

E-book and e-textbook: Position paper

Endorsed by:



CILIP

The library and information association

#EBOOKS

Jisc

NAG

National Academic Gateway

RLUK

Research Libraries UK

SUPC

Supporting University Publishers

October 2021

Introduction

Libraries are a key element of the UK education sector having an important role as anchor institutions in their communities, acting as physical and digital place-makers and delivering on the levelling-up agenda. Economic and technological changes in the current publishing model / market mean that these contributions are under threat as libraries find themselves increasingly excluded from, or priced out of, providing e-books and e-textbooks for their students and their library users.

Along with other cross-sector organisations and professional bodies, SCONUL, the professional association for academic and research libraries, is calling for a series of actions for libraries and publishers and all interested parties to work together to ensure sustainable models for providing students with the e-book and e-textbook readings they need.

E-books and e-textbooks

An *e-book* is an electronic version of a book. An *e-textbook* refers to an educational title often intended to be a key text throughout a course or module of study. *Premium* is a publisher term for content that is deemed to be of high value and with the potential to realise high sales, and so is packaged at a premium price. Premium pricing models are increasingly being applied to e-textbook titles being used for teaching. Many e-books, in addition to e-textbooks, are now being migrated by publishers from standard purchasing models to premium models. The coupling of these premium titles with proprietary courseware platforms and content is also becoming more common as publishers pursue this strategy. These options are increasingly unaffordable for libraries and, in many cases, there are no alternative ways for libraries to provide those titles or content for students and other library users.

The impact on all parties

Without immediate action to secure 'checks and balances' in the e-textbook market:

1. students may be excluded from access to content which is essential for their studies and their future success. Students from widening participation backgrounds, those studying 'at a distance' and those on placements in the community (such as NHS staff and trainee teachers for example) may be particularly disadvantaged.
2. publisher income levels will fluctuate. Whilst there may appear to have been some short-term gains from premium e-textbook selling during covid, funds for libraries to

October 2021

purchase premium content are increasingly being diverted from other library spend with publishers, so there is limited new money in the system.

3. libraries across all sectors will not be able to fulfil their core function of lending books. Where titles are made unavailable or unaffordable by publishers, libraries will have no choice but to work with educators to identify alternative titles in the short term and to develop open access alternatives in the medium term.

The following calls to action are made in a spirit of cooperation, recognising the rights of all parties need to be considered:

Library rights

To meet their inclusive education responsibilities, libraries have the right to:

- a. purchase and loan all types of books, including e-books and e-textbooks.
- b. share e-book and e-textbook content across libraries selectively, making use of existing copyright regulations, to enable the delivery of high-quality education for the benefit of all students, their institutions and the wider communities that they serve.

Publisher Rights

Differential pricing for e-textbooks may occasionally be necessary to reflect:

- a. investment in demonstrable 'value add' features such as interactive or multimedia features for example.
- b. to cover the costs of author(s) fees, such as in cases of joint authorship or specialist content creation for example.
- c. to cover product design and production costs if the e-textbooks are not simply PDF or E-PUB replicas of the physical books.
- d. if there are robust usage analytics to evidence such value.

but publishers should keep these available under standard library models, rather than moving all such titles to recurrent or premium pricing models or excluding libraries from purchasing them altogether.

Calls to action

The following calls to action are for immediate action by all publishers and aggregators wishing to lead by example and secure the reputational, societal and market share benefits of introducing more sustainable and affordable pricing models:

1. Libraries must not be excluded from purchasing the titles they need
 - 1.1 Libraries must be permitted to purchase all titles in electronic format from a publisher's catalogue that are otherwise available for individuals to purchase. Any publisher exceptions to this core 'library right' must be evidence-based and

October 2021

- made transparent through a clear public statement on the publisher's web site at the point of sale.
- 1.2 All e-book and e-textbook titles must be available for purchase by libraries on an individual title basis and not solely as part of a bundling of titles which forces libraries to buy additional titles in the bundle to get the one title they need.
 - 1.3 Any existing e-book or e-textbook title edition, previously purchased by a library, must not be subject to inflated pricing or restrictive licensing in future simply because that version now evidences a potential for increased sales.
 - 1.4 Where a title is not being used as a core teaching text, libraries must have an option to purchase that title as a limited concurrent user e-book to serve background reading needs on courses. In such circumstances, 1 copy per student ("one to one") e-textbook provision is rarely appropriate or financially viable.
 - 1.5 Existing library pricing must not be subject to unilateral withdrawal by the publisher without justification and without enough notice for the library to act on the information and seek alternatives to support student learning.
2. Pricing models and pricing must be made openly available on publisher web sites to enable comparisons to be made
- 2.1 Publisher and aggregator pricing for each electronic book title must be transparent at the point of purchase and available in the public domain.
 - 2.2 Ongoing platform fees to access individual titles that have been purchased are not justifiable and must be made explicit up front wherever intended to be charged by a publisher or aggregator.
 - 2.3 Transparent pricing will allow libraries and academics to assess the relative value and cost of any given title alongside print versions of the same book or alternative, less expensive titles on the same topic.
 - 2.4 Authors must always be informed before their e-textbooks are moved to premium-only models as they may otherwise be unaware of the cost implications for their students.
3. Recurrent subscription models must not be the only option
- 3.1 Perpetual purchase options for both concurrent multi-user and single-user access titles must be retained as the main purchasing models for libraries, to minimise barriers to learning and to enable libraries to retain a degree of ownership of content they have paid for.

October 2021

- 3.2 Recurrent subscription models requiring annual licenses for access to e-textbooks must not be the only purchase option available for libraries. These may only be appropriate if there is demonstrable ‘value add’, such as interactivity or multimedia, or when editions and content are frequently and extensively updated.
 - 3.3 Price increases for any given title should not rise above standard inflation rates unless there is a demonstrable change in the value proposition, such as substantially new content or product re-design.
 - 3.4 Recurrent licensing terms for any given title must not be subject to unilateral and *ad hoc* withdrawal or amendment by the publisher without justification or sufficient notice as this can have a disproportionate impact on the learning of whole cohorts of students.
4. Premium Pricing Models should be the exception rather than the norm
- 4.1 Premium “one to one” pricing models based on one copy per student should be the exception rather than the norm. Data from publisher and aggregator analytics shows that for many titles, student uptake and actual usage does not justify the cost.
 - 4.1.1 Whilst libraries have always had to buy additional print or single-user licenses for students, it has never been necessary to purchase one copy of a title per student to meet demand.
 - 4.1.2 Basing pricing models for libraries on an assumption that all students would otherwise have purchased their own individual copies is not a valid basis for pricing. It has never been the case that all students could afford to purchase their own copies of textbooks.
 - 4.2 Where premium “one to one” models are applied, publishers and aggregators should work in partnership with libraries to estimate the numbers of copies needed per numbers of students, based on variables like the subject matter, the nature of the cohort of students, and the extent to which the premium e-textbook is likely to be used. If actual usage then exceeds that mutually agreed estimate, additional copies can be purchased at a cost that reflects that actual usage.
 - 4.3 User Activated or Usage based pricing and purchasing should be used by both parties to inform such purchasing decisions and should not be more expensive than purchasing a set number of copies ‘up front’.
 - 4.4 Publishers and aggregators must provide detailed analytics to inform all parties about usage and utilisation and provide rebates or credits if estimated thresholds are not met.

October 2021

- 4.5 Publishers and aggregators must ensure that purchase of content (whether e-book or e-textbook), confers ownership and that perpetuity of access remains rather than being withdrawn after a time-limited licence period has ended. At a minimum, students should be able to retain access until the end of their courses, not just the end of the period in which the topic was being taught.

5. All e-books must be made accessible
 - 5.1 Accessibility must be given a higher priority by publishers given the importance of e-book and e-textbook provision for inclusive education practice. The following calls to action are “without prejudice” to the actions already permitted under the international [Marrakesh Treaty](#) which “makes it easier for blind, visually impaired and print disabled people to access works protected by copyright”:
 - 5.1.1 All titles must be provided by both publishers and aggregators in formats that meet minimum accessibility standards, such as EPUB, PDF/UA, and those specified in the WCAG 2.1 guidelines.
 - 5.1.2 All platforms must include a clear statement of compliance or how alternative formats can be made available (e.g., how libraries and their users may request timely conversion into accessible formats).
 - 5.1.3 DRM (Digital Right Management) should be used sparingly as it often acts as a technical barrier to learning, especially in cases of digital poverty where library users do not have access to their own computer or mobile equipment.
 - 5.1.4 All titles must be supplied with full, shelf-ready metadata, including accurate edition data, to facilitate ease of use and discovery at no additional cost.