

# Ethical Issues in Collection Development

Locke J. Morrisey

**ABSTRACT.** This overview looks at ethical issues and questions that arise in collection development. It analyzes the Code of Ethics of the American Library Association (ALA) to highlight different elements of the code and how they relate to collections, and looks at ethics in libraries' collection development policies. Issues that involve individual bibliographers as well as managers of collection development are addressed. Ethical dilemmas involving interactions and information obtained from vendors are examined. Lastly, questions of ethics and bias as they relate to gifts and remote access to resources are covered.

**KEYWORDS.** Collection development, ethics, code of ethics, American Library Association, vendors, electronic access, gifts, remote access

## *INTRODUCTION*

As universities and other institutions consider having individual units within the organization become more accountable, there is a renewed interest in looking at potential issues of ethics and bias. The library and in particular, collection development are not immune to these concerns. There are a number of things that a bibliographer/library liaison-selector or a manager of collection development can do to assure that ethical guidelines are followed when building and allowing access to library resources. The intent of this article is not to be prescriptive but to raise questions for consideration for the collection development manager or individual bibliographer.

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### **FOUNDATION DOCUMENTS**

There are two major documents that every collection development librarian needs to keep on hand. One is the Code of Ethics of the American Library Association.<sup>1</sup> Although it has existed for a number of years, the latest version was adopted by ALA Council in June 1995. What's important to note is that it's intended only to be a "guide to ethical decision making" and not a rulebook. Most of the eight points in the document will be discussed later in this article. The second document is your library's collection development manual. It should provide a guide to selectors as to the desired breadth, depth and subject scope of the collection as well as background information in case questions arise regarding purchases the library makes. For example, should a patron question the purchase of a book as not being suitable for the collection, you can always refer her/him to your collection development manual as your guideline as to what is to be included in the collection. Additionally, although not traditionally found in collection development manuals, licenses dictating information access need to be readably accessible to both you and your patrons.

#### ***POINTS FROM THE CODE OF ETHICS OF THE AMERICAN LIBRARY ASSOCIATION***

***"... unbiased, and courteous responses to all requests."***

Libraries should create a mechanism to obtain input from users as well as to provide feedback in return. If the library has created a place on its website where users can submit requests for new books, journals, databases, etc., there should be brief guidelines listed as to who is eligible to submit such requests and an acknowledgement that the request was received. Requests coming from unauthorized sources, e.g., an author promoting her/his own book, publishers' e-mail blurbs, etc., need not be acknowledged. If the request comes through an intermediary, such as a patron at the Reference or Circulation desks, it should be evaluated by the appropriate subject selector before being submitted for purchase.

Selectors need to make sure that it's not always the vocal faculty member that gets their attention. It's important to make a point to keep in contact with all of your faculty who may be less proactive about their library needs and not just the member who sends you a steady stream of requests. Selectors need to keep on top of individual subject budgets so they don't run into a situation where they have overspent or over-encumbered funds. For those who are responsible for purchasing materials for more than one discipline, do not mix your pots of money. You need to make your case at the beginning of each fiscal year to your collections manager if you feel you need more funds for a specific collection area. You're better off making a case for additional resources earlier than trying to explain later why you bought dance books out of your nursing fund.

***“ . . . resist all efforts to censor library resources.”***

Public libraries deal with many issues around censorship and intellectual freedom but academic libraries are not immune. Highby<sup>2</sup> raises the question in her article as to when advocacy in collection development trumps neutrality. Do buying racist or bigoted materials add to the overall value of the collection? Can you separate your personal feelings and values when evaluating controversial materials? Do you buy adequate resources that look at both sides of a controversial issue? For example, working at a religious institution might be challenging when it comes to providing information to patrons about such issues as birth control or LGBTI (Lesbian, Gay, Bisexual, Transgender, Intersexed) issues. I have been in the situation where the parent of a student objected to a book that has been purchased as being morally reprehensible. I needed to explain to the parent that it's not the library's role to determine what is morally appropriate, but instead to provide access to enough resources so that each individual can make that decision for her/himself.

***“ . . . protect each library user's right to privacy and confidentiality . . . ”***

Often we think of privacy and confidentiality within the realm of library services such as reference, circulation and interlibrary loan and not necessarily within the traditional areas of collection development. But as collection development continues to change from an ownership,

or just-in-case, model to an ownership plus access, just-in-time model, materials requested by patrons must be kept in strict confidentiality. Collection managers may choose to share interlibrary loan data with bibliographers to have them consider requests as potential collection purchases, but it's important that bibliographers are reminded that any records containing personal requestor information need to be destroyed as soon as possible to protect the privacy of the requestor.

***" . . . recognize and respect intellectual property rights."***

Librarians are acutely aware of the issue of intellectual property rights but often students and even sometimes faculty are not. Property rights often come into question when materials are copied from one format to another, most often with print to digital copies. For this reason, use in-house expertise when possible, either a librarian or a member of your institution's legal counsel, to help determine when it may be appropriate to digitize materials owned by the library. Use due diligence in determining when it might be preferable for the library to purchase an out-of-print item or a digitized copy of an item, rather than making a copy on your own. Collection development librarians need to consistently educate and remind students and faculty about copyright, fair use and intellectual property.

***" . . . treat co-workers and other colleagues with respect . . . "***

Collection managers need to take a role in making sure that the task of collection is handled cooperatively and collegially. Actions of over-eager bibliographers can often be misinterpreted as disrespectful. Constantly recommending new titles outside of one's collection scope for others to purchase may be construed as you not trusting your colleagues' collection development skills. Get to know other bibliographers' practices and preferences. Some may not mind your recommendations at all while others will ask you to refrain. Any concerns about selection policies should be addressed by the collections manager with the individual bibliographer. What shouldn't happen is to have librarians buy materials outside their selection scope and out of their own funds in order to purchase books that another librarian has chosen to pass on. It only allows fewer funds for their assigned subject collections in the long run.

***“ . . . do not advance private interests at the expense of library users . . . ”***

In academia, librarians may have an additional Master's or PhD degree in a subject field. These librarians need to check to make sure that their personal research interests don't overshadow their collection development responsibility. Collection managers also have a responsibility in making sure that one part of the collection isn't taking on too narrow a slant. Having a top notch collection in Freudian psychology benefits the library and the user little if a university's psychology department focuses more on cognitive science.

***“ . . . distinguish between our personal convictions and professional duties . . . ”***

Do you buy materials that don't represent your own personal point of view? This can be contentious especially when the materials can be seen as hateful or representing an extreme point of view. It's best to take a step back and ask basic questions about the work. Is it scholarly or well-researched? What are the author's credentials? Does the author ignore current research that might disprove her/his premise? Does the book attempt to discuss both sides of an issue? Is it from a reputable publisher? Etc.

Speaking of publishers, do you avoid purchasing materials from a particular publisher because of exorbitant pricing or other peeves you have? Recently the Max Planck Society decided to cancel its entire electronic journal subscription with Springer<sup>3</sup> due to an inability to negotiate what the society thought was a fair price for the journals. What the society did in good faith was to analyze the usage statistics, compare prices with other important publishers, and then make a commitment to their scientists to “develop strategies together with the Institute libraries most affected to secure the supply of essential contents on a cost-effective basis.”<sup>37</sup> The lesson learned here is to have data to back up your actions as well as the research interests of your users in mind before you take a drastic action.

## ***BEYOND THE CODE OF ETHICS . . .***

### ***Doing Double-Duty***

To avoid any real or perceived conflict of interest, a collections manager should not also be a selector. If the staff of the library is not large

enough for this to be the case, then there should be checks and balances with another librarian outside the department so as to quash any hint of a conflict. For example, at my own institution I coordinate collection development and also select reference books and databases for three subject disciplines in the sciences. Early in the fiscal cycle all liaisons are giving the opportunity to make a case for subject specific reference materials, mostly electronic databases or journal collections. All of these requests are pooled with current pricing information, and then voted on by all liaisons. Those receiving the most votes are added to the collection, pending their subscription prices being within the library's budget. Although I oversee collections at my institution, the creation of individual funds is overseen by the Head of Acquisitions in collaboration with me and the Dean of the library. In addition, any approvals for new journals or particularly expensive resources in my selection areas go through the Head of Acquisitions for her funding approval.

### *Is the Information You Have Yours to Share?*

I've found that negotiating a subscription price for a database or collection of journals can often be like buying a new car. You can haggle and often get the resource for less than what was first quoted by the vendor. It's tempting to want to share this information with colleagues of yours at other institutions however, that price quote you've received is almost always considered confidential. Depending on the wording of the offer or the license, sharing the price quote information could be considered a violation of the contract. It's best to just encourage all of us to learn how to negotiate database/journal package pricing better rather than to moan about the high price of the first offer given.

### *When You Chew the Fat, Don't Mince Words*

It's common practice for vendors to want to take customers or prospective customers out for a meal (Boissonnas<sup>4</sup>) or invite customers to be on a librarian advisory board. This can be seen as a perk by many or an honor to be appointed to a publisher's board but be careful not to promise or insinuate that you are willing to send extra business in the publisher's direction. You may choose to take the hard line of not taking any free meals from publishers or to serve on advisory boards for fear that it might be perceived as you being favorable toward a particular publisher or vendor. I've taken a different approach, which is to join vendors for a meal when invited but always be very direct with them, es-

pecially when I'm not happy with a product or a service. I've found that most publishers appreciate this in the long-run. I've also shared my sentiments on discussion lists knowing that employees of those vendors subscribe to the same list. Why? Because I want them to know that even though I might be on an advisory board or have been bought a meal, the vendor still has to earn my business by offering a good product at a reasonable price. If that situation changes due to large price increases or decline in functionality, I have let vendors know of my displeasure by cancelling subscriptions or switching to another vendor and in one case resigning from a library advisory board to a vendor.

### ***Beware of Those Bearing Gifts***

Faculty understand that they can often subscribe to scholarly journals at a fraction of the cost of what it would cost a library to subscribe. They also know that the library can't always subscribe at the library rate to their favorite journal so they think they're doing the library a favor when they subscribe to the journal and then donate it to the library after they've received and read it. Avoid these arrangements like the plague. Not only does it leave the library and other users waiting for the issues to arrive from a faculty member but there is no guarantee that the library will receive every issue. Some publishers are even putting in stipulations with personal subscriptions that the subscriber can not give the copies to a library within a specific time period. With libraries switching to electronic-only subscriptions this is less of a problem but it's still something to be aware of.

Other concerns are those donors that have a specific stipulation with their gift, e.g., they want it all housed in a specific location, they want the books back if you can't use them in the collection or they want to donate books that you feel are inappropriate for the collection (Kertesz<sup>5</sup>). Just keep to the motto that what you do for one donor you should do for all. Most libraries will not accept every book unless it fits with the collection development profile of the library. Stipulations that donors want can't be abided by unless there are separate funds to help with the set up of a special collection. Your collection development policy should address both of these issues.

### ***Electronic Access: The Opening of Pandora's Box?***

Both Cottrell<sup>6</sup> and Coyle<sup>7</sup> have done a good job of highlighting some of the ethical issues that come with access to the plethora of information on the Internet, both subscribed and unsubscribed. The library needs to

reject a hands-off approach and look at ethical issues that creep into web-based products. Does a licensing agreement allow for a vendor to track what individual searches are being done and by whom? Does the agreement allow a vendor to look at your statistics to try to get you to buy more of their products? Does one publisher's abstracting and indexing (A&I) database purposely exclude publications from a competing publisher? I know of a library that could not afford both a publisher's full-text science journal collection and a science A&I database. They chose to only subscribe to the publisher's full-text journal collection and allow no consistent abstracting or indexing access to science journals from other publishers. Google scholar might help patrons to get to some of these publications but they might not take this next step if they have found 4-5 full-text articles from a single publisher. I would find the above scenario unsatisfactory for my own institution.

Another issue arises over who you let obtain access to your online resources. Libraries that subscribe to databases that allow remote access send users through a proxy server to authenticate the user as a legitimate remote access patron. Typically in the academic environment this means the user is a current student, staff or faculty member. This terminology is also common language used in licensing agreements. But, who determines if someone is a current student, staff or faculty member? It's the institution and not the vendor *or the library*. Is a student not enrolled, not paying fees but finishing a senior project/thesis still considered a student under the terms of the contract? Many institutions would say yes but many vendors might disagree. Does your institution consider emeriti faculty as current faculty when it comes to remote access to databases? Some libraries do. But, think of the emeritus business faculty member who ends up going into business on her/his own after teaching and uses your business databases for information to help with this business. I would find it ethically difficult to continue to allow remote access to said faculty member.

### CONCLUSION

Ultimately, ethics is a personal choice. Some of the scenarios previously discussed may sound familiar to you as practices at your own institution. From time-to-time it can only help to re-evaluate some of your or your library's collection development practices when it comes to ethics and bias. Collection development managers might find this article a good jumping off point for a frank discussion with their bibliographers on ethics and bias in collection development.



## NOTES

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