



The E-Resources Management Handbook – UKSG

NorthEast Research Libraries (NERL) – 1 1/2 decades and counting

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The NorthEast Research Libraries (NERL) Consortium began in 1996 out of a conviction that multiple economies and efficiencies were possible for libraries in moving into the world of electronic publication purchasing. NERL was, from its founding, focused on providing the best possible terms for library users and for library pricing – and, after regular reviews of mission, those two goals remain at the core. This chapter reviews the history of what NERL made of its opportunities: reflects on beginnings and growth over time; describes how the organization works; its emphasis on member communications; its financial underpinnings; on proving value; and avoiding mission creep. NERL members tell many success stories. Nonetheless, the consortium's well-being requires constant balancing, decision making, a thoughtful eye on the shifting ground of present and future, the search for ever more strategic approaches and increasing cross-consortial collaboration. A successful history does not prevent libraries from having interesting challenges to face as they go forward together.

Overview

The NorthEast Research Libraries (NERL) Consortium² grew in 1996 out of a conviction, at what many now regard as the dawn of internet scholarly publishing time, that there were multiple economies and efficiencies to be had for libraries in moving into the world of electronic publication – if we would only take them. I had been involved for years before that as a serials librarian worrying about prices and budgets, and then as scholarly communications program officer at Washington DC's Association of Research Libraries (ARL)³, looking to appraise how best libraries could take advantage of opportunities the digital age would bring; it was as good a preparation as any for thinking and talking with colleagues about how we could best serve ourselves and our users.

The fundamental intuition was that 'buying' digital resources came with two contrasting features, which could be dealt with at once. First, it was easier than ever to buy 'in bulk'. Whereas until then we had done title-by-title business with subscription agents and book jobbers, we might go even further in talking to publishers about bulk pricing for multiple journals. At the same time, negotiating the licenses for e-resources was technical, time-consuming, and sometimes frustrating. What if, we thought, we could build a collective group that would let us leverage the purchasing power of multiple institutions in an environment that already appeared to have benefits for libraries, and at the same time concentrate the expertise in license negotiation in one set of hands for the benefit of multiple institutions? Wouldn't the savings in both directions be appreciable and well worth the work of organizing a community?

To spare you, if you wish, the effort of reading the rest of this piece, the answers to those questions were mostly what we guessed they would be. We were right. This chapter is the history of what we made of an opportunity, concluding with some reflections on how a successful history doesn't prevent libraries from having some interesting challenges to face as they go forward.

Beginnings

We began in the summer of 1996 with a few preliminary conversations and a clear mission: to secure access to online electronic information resources at advantageous prices and terms of use. We also started with a clear bias: we wanted to be agile, flexible and non-bureaucratic. We were impatient people looking to save money and simplify, where possible, our business processes, while improving access for our readers. There were 12 of us directors of collection development, all in the northeastern US, all from major (largely private) research universities: we intuited that neighborhood and institutional character would give us the common base needed to build and operate. All ARL libraries in the northeast were invited to join in this startup as 'core' members, with a voice in program, governance and strategy. And not long afterwards, we invited 'affiliates' as well to join us, typically libraries in smaller institutions, with some, but not necessarily broad, overlap with our collecting ambitions. Affiliates do not have a voice in governance but benefit, for an annual fee per database, from materials whose licenses they join. Both categories have grown and flourished within NERL.

We signed our first arrangements, with *Britannica Online* and with Academic Press (then independent but long since merged into Elsevier). By fall of 1996, we had 16 libraries as our core members – and all of them are still part of NERL. Membership is taken on a three-year basis, providing a sunset clause and at the same time the chance to renew the work of the organization. Dues are charged and set based on member requirements for NERL's activities. We all believe that flexibility keeps member institutions comfortable, even as it keeps those of us who work on NERL projects on our toes.

We chose not to pursue legal incorporation and are instead governed by a Memorandum of Agreement among the university librarians. New core members add their signatures as they join. All NERL contracts must be authorized by each institution, giving NERL the right to negotiate and sign each license. Yale University offers NERL's organizational and fiscal home. In the early days, without any staff at all, this effort meant a lot of work for Yale and for the member collection development officers. By 1997, the workload (number of licenses and publisher relationships) had expanded so much that members voted to levy dues to hire a part-time librarian, Joan Emmet, who is still with the organization. By 2003, further success had brought NERL to the point of moving Emmet to full-time status, and in 2007 we added a full-time Financial Assistant to handle the increased volume of billing, renewals, reminders and member services.

These developments reflected the growth in both the number of members and the number of contracts we were signing. NERL's core members made the judgment, we believe, that NERL offered them real value for cost of membership, in direct savings of subscription costs and in the administrative overheads entailed in negotiating those subscriptions. These developments together have helped NERL professionalize the office and rely less and less on the volunteer efforts of colleagues from member libraries. NERL now operates a trim and efficient office, constantly focused on process and workflow improvement as well as the highest quality of member services, saving member institutions as much as several million dollars per year in collections budget and at least 2 FTE staff.

Sustainable growth

Today, NERL counts 28 core members, and our base in the northeast has been carefully and gradually supplemented by new members who have joined from outside the region, for example the University of Miami in the southeast, and Stanford in the west. This regional diversity led one publisher to guess that NERL stands for 'Nearly Every Research Library'! Those 28 members govern NERL's present and future

activities and boundaries, paying annual dues, and naming a representative and an alternate for meetings and governance issues, so there is always a leader available to contribute wisdom from each member institution.

NERL's membership growth has occurred in spurts. The arrival of northeast Indiana's prestigious Notre Dame in 1998, of Stanford in 2001, and of Miami University in 2006 were among NERL's individual landmarks. We went through a long series of discussions with the Chesapeake Information and Research Library Alliance (CIRLA)⁴ as it was rethinking its purpose and existence: an initial exploration in October of 2001 and then renewed conversations the following year. At that time, CIRLA chose to disband its own licensing support offices. The issue in 2002 was whether the CIRLA libraries could all (including non-universities) join NERL, as core or affiliate members. Ultimately, five of the university libraries (The Johns Hopkins University, University of Delaware, Georgetown, George Washington and Howard) joined in NERL as full members in 2003 and the sixth (University of Maryland) in 2009.

How we work

The bulk of communication is done via NERL-L, a good old-fashioned e-mail list, supplementing that with archives and resources distributed through a private website. We know each other so well by now that we can make most of our decisions about content, license terms and pricing via e-mail. We supplement the virtual conversations with annual face-to-face meetings, in recent years at the meetings of the American Library Association (ALA).⁵ What we do together has grown from the original two subscriptions to work that engages approximately 60 publishers and many dozens of resources, including some of the largest and most expensive bodies of electronic publication brought into contemporary libraries.

NERL now has, as well, over 80 affiliate members. Each pays a service fee of \$160 per year per database accessed, in addition to the negotiated costs of the resource itself. The Affiliates too have named representatives and alternates, but they do not participate in governance or in the discussion of license language. They have their own e-mail list, NERL-AFF, access to NERL's website and to many of NERL's contracts and, accordingly, NERL's advantageously negotiated terms. Their 'northeast' starts in Maine and runs as far as the Carolinas (in the northeastern part of the Old South, we might say, tongue in cheek), and has also spread westwards, to take in small and large libraries that need to benefit from NERL's expertise and licenses to certain specialized scholarly resources.

What does NERL's librarian (Emmet is titled Associate Director, reflecting her own high level of responsibility and expertise) actually do? Much of the time is taken up with the business of being NERL: member communications on every level, daily e-mail, phone, website, and preparation for and follow-up from formal annual meetings. She and her assistant(s) handle the majority of publisher and vendor communications. NERL always has dozens of simultaneous arrangements and renewals in the works, ranging from initial inquiries and requests for proposals, up through basic negotiations and renewals, and on to the genuinely interesting and difficult cases, where special attributes of the resources or the terms or pricing require a more than ordinary expenditure of thought and effort. The Associate Director and Director work together on the more complex cases and we are fortunate that we can invoke the aid of our colleagues elsewhere.

Meanwhile, the Associate Director also supervises regular member services, which are no trivial matter: tracking and billing accounts, contract and proposal updates, refereeing relations between vendor and member when there is a problem – and consortial life involves not a little counseling and handholding besides! She also prepares membership reports on cost savings and assures that auditor requirements are satisfied. By Yale's permission, the Director has final signing authority on all legal contracts.

NERL staff work very hard on keeping publisher and member relationships alive and confident and trusted. Cooperation and integration are key. Individual members can come to NERL with proposals for new resources to be taken up, and they can choose to join or not join any deals that NERL takes up. Any of the 28 full members can offer input to all NERL licenses before they are finalized. Often in the course of negotiations, the prospective list of participating members will grow, shrink, or oscillate as people

consider the terms and benefits of participation. In all this, the Associate Director remains the chief communicator of offers and updates between NERL and its members. Timeliness matters, and the staff work very hard to keep communication lines live and lively.

Expanding reach and scope?

NERL has explored and seized occasional opportunities apart from licensing. A working subset of NERL, which calls itself the Northeast East Asia Consortium, met at Cornell in 2002, bringing together representatives of institutions with very large commitments to East Asian studies and collections (Columbia, Cornell, Harvard, Princeton, the University of Pennsylvania and Yale). They proposed that they could work as an affiliate of NERL, because they were very much interested in licensing e-resources from their world regions, with special problems: the challenge of distance means that often it makes sense for publishers and customers to agree on mirror sites for redistribution, which bring their own technical challenges, and at the same time the difference in legal systems, culture and finance can make licensing of many Asian resources a special challenge. NERL accordingly succeeded in licensing *China Journal Network* and related items, while initially developing a local server for *SikuQuanshu* (Chinese Classical texts) and *Yomiuri* (a leading Japanese newspaper). This led NERL into not only licensing but, on a limited scale, some technology services. (When EastView Publishing became the host for *SikuQuanshu*, Yale phased out its local server for this collection, because the financial arrangement with the vendor was cost effective and removed from NERL the burden of servers and technical upgrades.) The East Asia subset group of NERL numbers over 20 libraries.

In another part of the core membership, librarians found an interest in working on Slavic resources. The Consortium of East Coast Slavic librarians meets regularly, communicating between times with their listserv. They include a subset of NERL members plus some others on the east coast, such as Duke University. They have been interested in the NERL connection because of NERL's expertise in licensing e-resources. NERL has already pursued offers for EastView full text and Integrum resources and looks to find further ways in which we can continue to serve this group.

NERL members have talked, with various degrees of intensity, about tackling other kinds of projects. Given a shared interest in e-reserves in libraries, could NERL do future projects on the model of our successful BYTES initiative (the study called Books You Teach Every Semester)⁶, or assemble task forces and/or working groups to look at other challenges such as shared collections or open access? NERL members contemplate the many possibilities and recognize that branching out will require additional staff resources – and thus are very cautious. In the recent three years, members have expressed their support for the SCOAP3⁷ initiative out of CERN (Switzerland), and NERL staff worked closely with members to calculate accurately the level of financial commitment to the project from within the consortium. NERL is represented on the international working groups for this project.

Beyond those types of activities, members discuss how to pursue a more ambitious agenda of big, challenging issues – a socio-political agenda around issues of licensing, pricing and scholarship, or a more visionary agenda dealing with preservation (issues such as 'last copy' of print versions of e-journals or else LOCKSS⁸ joint initiatives). Members continue these conversations with great interest. At the same time, all continue to focus on what they have defined as NERL's core mission: efficient and effective licensing of electronic resources; they are careful not to burden the organization with mandates that they cannot fund – "No consortial creep" is a constant mantra.

Showing value

So what does NERL cost? As of 2011, core membership dues were voted to increase by \$2,000 each, to a record \$5,500 each, in order to be able to hire an additional half-time financial assistant and a half-time NERL program librarian to work with the Associate Director. These dues, plus affiliate fees, pay for the Associate Director, the full-time Financial Assistant, recently the two half-time appointments, and NERL's

modest travel and office operating expenses. Yale University contributes office space and the accounts payable services covering over \$30 million directly-billed to members. The Director's time has been subsumed within the position of Associate University Librarian and effectively contributed by Yale; on the other hand, Yale does not pay NERL dues.

It is not always straightforward to put a dollar value on NERL's work, though we know it is large. NERL saves every member more than their annual dues merely in the amount of time and effort they would have to contribute to the task of negotiating and managing their license agreements for a comparable set of resources. We know as well that we bring back savings – most certainly in the life of the project now totaling many millions of dollars. Each year, NERL staff attempt to secure current list pricing for the organization's numerous licensed databases and journal packages and to calculate for each institution – where possible – their savings percentage. These savings, we have demonstrated, average around 30% per institution per year.

NERL sometimes struggles with the intersection between ambition and governance. With a non-corporate, collegial, confederation governance style, expanding program can be difficult. Raising dues is something NERL moves to only with great care and patience, which in turn makes it hard to say 'sure, why not?' to a promising opportunity, even one just in pilot form. Members receive a high degree of personal attention and service and NERL staff enjoy – and have earned – a high degree of trust. Member libraries are all feeling pinched in staff resources, so the idea of supplemented negotiation teams, as negotiations get more complex; of a more engaged NERL Executive or Steering Committee; or expansion into new areas of service, are regularly greeted with some skepticism.

Looking forward

In summary, opportunities abound. NERL intuitively 'gets it' that the group can do more and work better together, but while membership expansion is relatively easy to quantify and cost out and decide about, programmatic expansion is much harder to quantify and cost. And of course, on some level, the members are competitors as well as collaborators, and librarians within our universities are not always ideally positioned to be the initiators and funders of ambitious ventures – especially in partnership with other institutions. We continue to work these issues thoughtfully. NERL requires a constant balancing act and a decision-making, strategic approach.

It's not 1996 any more. Many of the leaders who helped put NERL together have moved on, and, of course, sustaining such an enterprise for the second and third generation does not necessarily evoke the same pioneer spirit as was manifested in the heady early days. Nowadays, consortia need to scale up, constantly leveraging their buying power, often through finding ways to bring more and more business to publishers in order to secure effective prices and discounts. Multi-consortial action is becoming necessary, and, even at that, prices are skyrocketing beyond libraries' ability to pay for e-resources. The previous successes of consortia (such as the 'big deal') are being challenged in various ways. Subscription agents and other new players are overtly competing with consortia. These developments challenge consortia to find more strategic and creative ways to do their work and need to be addressed in NERL's next three-year review.

At the same time, NERL members say they do not know how they could live without the organization – and there are lots of success stories to draw on. Members save money through joint licensing and the time it would take them to do the work on their own; they save on the prices; they save on the staff they don't need to hire; and they have the added benefit (impossible to quantify!) of enormous collegial relationships, huge amounts of information sharing apart from NERL contracts, exposure to many challenges of collaboration, and immeasurable amounts of good will. Another highly successful decade is not out of the question!

References and notes

1. Ann Okerson served as NERL's Director from 1996 through August 2011 and held this position at time of writing.
2. For detailed information about NERL, see:
<http://www.library.yale.edu/NERLpublic> (accessed 1 November 2011).
3. ARL is an organization of the US and Canada's largest research libraries. Its mission is to 'influence the changing environment of scholarly communication and the public policies that affect research libraries and the diverse communities they serve ... by advancing the goals of its member research libraries, providing leadership in public and information policy to the scholarly and higher education communities, fostering the exchange of ideas and expertise, facilitating the emergence of new roles for research libraries, and shaping a future environment that leverages its interests with those of allied organizations.' For detailed information about ARL, see:
<http://www.arl.org> (accessed 1 November 2011).
4. CIRLA's originally very broad mission was refined as described here:
<http://www.cirla.org/> (accessed 1 November 2011).
Much of CIRLA's mission-critical activities have been picked up by the Washington Research Library Consortium (WRLC), which provides IT, storage, and borrowing services. See:
<http://www.wrlc.org/about/> (accessed 1 November 2011).
5. The American Library Association is the US main professional body that American librarians tend to join. ALA routinely holds its winter and summer conferences in January and June, providing numerous programs as well as opportunities for networking and for adjunct groups to meet. For a full array of ALA's work, see:
<http://www.ala.org> (accessed 1 November 2011).
6. Read the report of this important research project, which aims to identify books commonly assigned for liberal arts course readings, at:
<http://msc.mellon.org/research-reports/BYTES.pdf/view> (accessed 43 November 2011). Unfortunately, resources were not available to continue this work, though it was influential in shaping the thinking behind making available scholarly e-books.
7. SCOAP3 information is found at:
<http://scoap3.org/> (accessed 1 November 2011). SCOAP3 is an initiative that aims to convert major journals in high energy physics from paid subscriptions to an open access business model.
8. LOCKSS is an international community initiative that 'provides libraries with digital preservation tools and support so that they can easily and inexpensively collect and preserve their own copies of authorized e-content.' See:
<http://www.lockss.org/lockss/Home> (accessed 1 November 2011).

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Biographical note

Ann Okerson combines experience in academic library management and the commercial sector, and was senior/ founding program officer for Scholarly Communications at the Association of Research Libraries in Washington, DC. In 1996, Okerson organized the Northeast Research Libraries consortium (NERL). With special funding, she and her staff mounted Liblicense, an online educational resource about library

licensing of electronic content. Its extensive annotations and links are complemented by an international discussion group of over 3,800 librarians, publishers and attorneys. She has trained librarians around the world, in both forming consortia and in licensing. After 15 years as Associate Director at Yale Library, she took up a position (on 1 October 2011) as Special Advisor on E-Resource Strategies for the Center for Research Libraries (Chicago). She is active in IFLA, most recently as member of the Governing Board and Chair of the Professional Committee.