Watch This! Including Streaming Video in Our Collections

ANGELA DRESSELHAUS, EAST CAROLINA UNIVERSITY
CHRISTINE FISCHER, UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

AD/CF

My name is Angela Dresselhaus and I am the head of electronic resources at East Carolina University and this is (→ Christine introduces herself) and we are here to talk about streaming video.
AD/CF

AD → ECU is a public university established in 1907 as a teacher's college. Our current enrollment for fall 2016 is at a record high at just under 29,000 students. We have 72 Master's programs and 16 doctoral programs and our Carnegie classification is a research University with higher research activity.

CF → UNCG was established in 1891. We were known for many years as the Woman's College of the University of North Carolina before becoming coeducational. UNCG’s current enrollment is just under 20,000 students. We offer master’s and doctoral programs and, like ECU, are classified as a research university with higher research activity.
Over the past four years we’ve seen an increasing faculty interest in streaming video as opposed to DVDs. Streaming video is necessary for online courses, and it suits the hybrid courses that meet in person as well as having an online option. When faculty use the flipped classroom model, streaming video can be viewed by students outside of classroom time and can then be discussed face-to-face during instruction. And platforms make it convenient to embed links to films in the school’s course management system, such as Canvas, Blackboard, or Moodle.
Students access streaming video as a regular part of their day via platforms like YouTube, Amazon Prime, Netflix. They’re used to films being available at any time and viewable from any device. Students expect platforms that are appealing and easy to use. In the classroom setting there’s an expectation of convenience, so it helps that instructional streaming videos can be embedded into the course management system and accessible along with other course materials.
CF/AD

CF → UNCG’s instructional films on DVD can be placed on reserve and viewed in the library, or faculty can check them out for use in the classroom. It’s just inconvenient for students to come to the library to use a DVD, and faculty may find it inconvenient to schedule a DVD to present during an in-person course. We know that DVDs as a physical medium are subject to breakage and loss. Besides the instructional DVDs, UNCG offers a large collection of entertainment DVDs that are housed in our reading room, and while they are heavily used, we experienced a 25% drop in circulation from Fiscal Year 2015 to Fiscal Year 2016.

AD → ECU has had an 18% increase in the circulation of DVDs in the same time period. This statistic includes all DVDs at ECU, but the anecdotal accounts point to a high circulation of popular entertainment
titles. The head of Circulation and Interlibrary Loan speculates students who visit the math cave for tutoring notice the DVD collection and check them out.
CF

Angela will talk about licensing a bit later on, but just note that streaming rights often allow for some use by the entire campus, not simply in a classroom setting. For that reason, we can let other members of the university community know about available streaming video. We’ve generated interest by our Office of Sustainability, and the Student Health Services and the Counseling Center have used streaming video. They were particularly interested in psychotherapy.net on the Kanopy platform. The resources can be used for staff development, too.
A review of the literature is showing that an increase in distance education courses is driving the demand for streaming video. This increased demand requires librarians to collaborate with colleagues across the library and university.

I've also found that communicating terms of agreements, tracking licenses, and even negotiating licenses for streaming media can be a challenge. The confluence of Copyright and Contract law can be difficult to navigate.

The literature has also shown examples of institutions where the legal counsel tends to be more conservative and this limits what librarians can do with streaming media.
Sara E. Morris
& Lea H. Currie

To Stream or Not to Stream?
doi:10.1108/NLW-03-2016-0021

Q: If a film you were required to watch for class were available for digital rental at less than three dollars or as a DVD on reserve at the library, would you pay the rental rather than come to the library?

Result: 51% would rather pay for the rental.

Student Response: “I’d have no thought about coming to the library to check it out” (page 494)

AD
Morris and Currie, librarians at the University of Kansas, conducted a study to gain a better understanding of the availability of feature films on consumer focused platforms such as Netflix. They also looked at a larger question of whether or not the library should provide streaming media services for feature films.

The University of Kansas experienced a surge of interest in online education which in turn increased demand for streaming video. However, demand was not limited to distance education; instructors for face-to-face classes also wanted streaming media. In response, the library set up its first pilot, American History in Video from ASP. The use of the collection was impressive and the library decided that purchasing collections was a cost effective collection development method. Later a demand driven model through Kanopy was also found to be a success on campus. However, the library ran into licensing and cost issues when attempting to acquire feature films.

Morris and Currie set up an experiment to see if the feature films were available to students on the consumer focused platforms and if they were willing to rent films. The librarians selected two collections, Swank 300 and Criterion-on-Demand and searched titles on CanIStream.it? This test revealed that more than half of the titles searched were available to students as part of a streaming subscription, rentals, or purchases. The
librarians also surveyed students and found that 88% N=207 of students subscribe to streaming services, and 51% of respondents would rather rent a video than come to the library.

Due to high costs, licensing struggles, and commercial availability of films, the University of Kansas library did not pursue providing streaming access to feature films.
Schroeder and Williamsen discussed the development of streaming media services at Brigham Young University. Librarians at BYU were looking for a system to manage streaming media files that were required in courses. They investigated vendor supplied solutions, but found they were expensive. One solution was priced at a 250,000 (1x and annual fees), but the pricey solution had major drawbacks. For example, the vendor claimed Fair Use and TEACH act would cover their operation’s mass digitization efforts, but they were unwilling to assume legal responsibility if a suit was filed. There were other problems with turnkey solutions including: limited metadata, not interoperable with library catalog/discovery, no DVD quality streaming, and limited ability to track licensing data. They decided to create their own system, called Byugle (spoken Bugle).

The goals of Byugle were centered on user experience. High quality full-screen images and interactive features such as searching, browsing, were important. The system was designed from a user standpoint to ensure that the needs of students were met. To avoid copyright and licensing issues BYU developed DRM controls to avoid distribution, duplication, and global access violations. Creating this system required expertise from across the library and university. This case study at BYU could lay the foundation for other libraries to develop streaming media services.
Fountain gave a presentation at the 2011 Charleston Conference based on her experience at Washington State University Vancouver. Like other universities, the rising popularity of distance education courses increased demand for streaming media. Fountain described how streaming media was supported on the central campus, explaining that distance courses receive support from WSU online, which included licensing fees for streaming media. However, faculty at regional campuses were required to secure rights without the aid of WSU online.

Her presentation addressed many practical points on securing rights for streaming media, warning that contractual obligations prevail over Teach Act and Fair Use. Fountain discussed how the library and another unit on campus sought advice from campus legal counsel on streaming media issues and received very different advice. A conservative interpretation ultimately prevailed, requiring the library to license educational material instead of relying on Fair Use or the Teach Act. Librarians may face conservative interpretations from legal counsel that will limit their ability to implement procedures embraced by streaming rights advocates. The Byugle project at BYU would likely not have gotten off the ground at Fountain’s intuition. I think this is useful to present the BYU study and this study side by side. Overall, this is presentation is a great resourced to learn more
about legal considerations and how local legal interpretations can impact workflows and implementations.
There are plenty of options when seeking platforms to meet the needs of your faculty and students. Alexander Street has been around a long time, as have Films on Demand and Ambrose Video. New platforms are being started, so it can be hard to know how far to branch out. At UNCG we just added a plan with Film Platform. I don’t know why they chose a name that makes it so hard to locate them on the internet! They offer lots of interesting documentaries and are the sole source for some films. Swank Digital Campus is one of the few ways to make feature films available via streaming. Hoopla, with content from Midwest Tape, is more typically offered by public libraries. High Point Public Library is a customer.
Acquisition Models

- Life-of-file license
- One and three year licenses are typical
- Patron/Demand Driven Acquisitions (PDA/DDA)
- Evidence-Based Acquisitions (EBA)
- Subscription

There are several acquisition models available as we seek streaming rights for videos and select platforms. A life-of-file license may be available for video that is ripped from a DVD and hosted locally. The file is available after that single purchase until someday a new format becomes the standard, at which point we would need to pay for the new format. We’ll talk about local hosting a bit later. Platforms like Alexander Street offer collections that include video and which can be purchased for a one-time fee, likely with an annual hosting or maintenance fee.

For many platforms there is a choice between licensing films for a year or three years. What’s most desirable is for the vendor to manage the licenses, so they notify the library when the term end date is getting close – in case the library wants to license another year.

Patron Driven Acquisitions – also known as Demand Driven Acquisitions is very popular for ebooks, and it works just as effectively for streaming video. By this model, a library would load records into their catalog for all films available on the platform. There may be some restrictions. For instance Media Education Foundation does not include their videos in the PDA plan offered by Kanopy. But they can be licensed separately for one or there years. So for the PDA titles, after a certain number of views or a certain amount of time spent
viewing a film, the purchase of a license is triggered.

The Evidence-Based Acquisitions model involves loading records for all applicable films, making a commitment to licensing a certain dollar amount of content within a certain timeframe – say, 6 months or a year, and then selecting titles based upon usage. Both PDA and EBA options can make librarians feel a bit unsure about what to expect. It is hard to judge how much content will be licensed and how quickly thresholds may be reached. At UNCG we haven’t had an situations where so much content has been accessed that we’ve spent beyond our limits. If that happened, we would either look for other funding in the collections budget or we would turn off content temporarily.

Subscriptions are another option. This can be a good way to provide access to a lot of content without needing to manage the plan in any way.
Next we want to talk about workflows, so we’ll start with Collection Development and work our way down to Local Hosting.
How do we know which films to license? For the most part we use faculty requests. This instructional content is more likely to be used if it’s part of an assignment. Subject specialist librarians also make selections. We’ve been introduced to some platforms through DVD producers and distributors. For instance, we used to regularly purchase DVDs from Icarus Films and Bullfrog Films. When we contacted them about streaming rights in 2013, they directed us to the then new streaming platform Docuseek2. We did a small pilot by licensing a couple of films. After hearing from faculty that they were satisfied, we set up an evidence-based acquisitions plan for a three year period.
Very little on streaming media is codified in policy, and this is a conscious choice. But what we do say about streaming media focuses on the models of acquisition. For example, individual titles that are requested for classroom use will first be searched in Kanopy, Swank, and Docuseek2, and if they are not found, individual subject liaisons will be contacted and they can begin a search for sourcing streaming rights. If the purchase involves a large collection of streaming media files there is a committee called the Electronic Resource Review Committee that will conduct a trial and collect feedback to inform purchasing decisions.
AD → ECU has a number of ways to fund streaming media, including departmental firm order budgets, dedicate streaming funds, database funds, and Central Campus IT funding. ECU does not purchase PPR.

CF → UNCG is similar, but we don’t have campus IT funding.
Ordering

Options
- Film Producer or Distributor
- Streaming platform
- Consortium
- Collections purchased with 1x funding

Ordering streaming video may mean contacting distributors you’ve already worked with on DVD purchases. We continue to use such vendors as Women Make Movies and Kino Lorber Educational. As for streaming platforms, there are a variety available. They may focus on a particular subject area like Digital Theatre Plus, or they may offer a wide range of documentaries, such as Kanopy. Many of these platforms are especially appealing because they allow for creating clips and playlists, embedding widgets into Course Management Systems, and running analytics on usage. Another ordering option is Consortia. Among the deals that they offer, members may be able to participate in deals for streaming video. And some collections can be licensed with one time funding.
Here’s an example from California Newsreel. You can see that they offer a range of purchase options depending on the type of institution and whether you want the DVD alone or the DVD along with streaming rights. They don’t have a platform, so the library has to make arrangements for local streaming. In this example the rights are clearly explained, which is most helpful.

If you purchased a DVD from a supplier, go back to them for streaming rights. Sometimes they may offer a discount or even allow the rights at no charge.
The availability of catalog records varies. MARC records may be available for download from the vendor website, or the vendor may email records or provide a spreadsheet. UNCG uses WorldShare Management Services (WMS) from OCLC as our library system. So we upload a specialized spreadsheet, called a KBART file, into the OCLC knowledge base. OCLC attaches holdings based on a match point – preferably the OCLC number, but if that is unavailable, by ISBN or some other field. Once holdings are attached, the records appear in the catalog.
This example comes from Kanopy. The admin login allows access to MARC records. The first option tells you when you last downloaded records and how many new records are available for download. The second option allows a download of all MARC records. That would be helpful when first offering the platform to your institution. A third option, which you can’t see, allows you to select from a date range based on when the MARC records were added.

Since content is always being added in the PDA model, it can help to set a schedule to download MARC records. We do it monthly.
Citizen Kane: A Critical Analysis by Robert McKee / TVF International (Firm).

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More information about this title

Available Items

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CF

Here is a beautiful catalog record from ECU for a film about Citizen Kane. You’ll see that the user can click on the purple box to Access Content Online.
Local Hosting

Distributor may host streaming video or may offer option for local hosting; only possible if library obtains permission for streaming rights
If local, various options - be sure to ensure security
One option is Box
- DVD is ripped and converted to .mp4 file
- Upload file to Box online storage
- Settings: “People in your company” and “Preview the shared item only”
- Properties: “Set expiration link”
- Sharing: “Share Link” and “Embed Widget” - so faculty can place in CMS
- Students access by authenticating through Canvas (ex. CMS) and Box

CF

We’ve had fewer than a dozen occasions when we have provided local hosting of a streaming video. We typically rely on platforms, but there are times when smaller producers offer DVDs but not streaming. When the rights are extended to us for local hosting, one of the biggest concerns is security. We have to be sure that only the UNCG community can access the files. Because faculty will be placing links in the Canvas course for their students, we have to load the file in a place that can be viewed but not downloaded or shared. We started by using Google Drive but didn’t think that provided enough security. Now we use Box. After receiving permission from the producer or distributor, an Acquisitions staff member rips the DVD and uploads the file into Box. She assigns the settings “people in your company” which would be UNCG – and “preview the shared item only’ so it can’t be downloaded or forwarded. She sets an expiration date to follow the end of the semester by a week or so – or longer if the film will be used in the following semester also. Then the file is shared as a link and as an embed widget to give the faculty member an option on how to post the streaming video into Canvas. Students authenticate as usual and see the film along with their other class resources.

AD

At ECU streaming media requests are first checked against kanopy, Swank, and DocuSeek2 catalogs. We find that some titles cannot be serviced through one of our
established platforms and in those cases we negotiate streaming licenses with rights holders. In the handful of cases where we have negotiated a conversion of a DVD to a streaming file for local hosting, we only move ahead with the license when we can negotiate access for all authorized users. The library does not restrict access to individuals enrolled in classes where the media is to be shown. We have not done this very often, but we see that this is an area of growing interest and the library may become more involved in this area.
An LMS or CMS is an easy way to direct students to specific streaming videos. The platforms will typically provide two options for accessing a film directly. Embed links make it possible for the video player to appear on a page. Or a persistent URL can be added to a page; when the link is clicked a new page will open with the video player in it. Either option works well.
We place some policy information on our streaming film LibGuide. We facilitate the acquisition of streaming rights, but we may not be able to use library collections funding to help faculty when there are limitations to those rights. We offer some guidance on securing public performance rights, and the links offer options for contacting particular companies.
I will discuss negotiation tips, some common restrictions found with streaming media licenses, renewal and end user issues.
Negotiations

- Collection development policies guide negotiations
- Work towards an agreement that respects business needs and educational needs
- Work towards signing a master agreement that can be updated with addendums for newly acquired material

In general, negotiations will be informed by collection development policies and general practices that have been developed in the electronic resource management field. It has been my experience that negotiating for streaming media has been a collaborative effort to work towards an agreement that respects both the business needs of the vendor and the educational needs of the library.

It is important to realize that when you’re licensing streaming media anything that you agree to in the contract will prevail over any applicable Copyright law. It is perfectly acceptable for rights holders to ask libraries to limit how end-users are defined, to limit what an end-user can do with the media, and how the rules are enforced, even if these restrictions go against applicable copyright law. Likewise, it is expected that librarians will negotiate contracts that meet the educational needs of our institutions. It is vitally important to make sure that all the anticipated uses of the streaming media are accounted for during the licensing phase and that librarians negotiate licenses that permit these anticipated uses.

It is important to be aware of your local atmosphere. ECU legal counsel tends to be very conservative. I am careful to consider that point when negotiating licenses or considering
how we host streaming files locally. I acknowledge that I must ensure that streaming media efforts on campus not only comply with copyright and contract restrictions, but also more stringent expectations from the University legal counsel.
I’ve listed some common restrictions found in licensees that should be avoided if at all possible. Managing access that is granted to all authorized users is much easier to manage than restrictions that require a student to be enrolled in a particular class. ECU has chosen to not license for single classes, but there are plenty of libraries that do this for budgetary or other concerns.

There are the occasional resources where public performance rights will be included, but it doesn’t seem to be the norm. Christine will be speaking about public performance rights in more detail later.

Watch out for restrictions that require students to be physically present on campus, as this could deny access to your distance education students. Another roadblock that I have seen is an expectation that the library will police users to ensure that they comply with the terms and conditions established in the license agreement. ECU often attempts to negotiate this down to softer language. ECU’s position is that we will provide an online statement addressing acceptable uses of electronic resources at the library.
Renewals

- ECU negotiated renewable contracts (with notice) for database products
- ECU prefers Life of File purchases when we replace high use VHS titles
- ECU shifts the burden for renewal notification to the distributor for locally hosted content

In order to reduce the amount of time dedicated to licensing media, I attempt to get contracts that are renewable and don't require the library and the rights holder to execute a new agreement every year. I have seen cases where rights holders want automatic renewals that place the burden of communicating cancellations without notice on the library. The particular case involved a situation where we obtained rights to convert a DVD to streaming file for local hosting. The goal of the automatic renewal was to ensure that the library takes down the file at the expiration of the license. While I understand the business necessity, I believe it was in the best interest of the library that the rights holder bear the responsibility to inform the library when the license has expired. We do track licenses in an ERM, but I still worry about keeping track of files at the expiration of licenses. I also worry about carefully tracking the licenses for any life of file purchases. In 20 years, these agreements should be easy to find to ensure we maintain long term access to purchased content.
I will wrap up this licensing section with a discussion on end users. The literature and my own experience points to how demand for streaming media is growing along with distance education, which makes it vitally important to ensure that our distance education students have access to streaming media. At ECU, we negotiated each license to include everyone who is normally an authorized user. ECU’s user population includes current faculty, staff, students, and walk in users. This also includes remote access for the authorized user population, with the exception of walk in users. If we cannot negotiate this level of access, then we decline to move forward with the purchase. This is a local decision and there are multiple ways to provide access to controlled user populations if this is what your library chooses to do.
CF

This copyright web site at UNCG was developed by our Digital Projects Coordinator in conjunction with University Counsel. We refer faculty to this site when they have questions about Fair Use and the TEACH Act. There’s a special section that covers Video in the Classroom. We aren’t lawyers, but this site gives an overview that can be helpful to faculty and students as they use film in their courses.
Public Performance Rights (PPR)

- Typical for documentaries for educational institutions
- Classroom use in person and online
- On campus with no admission charge
- May allow only for campus community, not wider public
- Contact media producer or distributor
- Entertainment films - contact Swank Motion Pictures

Unauthorized Public Exhibition of Movies
The concept of “public performance” is central to copyright and is the main issue of protection for these intellectual properties. Most of the persons participating in movie productions depend upon royalties for a major portion of their payment for work performed.

CF/AD

CF ➔ Faculty have lots of questions about how streaming video can be used outside the classroom. Documentaries and content licensed by educational institutions come with rights to be used in the classroom – whether in person or online. They may also allow for screenings on campus with no admission charge, so that would be beyond strictly classroom use. Some will not allow users beyond the campus community to attend. It’s important to know what is acceptable use.

If public performance rights must be acquired, the library or the faculty member should contact the producer or distributor. UNCG helps with this. A faculty member may be involved with planning a film festival or they may want to show a film as part of a presentation at a conference or event. The rights holders tend to ask what is the nature of the event? how many people will attend? what is the audience? when will the film be shown (what dates/how many showings)? They use all this information to consider whether they will offer PPR and how much they will charge. We’ve seen situations where the price is up to $500 for a one-time screening. We’ve also had producers provide the rights for no charge. You just don’t know what to expect. The library won’t pay those fees, but by doing the research we are able to provide faculty contact information.
For entertainment films we refer faculty to Swank Motion Pictures. They handle many studios producing feature films.

AD → ECU does not purchase PPR
Promoting Streaming Video

**Library resources**
- Subject guides/LibGuides
- Information literacy sessions
- Post in news/spotlight section of library home page
- Share information with faculty at departmental meetings
- Set up a booth at events

**Vendor resources**
- Online webinars or in-person training for subject specialist librarians and faculty
- Promotional materials, such as customized posters, fliers, postcards
- Run free trials

When we purchase or license resources for our libraries we want to be sure that they are used. Promoting streaming video can help to bring attention to these resources. We have a streaming film LibGuide that includes links to our various platforms, summaries of each, and a bit of information on policies. Librarians promote streaming video platforms in information literacy sessions. We like to include an image and some text about platforms in the news or spotlight sections of our home page as a reminder that they are available. When Library Liaisons meet with faculty in departmental meetings, they will highlight streaming video when talking about collections resources. And when we have events for faculty, we may include a table with laptops to demonstrate streaming video.

Vendors also want to help with promoting streaming video. They are happy to offer online webinars or on site training to librarians and faculty. They can provide customizable promotional materials, and they will offer free trials.
CF

Here is an example from Docuseek2’s web site. They offer links to customizable flyers and posters, as well as postcards.
The Carolina Consortium offers lots of streaming video deals. The consortium supports North and South Carolina libraries -- primarily academic libraries, but there are some public library deals as well. An institution is a member of the consortium by virtue of participating in at least one deal. Deal for these resources are typically Do-It-Yourself, which means that a library contacts the representative directly to sign up for a deal. The consortium will send out annual updates and will post information on the Word document with the status of all deals. For libraries in our region, Lyrasis is another option.
Don’t forget NC LIVE! In North Carolina we have access to the Films on Demand Video Collection. There’s also the NC LIVE Video Collection, which includes PBS, Masterpiece Theatre, and other popular shows. And streaming video is available on ProQuest’s Nursing and Allied Health Database. To find that content, browse on “Video Training Programs.”
CF → Angela and I were thinking about what future steps we should take as we consider streaming video. One thing we both want to pursue is assessment. That could include reviewing usage data to see whether we need to increase our promotion of the resources or whether we need to move away from a particular platform that is not being accessed. We could look at the various acquisitions models and platforms to see which are more successful. And we know that there will be new providers that will need to be evaluated.

AD → I am very interested in using Electronic Resource Management Systems to track streaming media files. East Carolina University has implemented CORAL, and one promising feature is a workflow management tool that will help streamline the workflow involved with streaming media purchases, and I hope to get this set up before next spring semester.
Thank you!

Angela Dresselhaus
dresselhausa15@ecu.edu

Christine Fischer
cmfische@uncg.edu

Slides Available:
https://works.bepress.com/angela_dresselhaus/45/
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