Fact or fiction? Libraries can thrive in the Digital Age
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Fact or fiction?
Libraries can thrive in the Digital Age

Legal restrictions, further technology development, and an industry that has yet to find its footing pose challenges and opportunities to school librarians who are trying to go digital.

By Christopher Harris

Walk through the doors of a school library that has successfully navigated the shift to a modern, physical, and virtual learning commons, and things will look different from what adults remember from their school days. Today's school library uses an increasing number of digital resources to supplement a print collection that is moving more toward fiction and literary nonfiction. Supplemental resources, including streaming video, online resources, subscription databases, audiobooks, e-books, and even games, round out the new collections. Despite the best efforts of even the hardest working librarians in the best-funded libraries, there are many challenges to going digital.

There can be no question: Digital is the future of information. For those bemoaning the shift, often evoking arguments centered around the smell and feel of paper tomes, be assured that your protestations are all for naught. In the end, digital content will win because it is faster, easier, more connected, and more flexible. E-books, like digital music in the early 2000s, are a disruptive technology steadily gaining in the public mindset. Disruptive technologies,
initially rejected by experts as being inferior to the status quo, are embraced by the masses. The widespread adoption drives rapid development, leading to improvements that quickly overshadow the technology being replaced. Apple’s iPod, released in 2001, though not the first MP3 player, rapidly rose to prominence as the easiest way to carry around music. Audiophiles were horrified by the loss of fidelity from MP3 compression and further shocked by the mediocre earbuds included with the iPod, but, in the end, the device’s ease of use led it to market dominance. Thanks to the Amazon Kindle and the Apple iPad, this is the era of e-books. Fifteen years ago, I would have agreed with anyone who said e-books were not ready for use in schools and libraries. They weren’t. Some smaller publish-
ers, most notably Baen, which first began selling e-books in 1999, met the needs of early adopters, but there weren’t really any readers to support mass adoption. Even when the first Amazon Kindle was launched in 2007 as the first truly successful mass-market e-book reader, the technology was hardly perfect. Page turns on the older e-ink screens had a noticeable delay. The resolution and black/white contrast — dark gray on light gray if we are honest — also left much to be desired. The launch of the iPad and iBooks in 2010 brought higher resolution LCD screens, color displays, and the opportunity for either true black on white reading or rich picture books. It took a decade for e-book technology to move from a disruptive technology that was nowhere near as good as paper — though arguably more convenient with the ability to carry a library in one’s pocket — to the current situation where e-books are thriving in public and school use.

Digital is the future of information because it is faster, easier, more connected, and more flexible.

Though it has quickly taken over our lives and most of our social, financial, and information-based transactions, we must remember that the Internet is still quite young. Google only rose to prominence in 2001. The first Wi-Fi network, where subscribers paid to access the Internet over wireless, was created in 1998. Viasat was the first to offer satellite Internet service, which launched in 2002. Twenty years ago, school libraries were one of the sole sources of information in schools. The library held the encyclopedias and, more important, those massive green volumes of the Readers’ Guide to Periodic Literature that provided the only index to magazines and journals. Today, no school library should be purchasing the Readers’ Guide or even maintaining a collection of back issues that need to be indexed. At colleges and universities, bound periodicals have been replaced by full-text online databases. Wikipedia or a paid subscription to a different online encyclopedia can meet most basic knowledge needs and provide a kick-off point for research. Magazines and journals are mostly online or accessed through massive full-text resources. Gone are the days of searching through the endless stacks and hoping that the volume you needed wasn’t off at the bindery. While the critical task for libraries used to be collecting enough information, the true value of the modern school library is limiting the information resources to just the best resources. Information spews from the Internet like water from a burst pipe. The expert school librarian must work to control and direct the flow, turning the raging river into a tamed stream of knowledge suitable for access by students and teachers.

The problem

Why, then, you may be asking, doesn’t my library have more e-books? If they are so great, if the technology is finally ready for widespread use, where are the e-books? The problem with the adoption of e-books in schools and libraries today is about content, not technology. There are two primary issues: First, not all of the content that we would want to use in schools and libraries is available in a digital format. Second, much of the available content is locked behind onerous contract terms that make effective educational use impossible.

The first problem is related to the availability of content, specifically older books and those that aren’t best-sellers, which tend to be used heavily by teachers. As a new format, e-books require additional contractual terms between authors and publishers. In some cases, authors or their estates have been unwilling to grant permission for digital versions of books. Only in April 2014, for example, did Harper Lee finally authorize the release of an e-book version of her landmark To Kill a Mockingbird. Other high school English class staples like Catcher in the Rye remain unavailable digitally. While most publishers release new books in print and digital formats, older books are only slowly being converted to e-books. In the past, publishers deleted their electronic files for books after they were sent to press. With no real e-book market or plan in place until about 2010, books older than five years might have to be reproduced as digital files.

True classics, specifically those published before 1923 or those that have otherwise entered the public domain, are easier to find as e-books. Project Gutenberg (http://gutenberg.org) and Google Books (http://books.google.com) have vast collections of pre-20th-century literature that most of us will never read. The works that our teachers might want, Shakespeare’s plays, Beowulf, and other notable classics, are available but may not be truly suitable for classroom use. For free e-books, the original work must have been published before 1923 and only that specific edition or translation can be used to create the e-book. U.S. courts have ruled that the act of translating a text adds creative value to the work and so generates a new copyrighted work. Don’t expect the latest translations of Beowulf or updated versions of Hamlet with modern language to be available as free e-books. Librarians and teachers might have better luck with a paid version offering updated
language, more complete editing, and page numbers that match curriculum materials.

**Licensing v. buying**

Trying to buy an e-book for a school or library presents different challenges. The main issue is that the verb “buy” is not technically accurate for this transaction. As digital material, e-books are exempt from the first-sale doctrine — the right of a purchaser of copyrighted materials to then do as desired with the physical copy purchased. First-sale doctrine is what allows old vinyl records to become plant holders and old books to become purses. Incidentally, it is also what lets us buy and sell used cars, a practice that could otherwise be controlled by the original producer of the car. First-sale rights are laid out in section 109 of the U.S. Copyright Law which states: “The owner of a particular copy or phonorecord lawfully made under this title, or any person authorized by such owner, is entitled, without the authority of the copyright owner, to sell or otherwise dispose of the possession of that copy or phonorecord” (see www.law.cornell.edu/uscode/text/17/109). First-sale rights do not apply to works that are licensed as opposed to purchased as determined by *Vernor v. Autodesk* (2010). The existence of a license agreement removes the issue of rights from copyright law and places it firmly in the realm of contract law, the Ninth Circuit U.S. Court of Appeals said.

License agreements are the real reason why you cannot get any book you want as an e-book for your classroom or library. As digital content, e-books are licensed and not sold, and so the rights holder, typically the publisher, controls all financial transactions. Consider, for example, the case of streaming video as compared to DVDs. Many documentaries contracts are quite a bit more serious. The main issue is that to Spotify for licensed access to a massive library of music; services like Netflix and Hulu provide most of my video content in a similar subscription model. We have become a culture very comfortable with subscribing as opposed to owning, perhaps somewhat because the lack of ownership is buried deep within legal agreements. In public schools, though, contracts are quite a bit more serious.

Is it OK for a school to license content if the provider reserves the right to delete the content at any point in time without notice or the requirement to provide a refund? It would be as if the company that built a student’s desk chair showed up and took back the chair because a student turned it around and sat on it backward. Yet these are the terms that schools face when licensing e-books. Public libraries learned about this the hard way when OverDrive, the largest e-book provider for public libraries, got into a tiff with Penguin. In February 2012, Penguin pulled all of its e-books from the OverDrive service, which left libraries — who thought they had bought the titles — with no e-book access (Bohn, 2011). More recently, consumers found themselves suddenly unavailable to access e-books when the Diesel e-book store closed in April 2014 with less than a week’s notice (Hoffelder, 2014). If e-books are licensed, and the licensee goes out of business, there may be no recourse for the end user to legally access secured e-books.

To make e-books work, we must be ready to change how we select, acquire, and access information.
Publisher challenges

In the case of e-books from the largest publishers, though, there are additional challenges. Most major publishers have imposed special licensing terms for libraries and schools wishing to use e-books. In most cases, access to e-books is time-limited. Publisher Harper Collins terminates e-book licenses after 26 loans (i.e. a year of two-week loans) while Macmillan offers two-year licenses. Random House offers a perpetual license but at costs of up to $90 for a single concurrent reader e-book license; over $1,800 for a class set of e-books for 30 students. For classroom use, time-limited licenses are actually not such a bad thing, though I think that a three-year license would fit better with many use scenarios. A one- to three-year period demands that teachers re-evaluate text selection more often. The costs for perpetual licensing for popular fiction — often more than five times the cost of a hardcover — are simply too high for the practical use of e-books.

This is difficult for many to understand. When the public thinks of e-books, they think of the low cost and ease of use at the Amazon Kindle store or the Apple iBook Store. We “buy” e-books for about $10, and they just show up for us to read. For school and public libraries, however, acquiring e-books is more challenging.

The solution

The problems are not insurmountable. As e-books have evolved and grown over the past decade, smaller publishers have been exploring new digital options. School libraries have a wide variety of resources available to supplement physical collections, including fiction, nonfiction, and even interactive e-books. Licensing options for school libraries include annual subscriptions, perpetual licenses, and even emerging models like short-term rentals. With high-quality resources and more school library-friendly licensing terms, the time is ripe for a digital shift in our libraries.

To make e-books work, though, we have to be ready to change how we select, acquire, and access information. Schools can maximize the cost efficiencies of digital content by working within a consortium model to create an economy of scale. In some states, this means statewide purchasing of essential resources like magazine and journal full-text databases or online encyclopedias. New York schools have been able to work within the existing school library systems and regional educational services agencies to facilitate group purchasing across a larger region. This is especially important for rural schools where the per-building costs for small schools can become prohibitively expensive. By subscribing to databases at a regional level, costs can often be charged in a more equitable fashion while still ensuring savings for all participating districts. Consortium models require a change in practices, though. Librarians at the school level have to become comfortable working collaboratively with a larger group to identify and acquire content — decisions that have traditionally been made individually.

 Simultaneously, the most effective school librarians are also shifting how they think about content acquisition. Instead of buying books for their library, librarians must think about digital content for use throughout the school. As enhanced, interactive e-book versions of prior print resources are made available, it is especially important to reimagine the nonfiction and reference offerings available in the library collection. It is my firm belief that school libraries should no longer be purchasing print refer-
ence books and should be limiting nonfiction print purchasing to the newer style literary nonfiction focused on narrative, as opposed to research use. For informational use, e-books like Rosen Publishing’s *Spotlight on Ancient Civilizations* — a series of interactive e-books about ancient Greece, Egypt, and Rome — can be more effective instructional resources. At an elementary level, Capstone’s PebbleGo™ resource provides annual subscriptions to resources laid out like e-books and designed specifically for K-2 learners.

**Working schoolwide**

As materials for classroom instruction, however, the library is now buying content for the whole school, not just the library. For these resources to be successfully adopted, the librarian will then need to fill a new role as professional developer, sharing the new digital content with teachers. The school librarian may also need to help teachers develop new lessons and new pedagogy to support the possibilities afforded by digital content with unlimited access. It is easier for whole classes of students to read different sections of e-books and then report back on new understandings. The modern school library and the most effective school librarians are providing curriculum and pedagogical support throughout the entire school.

School libraries can also provide additional access to digital content through some emerging business models. Subscription e-book libraries like TumbleBook Library and TumbleBook Cloud have been very popular in schools for a number of years. Another new offering for subscriptions is Scholastic’s Storia product. Though it was an individual book licensing model for the past couple of years, in 2014 Scholastic notified customers that they were terminating their licensed e-books. Going forward, the product will only be offered as a subscription model. The model can work, but it also has some limitations. One critical issue is that with a subscription, there is no existing content to rely on during a lean year. If your library cannot afford the subscription for the year, there is no content. This is also a concern with licensing platforms like OverDrive where an inability to pay the expensive annual support fees results in losing all e-book access.

In the last couple of years, a new business model has been growing in popularity. Brain Hive, a sister company to prominent K-12 publisher Lerner, offers e-book rentals for $1 per reader for a two-week loan. Under this model, it is easy and cost effective to eschew the dated concept of a class novel for smaller reading groups or more independent choice from a selection of e-books. Brain Hive would let a teacher explore new books each year, or stay with a book for a few years and still have a lower cost than buying that book in print or e-book format.

For Brain Hive to be successful, however, everyone has to understand what it does and does not offer. The company is working on offering more content from the major publishers, but for now the selections tend to be more focused on lesser-known authors and books. For e-book fiction to work right now in schools, teachers and students must be willing to give books from smaller publishers and lesser-known authors a chance to shine.

A final major e-book model is licensing through a particular e-book store like Apple’s iBook Store, Amazon Kindle Store, or Google Play. All three have models for licensing content to schools and school libraries using the associated hardware readers. The major issue with this model is that the content is then mostly locked to specific hardware. In most cases, schools are paying consumer pricing for these e-books and avoiding the limitations the major publishers impose on libraries. This might be changing, however, as Google Play e-books are now licensed on a time-limited basis as opposed to in perpetuity.

**The digital future**

Digital content is the future of schools and libraries. With increasing computing devices available in schools, e-books will be essential reading. Furthermore, the changes in school libraries — from book warehouses to information and learning commons — incorporate digital content as a key element in supporting teaching in learning anywhere and anytime. E-books have a lot of issues, though, and as I hope has been shown there are many reasons why school libraries have struggled to implement more digital content.

For this to work, we are all going to have to keep working together for the next few years. The models and the market will take some time to stabilize around successful exemplars. What you can do to help is continue to engage in conversation with your school librarian. Make sure everyone in the school knows the limitations and possibilities for digital content, and create a comprehensive plan for adopting new digital resources.

**References**

