

Minutes

Executive Council Meeting

September 27, 2015 from 8:30 am – 17:30 pm Eastern time

September 28 from 11:00 am to 12:00 pm Eastern time

Toronto Reference Library

Approved December 4, 2015

Present: Sandra Singh, President & Chair
Rosemary Bonanno, Vice President & President Elect
Michael Ridley, Treasurer
Virginia Clevette, Councillor-at-Large
Christina Hwang, Councillor-at-Large
Colleen Murphy, Councillor-at-Large
Marie DeYoung, Past-President
Valoree McKay, Executive Director

Recording Secretary: Valoree McKay, Executive Director

September 27, 2015

1. Call to Order

The business meeting was called to order at 8:40 am Eastern time. President Singh welcomed everyone to the meeting.

2. Declaration(s) of conflict of interest

None were declared.

3. Approval of the Agenda (Doc # EC 15-09-001)

MOTION 59 -15: THAT the agenda be approved as distributed.

Moved: Rosemary Bonnano Seconded: Colleen Murphy

CARRIED

Unanimous

4. Approval of Consent Agenda (Doc # EC 15-09-002, -003, -004, -005)

MOTION 60-15: THAT the consent agenda be approved as distributed.

4a. Approval of the minutes of August 7, 2015

4b. Approval of the CLOSED minutes of August 19, 2015

4c. Approval of the CLOSED minutes of September 4, 2015

4d. Ratification of Electronic Votes

Moved: Michael Ridley Seconded: Christina Hwang

CARRIED

Unanimous

The electronic vote that was ratified is listed below and the supporting documents are appended (Appendix A).

MOTION 58-15: TO approve the national messages and FAQs for the eBook Fair Pricing Campaign as presented.

**Moved: Michael Ridley Seconded: Marie DeYoung
CARRIED**

A housekeeping edit was requested within the minutes of August 7, 2015. In Item 18.1 Library and Archive Canada Draft Digitization Strategy, the first sentence is to be changed from "The President asked the Executive Council to discuss the Draft Digitization Strategy produced by the Library and Archives Canada" to "The President asked the Executive Council to discuss the Draft LAC Digitization Strategy".

ACTION: Executive Assistant to make the following housekeeping edit to August 7, 2015 minutes: the first sentence of item 18.1 is to be changed from "The President asked the Executive Council to discuss the Draft Digitization Strategy produced by the Library and Archives Canada" to "The President asked the Executive Council to discuss the Draft LAC Digitization Strategy".

5. Review of Action List (Doc # EC 15-09-006)

Executive Council reviewed and updated the action list.

6. Strategic Plan and Review Update (Doc # EC 15-09-007)

Executive Council deferred this item to the end of the meeting to discuss.

Discussion took place regarding the translation of the Leading Learning school library standard and using the funds in the "SLIC" fund. It was believed that there was sufficient funding there for the translation itself; there was concern regarding staff and financial capacity to support the next steps once translated. Executive Council deferred further discussion to Item 11, Finance Update.

7. Approval of the Intellectual Freedom Position Statement (Doc # EC 15-09-008)

Executive Council reviewed the August 24, 2015 revision of the CLA Intellectual Freedom Statement. All agreed that it was an excellent revision and expressed appreciation to the Committee for its work on what is one of the most important national position statements.

MOTION 61-15: THAT the August 24, 2015 revision of the CLA Intellectual Freedom Position Statement be approved.

**Moved: Colleen Murphy Seconded: Rosemary Bonnano
CARRIED
Unanimous**

It was agreed that a soft launch would be undertaken in October or early November and that a hard launch would be undertaken during Freedom to Read week in February 2016. It was agreed that the Toolkit would be launched at the same time.

Executive Council discussed the resources required to develop the Toolkit. It was anticipated that a new poster would be required as well as handouts. This would require graphic design and

communications work. Given CLA's current fiscal restriction, Rosemary Bonnano, Greater Victoria Public Library, offered in-kind support from her communications and graphics team and Marie DeYoung, Saint Mary's University offer assistance with production.

Sandra Singh, Vancouver Pubic Library, offered her personal assistance in liaising with the Committee on the development of the Toolkit.

It was noted that the timing of the launch may very well happen in conjunction with the decision around the proposed Federation and that, assuming the decision were positive for dissolution of CLA and the creation of a new Federation and that they were to adopt the statement, we should be prepared for a very quick rebrand of the documents.

CLA staff will provide support to the committee if they wish it.

ACTION: Executive Director to prepare the CLA Intellectual Freedom Position Statement for soft launch and to release it in October or early November.

ACTION: Executive Director to prepare the CLA Intellectual Freedom Position Statement for hard launch in February 2016 in conjunction with Freedom to Read week.

ACTION: President to communicate approval of the CLA Intellectual Freedom Position Statement to the Chair of the Intellectual Freedom Advisory Committee and to request that the Toolkit be ready for launch with the Statement in conjunction with Freedom to Read week in February 2016.

ACTION: Executive Director to offer staff support to the Intellectual Freedom Advisory Committee for the development of the Toolkit.

Thanks were again expressed to the Intellectual Freedom Advisory Committee were expressed for their hard work and dedication to this important statement. Thanks were expressed to the Greater Victoria Public Library and Saint Mary's University Library for their in-kind support.

8. Update from President

The President stated that the nomination of the Truth and Reconciliation Commission for the Grace Pepin Award had been submitted. She provided an overview of the process she followed.

ACTION: Executive Director to inform the membership via the Digest that a nomination of the Truth and Reconciliation Commission has been made for the Grace Pepin Award however she is not to share the letter itself.

The President shared that she had been in regular contact with Alvin M. Schrader, Chair of the Intellectual Freedom Advisory Committee, on the revision to the Intellectual Freedom Statement.

She reported on the work of the Future Federation Working Group and expressed thanks to Valoree McKay, Mike Ridley, and Marie DeYoung for their assistance with some of the work that needed to be undertaken. She shared that she had received and accepted an invitation from ASTED to present a session on the proposal for a Federation at the Congrès des milieu documentaires du Québec (CMD) November 18 - 20 regarding the proposed Federation. She will also have an opportunity for

two meetings: one with ASTED Board representatives and the other with presidents of the major library associations in Quebec. The Executive Director offered to attend the meetings as well and the President noted she would follow up and confirm the Executive Director's attendance.

ACTION: President to confirm presence of Executive Director at the presentation and meetings in Quebec late November 2015 in conjunction with the Congrès des milieu documentaires du Québec (CMD).

Executive Council thanked President Singh for the amount of work she had undertaken in facilitating and coordinating the Working Group's efforts to create the proposal for a Canadian Federation of Library Associations.

The President took this opportunity to ask members of Executive Council if they had any updates that they would like to share.

Councillor Virginia Clevette provided an update on the 2015 Federal Campaign noting that the website votelibraries.ca had been launched and had been shared widely at the provincial and national level. A letter had also been sent to all party leaders regarding eBooks in an effort to plant a seed that will be followed up on after the election with the elected MPs. Members had been asking about Bill C-51 and why it was not featured on the site: the response had been that all parties were clear on their position and were not addressing it any further during the election. The follow up will occur after the election once it is determined which party is in power and CLA can tailor its efforts properly.

An update on the eBook initiative was also provided at this time by the Executive Director.

9. Update from Executive Director (Doc # EC 15-09-009)

Document EC 15-09-009 was not provided. The Executive Director provided a verbal update focusing on the CLA Strategic Goals as a guide.

Goal Area 1 - Champion Library Values and the Value of Libraries

An update was provided regarding Canadian Library Month. CLA has stopped delivering the program Canadian Library Month (CLM) effective 2015. This was communicated through CLA's regular channels, however the message was not heard by all and as a result there had been some inquiries. In addition, some feedback had been received that CLM was a program that was seen as an initiative that fit within CLA's current mandate as well as that of the proposed federation.

Goal Area 2 - Advocacy: Influence public policy influencing libraries

The Executive Director reported that she had been very busy with CLA's advocacy initiatives including the eBook and the federal election. She noted that advocacy work had been more challenging during the official federal election campaign period due to the fact that groups are not permitted to advocate in the same manner as usual and candidates are not permitted to engage in advocacy during the campaign period. Efforts had been made through the election campaign and follow up would take place after the election.

Goal Area 3 - Member Engagement and Excellence: Inspire and support member learning

A discussion took place regarding membership renewals. The Executive Director noted that there was confusion amongst the community and CLA members regarding renewal and the future of CLA and many members were not renewing as a result.

Executive Council felt that the current renewal letters for CLA members as well as the welcome letter for new students needed revision in order to ensure that they addressed the current activities of CLA as well as the organizational restructuring that was taking place with the goals of (a) addressing the confusion around renewal, (b) re-iterating the importance of CLA membership at this time and (c) investing in the future of a national library association.

Goal Area 4 - Partnerships: Collaborate to strengthen the library community

The Executive Director noted that she was working on two tracks at the moment: (1) maintaining and advancing the work of the CLA and (2) working with the stakeholder partners on developing a new vision for a future national library association. She had been maintaining and building current and new relationships while undertaking both of those streams of work.

Goal Area 5 - Organizational Excellence

The Executive Director provided an operational update. Of particular note were the attempts to sub-lease the current space at 1150 Morrison and find a smaller and cost-efficient space to move to once a sublease had been secured; challenges with the Shipping Tool; and staff morale during this period of uncertainty.

ACTION: Executive Director to verify requirements of agreement/legislation regarding the Shipping Tool

9a. Member Trends Report (Doc # EC 15-09-010)

Executive Council reviewed the member trends report.

10. Report: CLA Representative at IFLA General Meeting (Doc # EC 15-09-011)

CLA Member Paul Whitney carried CLA's proxy to the IFLA General Meeting. He had submitted a written report to Executive Council. Executive Council thanked Mr. Whitney for representing CLA and reporting back to them on the meeting.

ACTION: Executive Director to seek a report on the Canadian Caucus Meeting held during IFLA in South Africa from Elise Boucher and Victoria Owen, co-chairs of the Canadian Caucus Meeting.

11. Finance Update

a. August Balance Sheet and Financial Statement (Draft) (Doc# EC 15-09-012)

Treasurer Michael Ridley provided an overview of the August 2015 balance sheet and financial statements. Executive Council discussed the statements.

He reported that CLA had opted not to change its investment strategy as was discussed several months prior in order to remain as liquid as possible.

The Treasurer noted that a modest deficit had originally been predicted as CLA was spending additional money on the process for developing a new Federation. He noted that CLA has underspent on the organizational renewal initiative; however deficit was anticipated to be larger

than originally budgeted due to the poor financial performance of the CLA 2015 National Conference. He noted that this anticipated deficit was to be covered by CLA reserves.

MOTION 62-15: THAT the meeting moved into closed session.

Moved: Michael Ridley

Seconded: Virginia Clevette

CARRIED

Unanimous

Meeting went into closed session

b. Financial Forecasting – CONFIDENTIAL (Doc# EC 15-09-013a, -013b)

This item was discussed in closed session.

12.Future Federation of Library Associations WG Update - CLOSED

12a. Legal Brief (Doc# EC 15-09-014)

12b. List of Legacy Members (Doc# EC 15-09-015)

This item was discussed in closed session.

13.CLA 2016 Conference – CLOSED

This item was discussed in closed session.

14.Debrief of Vendors Meeting – CLOSED

This item was to be discussed on September 28 following the meeting with CLA's corporate partners. Executive Council continued with remainder of the agenda.

MOTION 64-15: THAT the meeting return to open session.

Moved: Christina Hwang

Seconded: Colleen Murphy

CARRIED

Unanimous

Meeting returned to open session

15.Other Business

15.1 ToR eBook Task Force Phase Two Document (Draft) (Doc# EC 15-09-016)

It was noted that the list of Task Force members was incorrect on the submitted document. The Executive Director is to ensure that the list is accurate.

MOTION 65-15: THAT the eBook Terms of Reference – Phase 2 be approved.

Moved: Marie DeYoung

Seconded: Christina Hwang

CARRIED

Unanimous

ACTION: Executive Director to communicate the approval to the Chair of the Task Force

ACTION: Executive Director to prepare the approved terms of reference for distribution and ensure the document is posted to the website.

Executive Council expressed their appreciation of the contributions from the members of the Task Force.

6. Strategic Plan and Review Update (Doc # EC 15-09-007)

Executive Council reviewed the Strategic Action Plan. Capacity to complete the actions listed was discussed. Concern had been expressed by the Executive Director regarding the ability for a CLA staff of 3 to meet the expectation of Executive Council and the members as well as their own expectations of themselves. She queried what could be removed or postponed from the list of actions without further jeopardizing the perceived value of membership.

It was agreed to put aside the existing long-term plan that had been developed when there were twice the number of staff and a different vision and to create a more realistic plan that reflected current capacity and vision. The following list was developed and agreed to as the current list of priorities for CLA:

1. Operations (website, server, lease, etc)
2. Core Programs for Members
 - a. Awards
 - b. Book Sales
 - c. RDA
 - d. Shipping Tool
 - e. YCW
3. Proposed Future Federation activity
4. Dissolution (subject to the vote in January)
5. CLA 2016
6. Intellectual Freedom Position Statement
7. Leading Learning translation
8. eBook Task Force activities
9. Federal Election

The Leading Learning Standard will be translated and then passed to the provinces and territories to advocate for inclusion in their school jurisdictions. CLA will issue a position statement nationally which will be reviewed by the School Advisory Committee in advance for review.

Executive Council instructed the Executive Director to step down as Chair of the RDA Marketing and Communications Working Group as CLA did not currently have the capacity to lead it.

ACTION: Executive Director to investigate the requirements of both the Library Shipping Tool and the YCW Program to determine if they can be taken over by another association and what the criteria for that might be.

ACTION: Executive Director to inform the Chair of the RDA Committee of Principles that she must step down from the role of Chair of the RDA Marketing and Communications Working Group.

The meeting adjourned at 5:30 pm until 12 pm Eastern time on September 28, 2015

September 28, 2015

The meeting was called back to order at 11:00 am Eastern time on September 28, 2015 and immediately moved into closed session.

MOTION 66-15: THAT the meeting moved into closed session.

Moved: Michael Ridley

Seconded: Virginia Clevette

CARRIED

Unanimous

14. Debrief of Vendors Meeting – CLOSED

This item was discussed during closed session.

MOTION 67-15: THAT the meeting return to open session.

Moved: Christina Hwang

Seconded: Colleen Murphy

CARRIED

Unanimous

The meeting moved back into open session


16. Adjournment

MOTION 68-15: That the meeting be adjourned.


Moved: Michael Ridley

The meeting adjourned at 11:45 am Eastern Time.

Recorded by:

 Date 11 Feb 2016
Valoree McKay, CAE
Executive Director

Approved:

 Date July 26, 2016  Date 11 Feb 2016
Sandra Singh
President
Valoree McKay, CAE
Executive Director

e-Book Pricing Campaign Key Messages and Q&A

Key Messages

- *Canadian Public Libraries for Fair Ebook Pricing* have formed a coalition to raise awareness of the high prices that multinational publishers charge public libraries for ebooks.
- Demand for ebooks continues to grow rapidly – in fact, digital content is the fastest growing area of borrowing for public libraries.
- But multinational publishers impose unreasonably high prices, creating a barrier for public libraries to offer universal access to this content. As a result, public libraries offer fewer ebook titles, fewer copies for readers to discover and there are often longer wait times for these materials.
- We want as many people as possible to visit fairpricingforlibraries.org to learn about the issue, let us know what they think and spread the word on social media.

Q&A

Why are Canadian Public Libraries for Fair Ebook Pricing conducting this campaign?

The campaign aims to raise awareness of the high ebook prices that the “Big Five” multinational publishers (Hachette, HarperCollins, Macmillan, Penguin Random House and Simon & Schuster) charge public libraries. Canadian public libraries face challenges in ensuring universal access to this content.

We want to let more people know about these issues so they can understand why there are fewer ebook titles, fewer copies for readers to discover and often longer wait times. We also want to collect information that can be shared with multinational publishers and other stakeholders as we work to achieve fair pricing. (See fairpricingforlibraries.org for specific pricing examples).

Who are the members of Canadian Public Libraries for Fair Ebook Pricing?

Canadian Public Libraries for Fair Ebook Pricing is a coalition made up of the Canadian Library Association, Canadian Urban Libraries Council, Federation of Ontario Public Libraries, Nova Scotia Library Association, Ontario Library Association and Toronto Public Library to raise awareness of challenges faced by public libraries as a result of high ebook prices charged by multinational publishers.

Why is ebook pricing an important issue for public libraries?

The popularity of ebooks presents an exciting opportunity for libraries to connect with the public in new ways, but it also presents challenges.

In some cases, libraries pay three to five times more for ebooks than consumers (see fairpricingforlibraries.org for specific pricing examples). There are caps and time limits on ebook use. This means there are fewer titles, fewer copies for readers to discover and often longer wait times.

Major publishers have set pricing and terms that jeopardize libraries' ability to provide universal access to content in all its forms.

Do many people read ebooks?

Digital content is the fastest growing area of borrowing for public libraries. Campaigns to raise awareness of the availability of digital content have resulted in significant increases in borrowing rates.

Public libraries have responded by reallocating budgets and opening conversations with publishers to resolve issues with supply and discoverability. Based on 2013 Canadian Urban Libraries data, e-book budgets for reporting libraries have increased an average of 425% since 2010. Digital content is consuming an ever increasing portion of most libraries' materials budgets; in 2010, Canadian Urban Libraries spent an average of 13% of their materials budget on digital content, and in 2013 it was 23%. Canadian Urban Libraries spent \$5,801,543 on e-books in 2013, and this number will have increased in 2014. We also have purchasing power – in 2014 alone, Toronto Public Library's budget for downloadable and streaming content was \$2.8 million.].

Why are ebooks treated differently than print books?

Print books are purchased as physical copies that the library owns. Rights holders typically license – rather than sell – access to digital resources. As licenses are contracts, libraries receive the rights articulated in the agreements including caps and time limits on ebook use.

Does this mean that the library doesn't actually own the ebook?

Libraries purchase licenses for ebooks – we don't own them, which is another issue for long-term access.

What information is available at fairpricingforlibraries.org?

Issues facing public libraries are outlined on the web page. The page includes examples of the price gap between consumer and library prices, illustrated by a selection of popular titles. The page includes a poll, social media sharing with the hashtag #FairEbookPrices and email collection for those interested in updates on the issue.

How do you want people to respond to this campaign?

We want as many people as possible to visit fairpricingforlibraries.org to learn about the issues public libraries face with respect to ebook pricing. We're asking people to spread the word on Facebook and Twitter with the hashtag #FairEbookPrices so we can track the conversation. Those interested in updates on this issue can submit their email address.

We will share the response to this campaign with stakeholders including other public libraries, government and publishers.

We also want people to keep borrowing ebooks and other digital content from public libraries. The booming popularity of this content is one of the strongest arguments for increased access.

Publishers are going through a tough time. Are the high prices justified?

We recognize publishing in Canada and around the world is undergoing great change, but imposing unreasonably high prices for ebooks is not the answer.

Public libraries play an integral role in a vibrant book industry. We promote literacy and a love of reading that encourage people to acquire more content of all varieties, both borrowed and purchased.

What is the status of these multinational publishers selling to libraries?

Refer to pages 6 and 7.

Has anything else been done to achieve fair pricing?

Advocacy efforts for fair ebook pricing and access have been underway in Canada since 2010. There has been significant progress with much improved access to ebooks for public library customers. Many Canadian independent publishers make their content available as do the major publishers. However, multinational publishers continue to impose terms such as unreasonably high prices.

Who are the multinational publishers the campaign refers to?

The “Big Five” publishers are Hachette, HarperCollins, Macmillan, Penguin Random House and Simon & Schuster. Together these companies control roughly two-thirds of the North American consumer book publishing market.

What about independent publishers?

We do not face the same pricing issues with independent publishers. Many independent and Canadian publishers make their ebooks available at reasonable prices and with reasonable terms of use.

Do public libraries in Quebec face the same pricing issues?

Public libraries in Quebec face the same pricing issues when it comes to the “Big Five” publishers. However, Quebec publishers make their ebooks available at reasonable prices, much as independent publishers do in the rest of Canada.

What about fair compensation for authors?

We support fair compensation for authors and we are not suggesting we should be paying the consumer price. What we are saying is that unreasonably high ebook prices mean we are limited in what we can purchase for our readers. We have a mandate to provide universal access to a broad range of content regardless of the format.

What is the pricing model that would work for libraries?

We are advocating for a hybrid of existing pricing models as one that would work far better because it introduces both fairness and flexibility into the model. This hybrid model offers libraries of all sizes the ability to make choices about maintaining copies in perpetuity at a higher price, and other copies of the

same title at a lower price within a restricted timeframe. As an example, if 100 copies of an ebook are selected, a public library could choose to pay a premium price for 10 copies with ongoing and perpetual access. The remaining 90 copies could be purchased at a lower rate with those copies expiring in a year. This allows libraries to meet customer demand for copies when they are most popular and preserve access to the content in the longer term with fewer numbers of copies than were required up front.

As part of this model, we have advocated that the \$85 and \$100 pricing is too high as a premium price. Something in the \$40-\$60 range is more reasonable as a premium price. The lower price option could be higher than the consumer price, but not significantly as the content would expire in a year.

Note: This model allows libraries to choose how to build their collections in both the long and short-term. For some titles, libraries may only want copies that expire in a year. The point is, libraries make this decision as part of the selection process and have these different options for the same title.

What will happen if prices don't come down?

If prices don't come down, we'll have trouble fulfilling our mandate of access to information for all. We're not able to buy as many copies as required and can't maintain our ratio of xxxx [fill in the number based on the specific library] holds per copy for some publishers' e-Books because of high prices, meaning that customers will be waiting longer than they do for print.

Overview of Issues with Canadian Public Library Access to e-Books

Publisher	Terms	Prices	Notes
Random House Canada	One copy per use; no cap or time limit on use	\$85 for new hard covers \$30-\$60 for paperbacks	OverDrive announces at the OLA Conference in February 2011 that Random House Canada and a number of independent publishers are making their content available. In March 2012, Random House (U.S.) announces up to 300% price increase for e-books available to public libraries.
HarperCollins Canada	One copy per use; 26 use cap per copy	\$25 for new hard covers \$4-\$16 for paperbacks	HarperCollins (U.S.) announces in March 2011 the introduction of a 26 use cap per copy. In December 2012, HarperCollins Canada content is available on OverDrive.

Publisher	Terms	Prices	Notes
Hachette Book Group	One copy per use; no cap or time limit on use	\$95-\$130 for new hardcovers \$10-\$40 for paperbacks	In October 2012, Hachette announces 100-200% price increase for its backlist e-books available to public libraries. Hachette makes over 5,000 current and backlist titles available to libraries in May 2013.
Macmillan Group	One copy per use; 52 use cap per copy or 24 months, whichever comes first	\$60 for virtually all content – hard cover, paperbacks & eBook original shorts. \$40 for some older content	Macmillan announces in January 2013 it is starting to make its backlist e-books available; in July, the entire catalogue is available.
Penguin Group	One copy per use; re-purchase copies after one year	\$23 for new hard covers \$8-\$16 for paperbacks	In December 2013, U.S. content from Penguin is available; In July 2014, Penguin Canada is available.
Simon & Schuster	One copy per use; re-purchase copies after one year	\$24 for new hardcovers \$4-\$16 for paperbacks	Available in November 2014.
Independent Canadian Publishers	One copy per use; no cap or time limit on use	\$16-\$25 for new hard covers \$8-\$15 for paperbacks	These publishers have willingly worked with libraries to make content available and to find mutually beneficial solutions.
Scholastics			