calls and is planning a program at Annual which will be divided between discussions by the working groups on their projects and work and time for member questions and comments. EQUACC will submit a report of its activities and recommendations for ALA action to Council at Annual. EQUACC's next steps are contingent, in part, on approval from Council as well as the need for additional funding. In that vein, the Washington Office submitted a proposal for 2015 funding on behalf of the Task Force (attached).

We would be remiss if we did not acknowledge the engagement and support of ALA President Roberta Stevens who met with the Task Force during the retreat and has engaged with the co-chairs, members, and staff via multiple conference calls and emails. Additionally, the Task Force appreciates support of the ALA Executive Board, who made the retreat possible, and Washington Office staff who provided critical support throughout the retreat.

Respectfully submitted by,

Linda Crowe, EQUACC co-chair
Michael Porter, EQUACC co-chair

April 11, 2011