

Resolution in Support of Library Licensing Priorities & Principles

Whereas library vendors and publishers levy unsustainable and unpredictable price increases on electronic resources, while libraries are increasingly dealing with flat budgets and budget cuts;

Whereas the shift to electronic resources has created an environment of licensing over ownership, overriding protections for library use of materials in U.S. Copyright Law, and resulting in most of the library's resources being governed instead by restrictive licenses over which librarians have little say;

Whereas library vendors and publishers include non-disclosure agreements (NDA) in such licenses which inhibit fair and transparent negotiation of pricing and terms;

Whereas large library vendors are increasingly acquiring smaller publishers, further limiting and restricting the competitive marketplace for libraries to walk away from licensing terms that are disagreeable;

Whereas large library vendors are increasingly acting as data brokers, calling into question their practices of collecting library patron data, and potentially putting the library at odds with longstanding professional ethics which place patron privacy as central to intellectual freedom;

Whereas the Auraria Library's mission, vision, and values call upon us to provide equitable access to all Auraria Library's users and resources, regardless of format;

Be it therefore resolved that the University of Colorado Denver Faculty Assembly endorse the following licensing priorities and principles for library resources:

Accessibility: Library resources should be available and accessible for all of Auraria Library's users. The library prioritizes acquisitions of materials with a demonstrated commitment to web accessibility and universal design.

Affordability: License terms should be financially sustainable and pricing models must be transparent. Additional fees, like hosting and access fees, must be disclosed up front.

Privacy and Security: All licenses must address the vendor's protection of any data collected about individual users and their use of library resources. All personally identifiable information should only be kept in aggregated, anonymized form, and never shared with third parties or used for marketing purposes.

Scholarly Sharing: Library licenses should not include terms that in any way restrict users' rights under Section 107 and 108 of the U.S. Copyright Law, including limits on interlibrary loan, text and data mining, or use of artificial intelligence programs.

Transparency: Licenses should not contain an NDA or confidentiality clause. As a publicly funded institution we have an obligation for transparency in our collections spending.





Additionally, NDAs contribute to anticompetitive conduct among library vendors and publishers.

On May 7, 2024, the [University of Colorado Denver Campus Faculty Assembly](#) motioned to endorse the statement and priorities of the Auraria Library.

As of May 30, 2024 the Auraria Library Faculty have endorsed this resolution.

