

## Flipping the Model: A Values-Based Consortial Approach to Journal Negotiations

Genya O'Gara  
*VIVA, George Mason University, gogara@gmu.edu*

Cheryl Duncan  
*James Madison University, duncancj@jmu.edu*

Edward F. Lener  
*Virginia Polytechnic Institute and State University, lener@vt.edu*

Beth Blanton-Kent  
*University of Virginia, blanton@virginia.edu*

Anne Osterman  
*VIVA, George Mason University, aelguind@gmu.edu*

*See next page for additional authors*

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**Presenter Information**

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*Genya O’Gara, VIVA, George Mason University, gogara@gmu.edu*

*Cheryl Duncan, James Madison University, duncancj@jmu.edu*

*Edward F. Lener, Virginia Polytechnic Institute and State University, lener@vt.edu*

*Beth Blanton-Kent, University of Virginia, blanton@virginia.edu*

*Anne Osterman, VIVA, George Mason University, aelguind@gmu.edu*

*Summer Durrant, University of Mary Washington, sdurrant@umw.edu*

*Alison Armstrong, Radford University, amarmstro@radford.edu*

*Georgie Donovan, College of William and Mary, gldonovan@wm.edu*

*Tamara Remhof, Germanna Community College, TRemhof@germanna.edu*

## Introduction

If you consider how much you should pay for a house, you will be influenced by the asking price. The same house will appear more valuable if its listing price is high than if it is low, even if you are determined to resist the influence of this number; and so on—the list of anchoring effects is endless. Any number that you are asked to consider as a possible solution to an estimation problem will induce an anchoring effect. (Kahneman & Egan, 2011, p. 205)

Nowhere is this effect more apparent than in how we approach negotiating journal pricing in libraries. Our discussions begin with the offers made by publishers and vendors, usually presented as an offshoot of historical institutional spend and an inflated list price, rather than through an examination of the existing institutional needs and the current environment. The disadvantages of the current pricing system for libraries are well documented, with today’s journal acquisition models often financially incompatible with both library budgets and growth predictions. In this system, rising inflationary costs, content added to an already overloaded system, and vendor consolidation only increase the pressures.

The big package deals complicate matters further. These deals have lowered the costs per article and made more research resources available, but they have also increased overall costs and pushed out a diversity of resources, while their all or nothing nature has protected them from cancellation. However, when institutions try to move away from such models, they are faced with the option of far fewer titles, most often for close to the same price. The

loss of researcher access when these deals are broken may be significant, and there is also a significant burden added to an already stressed library staff in a move toward managing additional individual subscriptions and other acquisition modes. In an era when library staffing has been cut, and librarians are being asked to perform even more roles, reshaping these journal deals to a title by title basis can have unexpected staffing and morale costs.

There is some hope on the horizon with new models emerging, the most recent of which focus on open access (OA) and read/publish models. These models are not yet fully formed, but they may be more philosophically and financially sustainable, as they attempt to account for the whole picture of the contributions of the academy, the public good, and the costs of publishing.

This presentation detailed the efforts of a task force within VIVA (Virginia’s academic library consortium) to move away from the anchoring effects of the traditional models, where vendors start the negotiations, and instead propose models that are reflective of the consortium’s values and resources and the academy’s contributions. This radical approach is meant to provide a bridge between the current approach and a potential OA future. It creates a space to rethink what these deals should be and relies on consortial criteria to determine the value of content, while remaining conscious of the real long-term institutional trust and communication risks to not providing researchers access to the materials that current deals provide. This approach is built on consensus and relies on concerted, collective action.

## Background

Virginia has for years used the bargaining strength of its many higher education institutions to negotiate subscription deals to all-in packages, most often through the statewide academic library consortium, VIVA. VIVA has a goal of providing the same core level of research materials to students at all Virginia public higher education institutions, regardless of size, and this approach to negotiations has decreased costs for member institutions and the state as a whole as well as expanded student and researcher access to resources. Cost containment and the support of central funding have not prevented these deals from continuing to inordinately take up state and local budgets. Many of the deans and directors of Virginia's academic libraries are publicly voicing their dissatisfaction with the big deals. For economic as well as philosophical reasons, they have come to believe that the scholarly ecosystem in its current iteration is unsustainable and not consistent with the values of libraries.

Although the will to end big deals exists, VIVA brings the experience of past breaks to this complicated issue. In the past five years two big deals were broken, and both cases resulted in a dramatic loss of content across the state. The most poignant case of these two involved a publisher with which the consortium previously held a decade-long contract. Throughout the length of the contract, all of VIVA's public member libraries had access to the same core content. At the end of the contract it became clear that the cost containment of the previous agreement was too great for the vendor and they were no longer interested in providing a core, shared collection going forward. When pressed, the vendor only provided a price for such a deal that was a multiplier of the previous price and was out of reach financially for the consortium. Because of this, only a contract vehicle for licensing individual subscriptions was approved by VIVA, and the previously shared collection was not renewed.

This loss was very damaging to VIVA schools, particularly to those that were smaller and less well resourced. Across the state, many institutions completely lost access, and the schools that maintained access continue to face high pricing without any support from VIVA central funds. This experience, along with a second similar case, have driven home the point that it is only through concerted collective action that any proposed approach will be successful.

## Emerging Pathways

With these painful lessons learned, Virginia schools are committed to pushing for a new model. The interest in solving the problem has intensified, and the concurrence of escalating and unsustainable costs, with the emergence of new developments in both subscription models and OA initiatives, is accelerating the work in this arena. Although efforts are accelerating, there are important differences in global approaches to what the best way forward may be for libraries.

In North America many advocate for a Green OA future, where subscription content is made available in repositories and includes pre- and postprints. This approach is dependent on subscription models being maintained, and the content made available may be embargoed for a period of time. Gold OA, on the other hand, is fully open on the publisher's platform and has rapidly grown in popularity across Europe and parts of Asia, with less but steady growth in North America. It is often supported through article processing charges (APCs) or institutional subvention. Sometimes this process includes the libraries, but frequently it is paid separately.

In Europe, where consortia often represent whole countries, there is a greater preponderance of funding and OA compliance directives that are centralized and realized nationally. This has allowed larger-scale efforts toward new OA models to expand. It is here too that the popularity of the read-publish model has grown. The United States, on the other hand, is not centralized and has far fewer funder, state, or national mandates requiring that research materials be made open. Nonetheless, the United States has a focus on the unsustainability of journal packages, and cancellations of big deals are accelerating. Since the publishing market is a global one, the differences are striking and make a funding model difficult to develop.

Globally, there is an increase in open research initiatives from funders and research organizations. Public access policies are increasing, as are mandates for transparency in research across the board. Clearly we see that the potential value of OA in increasing access to and encouraging the collaborative development of knowledge is apparent. However, how to develop sustainable models that get academic libraries and the researchers they serve to this future is less clear. In radically changing the journal model and how negotiations are approached, it is critical

that professional, institutional, and global differences be considered to move forward in a way that makes space for differing perspectives and approaches and is flexible enough to account for a rapidly changing marketplace.

## Task Force Approach

The formation of the Sustainable Journal Task Force can be traced back to 2016, when the state had to make deep cuts in funding to its budget. There was an immediate need to review and cancel resources. VIVA took this opportunity to reimagine how this was done, and ultimately produced the Value Metric Tool. This tool serves as a framework for the comprehensive and integrated evaluation of VIVA products, and incorporated many quantified criteria, including consortial user population across institutions, curricula, licensing terms, and resource relevance, among others. Importantly, it was during this process that VIVA first attempted to incorporate VIVA faculty publications in journals as well as publishers' relative support of the move to OA into a more formal evaluation measure.

At the same time, VIVA was embarking on the renewal of several of VIVA's big deals and other journal packages. This was an opportunity for VIVA to look not just at overall costs, but also at the member payments that were sustaining these deals, and how to better focus on the values and associated data analysis brought into focus through the Value Metric Tool. This allowed for negotiations to move away from historical pricing models predicated on print purchases and list costs to assessment of present institutional attributes.

Both the work on the Value Metric Tool and the redesigned approach to the renewal of shared journal packages have greatly informed the approach of VIVA's Sustainable Journal Pricing Task Force in how to translate values into data points. This group has been charged more formally with designing a new journal pricing model built on VIVA collection development priorities, mission, and the core values of its member libraries, with special attention given to ways to support the shifting nature of the OA landscape. In the anticipated approach, negotiations start with a consortium-proposed sustainable model, rather than vendor pricing built on historical spend.

The in-depth and in-person conversations, with individuals representing a variety of viewpoints and institution types, have been critical to the success of this work. From these conversations, the building

blocks for creating a bridge to future models that include broadened OA options have been developed. The first critical building block is developing consensus. Collective action built on consensus is the route to achieve meaningful and sustainable change, and ensures that all voices are heard so that each institution can fully support actions taken. Without this, efforts to break deals and change models will fall short. The next building block is sustainability, and by this the task force means more than price, but a consideration of users' needs and the rights to use the content in ways that support teaching, research, and scholarship. Sustainability is also about acknowledging the institutional contributions as well as audience. The final building block is a reframing of the model from a consumer approach to a partnership stake that accounts for the support of research by the institutions, the production of scholarly content by researchers, and the contributions of faculty reviewers and editorial service.

## Recommendations

Building on these principles, the task force plans to construct a framework for future pricing models that includes several key elements. Among these is an annual evaluation of the percentage of OA content available in publications under each contract, particularly content that was authored by researchers at Virginia institutions. Based on these numbers, VIVA would then expect that the pricing for each journal package be adjusted accordingly. Why should VIVA or its members pay for content for which cost has previously been paid or publisher costs have already been otherwise recovered to make the article openly available? Including OA content as a factor for pricing ensures that VIVA and its institutions are not paying multiple times for the same content, which in some cases has been created by VIVA's own researchers using the resources to which VIVA institutions subscribe.

VIVA has also discussed a cap on future inflation of pricing at a standard measure for any new contract. Although this has often been a negotiation point, it has not been a requirement of doing business. For VIVA, the standard of reference has usually been CPI-W Other Services within the U.S. Consumer Price Index, but it could also be HEPI, the Higher Education Price Index. Alternatively, vendors may suggest another neutral, well-established, and authoritative cost index for consideration. Basing allowable price increases on such a norm is designed to more sustainably adjust pricing with the economy.

A third component of this framework will be an understanding among all parties that *unrequested* additional content is not a justification for increasing the price. Just because a publisher has created a new journal, bought out another publisher, been licensed to host content from a third party, or otherwise increased the available content in a package does not mean that VIVA and its institutions should be automatically expected to pay for this new content. On the other hand, if journals to which institutions already subscribe transfer to a new platform, paying for continued access to that content is reasonable, as is paying for new content for which access is desired.

Finally, any platform that is offered to VIVA must comply with current COUNTER and SUSHI standards to ensure accurate and standardized statistical reports. Although usage statistics are only one metric used to measure the value of a resource, it is crucial that methodology and reporting be reliable, trustworthy, and uniform. Data-driven evaluation is critical to making sound decisions; therefore the data must be sound.

In addition to these basic pricing and platform expectations for future pricing models, the task force also has recommended additional considerations relating to transparency, fairness, and consistency for VIVA institutions, including ensuring that Virginia authors are aware that they may publish OA based on publisher agreements; including robust deposit rights for non-OA content in institutional repositories or via pre- and postprint options; purchasing only DRM-free content that may be shared through interlibrary loan without embargo or other restrictions; and stipulating that any contract includes a prescribed method for individual institutions to exit all-access packages while enabling the remaining institutions to continue in a manner that is fair to all. The task force has advocated that vendors and publishers be requested to propose, and work toward, a purchase model derived from this framework.

In order to ensure that vendors are willing to work toward a new model with the consortium, the task force has also proposed a shared commitment to reduce statewide spend with those that will not partner with VIVA in formulating a new purchase model. The current suggestion is 10% annual reductions in statewide spend with each vendor and publisher that will not actively work toward a solution. This plan provides an impetus for vendors to build toward a model that is sustainable, while reducing risk to individual institutions by allowing them to prepare

users for shifting access from locally owned to a distributed collection, made available to users through VIVA's resource sharing program. To be clear, vendors that collaborate with VIVA in working toward a model that aligns with the prescribed framework would see no concerted reduction in spend. The spend is also based on overall statewide spend, and not limited to journal content, as many vendors also have substantial statewide expenditures through other services and products.

## Next Steps

Understanding that some of the current big deals would fail to adapt to VIVA's new framework, the task force also recognized the need to implement a plan to mitigate the impact of such breakdowns. For example, the group was very concerned that by dismantling large packages, smaller publishers, such as associations and organizations that did not have a way of selling directly to libraries and consortia, would be unable to be part of the conversation, or would simply disappear. Since an important goal is to increase diversity of collections overall, not decrease them, the task force also recommends that VIVA, in partnership with other consortia and publishers, apply for a grant to support the creation of a shared platform to host and distribute content from smaller, independent publishers. Such an endeavor would assist VIVA and its partners in increasing diversity of content within the marketplace and in ensuring the independence and continuation of core disciplinary publications.

Another major concern is the potential loss of content by VIVA and its member institutions, particularly smaller institutions that rely heavily on VIVA and the large research institutions to provide foundational content beyond what their smaller budgets can afford. To prepare for such a potential impact, VIVA will need to work closely with all member institutions to formulate a collaborative contingency plan. Those institutions, in turn, will need to educate their users and be prepared to assist researchers in a greater effort to find needed content through means other than owned resources.

By beginning a transition to sustainable, more open models of acquiring content, VIVA has designed a bridge to prepare institutions for a future open model of scholarship that does not yet exist. Much of the structure is in place thanks to previous work by VIVA through such initiatives as the Value Metric Tool and work thus far on this Sustainable Journal

Pricing Model. Although the groundwork has been laid, there is still much to be done. VIVA has already begun modeling the financials by using the consortium's established metrics, including considerations such as OA content, usage, and impact on curriculum, and accounting for research both statewide and institutionally.

State procurement officials have also assisted by analyzing statewide spend overall for content by both institution and vendor. VIVA is working with these officials to visualize a statewide spend reduction and how it might be administered and achieved, understanding that the consortium and libraries are not the only places that are spending money within the state. VIVA will also need to determine how to formalize the commitment with member institutions for the statewide annual percentage reduction.

The work of building consensus among 39 public colleges and universities and 32 private nonprofit educational institutions has started, beginning with the VIVA Steering Committee, which consists of deans and directors from across the state. This effort will not be limited to the libraries at these institutions, but also include institutional administration and academic faculty. VIVA intends to continue building consensus through clear and consistent communication about the objectives and rationale behind this large-scale effort.

By creating a thoughtful approach that is both data- and values-driven, VIVA hopes to develop a plan through which very different institutions can support and adapt going forward. One of VIVA's priorities

must be to empower members with the tools they need on their campuses to advocate for how this approach will ultimately assist the entire state in transitioning to a more equitable ecosystem that better serves local constituencies, individual researcher needs, and the greater scholarly community.

These are the tenets to which VIVA plans to adhere in working with partners in both Virginia higher education and the publishing world to create more sustainable models of providing faculty, students, and researchers with the resources they need:

- Collective action is only as strong as the group's ability to stick together.
- Models must be flexible, as we do not yet know what the future holds. VIVA will strive to avoid being locked into models that require an all or nothing approach.
- Collective action should be built through consensus, not a vote. Broader input and in-depth conversations lead to better and more nuanced solutions that have the strength of commitment from participating libraries.

Rather than reacting to pricing and purchase models presented to us, this initiative is an opportunity for VIVA to develop and propose our own models. VIVA and its members will not get there overnight, but using the approach outlined in this paper, we can begin moving toward a sustainable future that is necessary for the success of our libraries and, more importantly, our researchers.

## References

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