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Building Library Collections in the 21st Century -- It's the Economy, People

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From the University Presses
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incur in researching what digital rights they have in the five million out-of-print works in **Google's** database, costs that are particularly onerous for small, understaffed university presses like mine to bear. Even finding out what books a publisher can potentially claim in **Google's** database is not proving easy. **Google** has provided technical means for searching its database, but so far it is not working very efficiently. Using ISBNs to help a publisher identify its titles, for example, only gets one so far because the ISBN did not come into use until 1970 and in-copyright titles can have publication dates as far back as 1923. One needs to investigate the language in older contracts to see whether it can be interpreted to include any kind of digital rights at all, and commercial publishers have the additional problem of tracking the legal ownership of rights through a long maze of mergers in the publishing business. Looking ahead, publishers must figure out how to handle income deriving from advertising under the settlement, as this has not heretofore been a type of revenue that publishers have had to worry about sharing with authors. As one university press director has been quoted as saying, "that's one check I don't want." They also face the daunting prospect of having to enter into negotiations with authors over many rights that the settlement identifies as shared between authors and publishers, such as how much of a book to display. It is easy to understand why this type of negotiation was factored into the settlement: it was, after all, an association of authors who publish trade books and are represented by literary agents that was one of the plaintiffs filing the class-action suit. But this represents only a small, even if influential, segment of the class of authors overall. Academic authors publishing with university presses, for instance, typically transfer all rights in their books to their publishers because in this sector presses themselves have traditionally taken on the role of serving as literary agents for authors. It imposes a very significant burden on university presses to obligate them to negotiate every right of this kind with their authors, who mostly want to be left alone to pursue their research and are generally not interested, as trade-book authors are, in all the many details of subsidiary rights. The settlement provides no money to presses to cover these extra costs. Conceivably, these costs will exceed what income can be expected from "long-tail" sales of out-of-print titles. There is also a strong possibility that, with its makeup evenly divided between representatives of authors and publishers, the book registry will find itself frequently split in the decisions it will have to make, thus leaving it to the prescribed arbitration rules to resolve at least some of the many potential disputes that may arise under the settlement. Lack of control over outcomes is thus another cost that can be anticipated.

Whether the settlement overall will be sufficiently beneficial to make it worthwhile for a publisher to remain in the class instead of opting out altogether and thereby preserving the option of bringing suit later or reaching an agreement with **Google** outside the terms of the settlement, such as within the alternative framework of the **Google Book Search** program that already exists, is a complex decision that each publisher will have to make for itself. While the settlement seems a mixed blessing for publishers on the whole, the exact mixture of costs and benefits will vary from one publisher to another depending on a variety of factors different for each, among them the number of titles already in the database that each publisher can credibly lay claim to owning, the degree of complexity anticipated in negotiating the display and other rights with authors, the terms of other agreements a publisher may invoke (such as **Google Book Search**, if a publisher should decide to bring some now out-of-print titles back into print in such a way as to satisfy the requirement that they be "commercially available"), and the potential monetary rewards under alternative programs compared with the settlement (which guarantees just $60 per title already digitized plus a 63% share, minus the registry's fee, of income derived from institutional subscriptions according to whatever formula the registry devises) and the likelihood that the terms of alternative agreements outside the settlement will remain relatively favorable upon renewal of those agreements.

There is a great deal of uncertainty right now about how all this new arrangement with **Google** will work out in the long run — whether, for instance, it will become the veritable pot of gold at the end of the rainbow or, instead, simply income marginal for the publishing industry, which may become a reliable source of extra income but nothing on a scale to revolutionize the business in any fundamental way. Each publisher will be placing its own bets, initially by opting out of or staying in the settlement, and it will be interesting to watch which kind of gamble pays the best returns in the future.

Building Library Collections in the 21st Century — It's The Economy, People

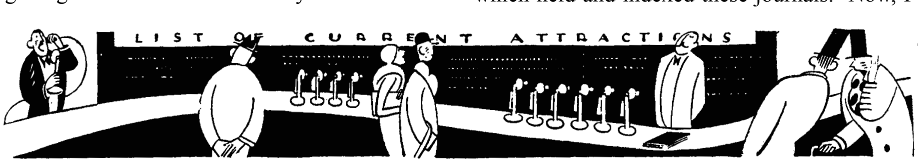
Column Editor: **Arlene Sievers-Hill** <axs23@case.edu>

Those of us who have toiled for many years in acquisitions, serials and collection development in academic libraries have met numerous challenges to the budget and the profession. However what we are facing now internationally, nationally in university libraries and personally pales all that came before in our life times.

Building of academic library collections in the 60s, really began on a vast scale, spurred by Cold War politics and an ever increasing number of college students. Approval plans went into effect in the 60s because the building of collections required lots of books and individual purchasing was just not efficient. Subscription agencies also bloomed to manage the increasing number of subscriptions to journals. This was caused by the creation of new titles primarily in the sciences as new subjects were born. The term fork-lift librarianship well describes this period. The major economic impact was space problems, university commitment to the building of larger libraries and getting the attention of university administrators to recognize the growth of collection required to support teaching and research.

In the 60s and 70s there were the serial price wars that waged — American librarians against European STM publishing behemoths. Price differences based on location, and taking into account currency fluctuations, which were difficult to track reliably. Journal prices went up so dramatically that budgets began to be really pinched and book purchasing was reduced due to the serial price increases. Simply not enough money for everything.

Fast forward through the development of the Internet, journal and databases. There was a naiveté that existed for a while in the library world that awaited a rapid change to journal information on line, which would be free. STM publishers, however created this new field in the image that would allow them to make as much money as before, even more, as ejournals were sold in packages. Subscription agencies jumped in by grabbing a huge role in the creation of databases which held and indexed these journals. Now, I want to say, as one who worked as both a librarian and in the library subscription industry, I see nothing wrong with these businesses. They operate as businesses to earn money for themselves and their shareholders. Libraries, even ones at expensive universities, are altruistic in principle, and librarians sometimes have a hard time seeing the differences.



Now to the real subject — the kamikaze like death spiral of the world economy and its effect on everything else, including our little world of library collection building and acquisitions. The plunging of securities in the stock markets, the wobbling and failure of national and international banks, and the massive layoffs are all having a current and probably more subsequent and longer lasting impact which may undermine severely what we do and how we do our work.

The number one effect is the bugaboo we have always faced. This is the decline in real dollars to build collections, which in this case may be a caused by a real decline in university budgets, requiring not only priority changes, but cuts everywhere. Already, even before budgets are set for the new financial year in June/July, libraries are cutting back on book approval plans — going from automatic shipments to form only plans.

The impact on the ever-increasing implemen-

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tation of eBook plans, in all libraries, may be speeded up by a quicker switchover, particularly in states where consortia use is possible. Or, eBook growth may dry up on the vine because of a cutback on book purchases in any form.

Impacts on books come first because they are bought in a quicker time frame. The impact on serials, ejournals, and databases of ejournal information may be slower but even greater even though the emphasis on these materials may be given more precedence than before — if that is possible. Many of these are bought through statewide consortia, which are in turn funded by the states. State money for public services, including education is declining and will decline even more due to loss of jobs of so many citizens, more business failures resulting in lower tax revenue. Also the fact that they will be very less able to borrow money will restrict what they can buy for anyone. The impact here may be slower but may eventually be devastating to student, faculty and researcher access.

Universities and colleges that rely greatly on endowments, such as the Ivy League and older private institutions are and will be hard hit for a long time to come. That money has been invested, some in what were thought to be safe investments such as bonds — no longer that safe — and mutual funds some of which were also considered quite safe because they were amalgams of stocks, bonds, money markets and other sorts of securities. These too have plummeted, as have traditional stock mutual funds.

The **Bernard Madoff** situation in which **Mr. Madoff** is alleged to have taken money for investment and not really done so to the advantage of the investors, but to him, has had a detrimental effect on several colleges and universities. We have all read this in the newspaper. **Brandeis University** and **Yeshiva College** have been especially hard hit. **Brandeis** was looking to sell off valuable works of art from its museum collection. It seems that has been met with alarm from their constituents.

Strategies that money managers have used to help institutions maintain and make money have always included investments overseas, which often do well when the US economy is tanking. No safety here, since the housing and mortgage crisis the money of which underwrote credit for everyone including banks, American, European, international — all of them. The investment firms and solid old banks are crumbling and are being bought up and restructured daily. My bank in the US has been bought up by another bank, and my old bank in Holland was bought up by another financial firm, and then returned to being self — very confusing. I believe this will affect our institutions and us by drying up money for student loans first of all. Fewer students means less money for universities and colleges, etc.

Having worked in the supplier world it has occurred to me that the easy functioning of book and serial supply companies may be impacted, particularly by the drying up of banks as credit sources. In my experience, with subscriptions particularly, agencies have been run on the concept of publishers being paid in advance of real money coming from subscribers to the agencies. The suppliers often rely on short-term loans from banks to pay publishers before they get their subscription money. Sufficient cash reserves would offset this of course, which many firms may have. However, I would imagine there are some less well funded that may fall by the wayside by the lack of credit needed to keep such businesses running smoothly.

People — How does all this affect real people, such as students and faculty? Fewer student loans available affects the number of students, and faculty needed to teach them. Students also rely on part-time jobs to pay for college. If you are the parent of a college age teenager you are probably already aware that these low level jobs are being filled by older employees who have lost other jobs, or need money to supplement their shrinking retirement money. So there will be less money all the way around to attend college.

Serial and acquisitions librarians such as myself have watched our retirement accounts rise over the years pretty steadily. Much of this money comes from mutual funds if you've looked at your recent retirement account

Lately it is shocking to see how much it has gone down so quickly, unless you were smarter than everyone else and moved it all to cash immediately. Having been in business I believe in hedging my bets by taking some losses going to investments as safe and plodding as I can find. Some mutual funds I have I am hoping will rise again when I retire or am still alive. My smartest investment was buying a signed first edition, first printing of **Barack Obama's** *The Audacity of Hope* just after he announced he was running for the presidency. That has gone up in value well above anything else I have. Now that was a smart investment.

What this scenario means to many of us is the retirement we counted on coming any day now, may have to be put off. We may find ourselves vying with the teenagers for those lucrative jobs at **McDonald's** or **Target**.

New librarians and library staff competing for fewer jobs available now and probably fewer jobs in the future are of a different type than those I encountered in the past. All have college degrees, even those going for low- paying staff positions. Often they have an MLS and want a staff job. I have had resumes not just from PhDs but also from those with law degrees who had been practicing attorneys. The lure of these low paying jobs is that they are benefited and appear more secure than other jobs.

I didn't live through the Great Depression of the thirties, but my parents and grandparents did. It affected their attitudes towards money and saving the rest of their lives. As librarians and plain old people our better attempts to spend money as carefully as possible, and save safely, whatever that is, may be the good that comes out of all this.

Random Ramblings — Barriers in Higher Education to Open Access and Institutional Repositories

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"We have met the enemy and he is us."

When was the last time that the vendor held a gun to a librarian's head to force the selector to subscribe to an expensive online serial package or to the author's head to sign the copyright release form? In the legitimate push to change the mechanisms for distributing faculty research, I believe that librarians have most often underestimated the complicity of higher education in the current scholarly communication system, however dysfunctional it might be. To me, the scholarly communication system is comparable to book distribution where all parties agree that fundamental change is needed, but none seem to be able to bring it about because the players don't want to give up any advantages that the current dysfunctional system grants them. Perhaps both journal and book publishing need a few disasters before a new model can emerge. The current economic crisis, whose effects have not yet hit higher education and libraries very hard, may turn out to be the catalyst.

I will discuss some of the barriers, both hidden and obvious, in higher education to implementing an open access model including persuading or requiring faculty to deposit their research in institutional repositories. Among the many factors, I've selected the tenure and promotion system, institutional prestige, and copyright.

The Tenure and Promotion System

In my opinion, the most obvious and powerful barrier to open access is the entrenched tenure and promotion system at most research universities that judges faculty on the number of publications and the prestige of where they get them published. This factor is more important for untenured faculty who must prove to their tenured colleagues and to their university administration that they are worthy enough to keep their jobs. The rules for tenure vary across disciplines from the humanities where the tenure book remains important and single authorship is the norm to the sciences that rely upon large research teams and multiple authors. In fact, I see the science model as the barrier to the very reasonable proposition of changing tenure to a submission of only a few select best works. I have a friend who is a biostatistician who may have her name listed as an author on dozens of articles each year for the important but restricted function of her statistical analysis. The difficulty in getting tenure may also

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