

Making Library Materials Available in Accessible Formats via Interlibrary Loan

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SHARES Executive Subgroup on Accessibility

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SHARES Executive Group Statement on Accessibility and Library Materials:

As [authorized entities](#), libraries have the right to reproduce and to request and receive copyrighted materials in [accessible formats](#) for [eligible persons](#). We are committed to providing access to library materials for all and to promote library services to underserved populations.

Outline

1. Workflows and best practices
2. Copyright
3. Technology
4. Next steps
5. Resources

I. Workflows and best practices

The addition of accessibility procedures in the Resource Sharing arena is still a work in progress. Some of the most important areas to target to build a concrete platform to provide alternate formats are described below.

Scan quality: It is important to keep in mind that the very first step to converting a text to an alternate format is the scan quality. The scan must be clear, flat, and clean. If the scan is not good, OCR (Optical Character Recognition) will not work properly and the patron's needs will not be met.

OCR: The resource-sharing community should try to provide OCR'd articles as much as possible.

Teamwork: The Interlibrary Loan (ILL) office should maintain constant and open communication with the Disability Services Office and Disabilities Librarian. Make sure all parties are aware of needs, services offered, and systems' (ILLiad, WorldShare) capabilities.

Patron communication: A request for an alternate format item could have different interpretations depending on patrons' needs, software used (by patron), and services offered by the library. Make sure patron needs are truly understood; ask as many questions as needed to provide the best service. It is also important to keep the patron informed at every stage of the process.

Copyright basics: Copyright guidelines provide the paths to understanding the parameters for how and when a reformatted file can be reproduced. While the first impression of US copyright law can be overwhelming, it is important to review and familiarize yourself with the information.

- In general, the reproduction of a copy from a collection by Libraries and Archives as accommodation for accessibility purposes may not be an infringement of copyright **IF** the following conditions are followed:
 - The copy is not for commercial use
 - The copy is used only for private study, scholarship, or research
 - The copy becomes the property of the user
 - A copyright notice is displayed
- Review Section II. Copyright, on page 3, for specific information.
- Sample accessibility copyright notice to be placed on ILL paperwork and/or the provided alternative format work:
 - **Copyright Notice**
 - The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to reproduce an alternate format of a previously published nondramatic literary work as a disability-related accommodation.
 - This alternate format work cannot be reproduced or distributed in a format other than for use exclusively by the patron receiving the accommodation. Any further distribution or reproduction in a different format is a violation of the law and the patron may be liable for copyright infringement.

Training: Provide specialized training for library staff, with easy-to-follow scanning, processing, and delivery workflows for supplying materials in alternative formats. Familiarize staff with accessibility functions available within your hardware and software.

Web page request forms: Customize request forms with clear options for users. That way, patrons in need of this service can communicate needs more comfortably and easily.

Resource sharing communication: Communicate specific needs to lenders for special requests. Lenders should conditionalize requests if they are unable to send OCR'd articles and offer regular scans instead. Do not just say no!

II. Copyright

Please be aware that the following includes general information about copyrights and fair use that you may find helpful. Be advised that this information is not intended to be legal advice and should not be taken as such. You should contact an attorney if you are seeking legal advice.

As authorized entities, SHARES Libraries have the right to reproduce and to request and receive copyrighted materials in accessible formats for eligible patrons.

US Copyright Law and Accessibility

Chafee Amendment

§ 121. Limitations on exclusive rights: Reproduction for blind or other people with disabilities

<https://www.law.cornell.edu/uscode/text/17/121>

(a) Notwithstanding the provisions of section 106, it is not an infringement of copyright for an **authorized entity** to reproduce or to distribute in the United States copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation if such copies or phonorecords are reproduced or distributed in **accessible formats** exclusively for use by **eligible persons**.

§ 121. (b) (1) Copies or phonorecords to which this section applies shall—

1. not be reproduced or distributed in the United States in a format other than an **accessible format** exclusively for use by **eligible persons**;
2. bear a **notice** that any **further reproduction or distribution** in a format other than an accessible format is an **infringement**; and
3. include a [copyright notice](#) identifying the copyright owner and the date of the original publication.

Chafee Amendment definitions

(1) “**accessible format**” means an alternative manner or form that gives an eligible person access to the work when the copy or phonorecord in the accessible format is used exclusively by the eligible person to permit him or her to have access as feasibly and comfortably as a person without such disability.

(2) “**authorized entity**” means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities.

(3) “**eligible person**” means an individual who, regardless of any other disability—

(A) is **blind**;

- (B)** has a **visual impairment** or **perceptual or reading disability** that cannot be improved to give visual function **substantially equivalent** to that of a person who has **no such impairment or disability** and so is **unable to read printed works** to substantially the same degree as a **person without an impairment or disability**;
- (C)** is otherwise **unable**, through **physical disability**, to **hold or manipulate** a book or to **focus or move the eyes** to the extent that would be normally acceptable for reading.

International Lending and Borrowing of copyrighted materials in accessible formats for eligible patrons

The Marrakesh Treaty provides for the international provision of copyrighted materials in accessible formats for eligible patrons, shared among authorized entities in the countries that have signed the treaty.

International Lending: Marrakesh Treaty

§ 121A. Limitations on exclusive rights: reproduction for blind or other people with disabilities in Marrakesh Treaty countries

<https://www.law.cornell.edu/uscode/text/17/121A>

(a) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an **authorized entity**, acting pursuant to this section, to export copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in **accessible formats** to another country when the exportation is made either to—

- (1)** an **authorized entity** located in a country that is a Party to the **Marrakesh Treaty**; or
- (2)** an **eligible person** in a country that is a Party to the **Marrakesh Treaty**

§ 121A. (b) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an authorized entity or an **eligible person**, or someone acting on behalf of an eligible person, acting pursuant to this section, to import copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in **accessible formats**.

International Borrowing: Marrakesh Treaty

§ 121A. (c) In conducting activities under subsection (a) or (b), an authorized entity shall establish and follow its own practices, in keeping with its particular circumstances, to—

- (1)** establish that the persons the **authorized entity** serves are **eligible persons**;
- (2)** limit to **eligible persons** and **authorized entities**
- (3)** discourage the reproduction and distribution of **unauthorized copies**;
- (4)** maintain due care in, and **records** of, the handling of copies of works by the authorized entity, while respecting the privacy of eligible persons

(5) facilitate effective **cross-border exchange** of accessible format copies by making publicly available—

(A) the **titles of works** for which the authorized entity has accessible format copies or phonorecords and the specific accessible formats in which they are available; and

(B) information on the **policies, practices, and authorized entity partners** of the authorized entity for the **cross-border exchange** of accessible format copies.

Locate Marrakesh Treaty Countries

Marrakesh Treaty: Monitoring Reports

<https://www.ifla.org/resources/?oPubId=81925>

Marrakesh Treaty Implementation: December 2020 Update

<https://repository.ifla.org/handle/123456789/1215>

III. Technology

Libraries employ a wide variety of technologies in support of making materials available to their patrons and to other libraries in accessible formats. Two main takeaways from a 2020 SHARES survey are:

- 1) OCR is by far the most common service offered
- 2) There is not one scanner or software package that is an obvious go-to choice for making ILL materials available in accessible formats

Software systems used by SHARES ILL units providing materials in accessible formats

Nine different commercially available software systems for making ILL materials in accessible formats are in use among SHARES survey respondents, in addition to systems developed in-house. These software systems are listed below in descending order of popularity among respondents:

- Adobe Acrobat
- BSCAN ILL
- ABBYY
- KIC Scanner
- GdPicture
- Omniscan 12
- ScanTailor
- SensusAccess
- Google Tesseract
- In-house developed

Question: As a user, do you have any comments about the software systems listed above? Our goal is to build an annotated list of software used for reformatting library materials. Send comments to massied@oclc.org.

Scanners used by SHARES ILL units providing materials in accessible formats

Twelve different scanners are in use among SHARES survey respondents; they are listed in descending order of popularity among respondents:

- Bookeye III and IV
- Zeutschel Zeta & OS 1200
- KIC Scanner
- Wide Tek
- Canon ImageRUNNER
- ScanEx
- Edge Scanner
- Xerox
- HP Multifunction Printers
- Book-edge ScannX
- BookScanner 7145
- Konica Minolta

Question: As a user, do you have any comments about the scanners listed above? Our goal is to build an annotated list of scanners used for reformatting library materials. Send comments to massied@oclc.org.

OCR capabilities integrated into resource sharing systems

Several resource sharing service providers are exploring integrating OCR capabilities into their existing tools.

- OCLC is far along in making this functionality available within Article Exchange via an API that will enable Article Exchange to interact with [Tesseract](#). There will be no charge for this service within Article Exchange.
- OCLC and Atlas Systems have shared with each other lessons learned in working with [Tesseract](#).

Toward universal OCR capability

OCLC is exploring a means of providing universal access to an OCR tool to all its members.

OCLC began by investigating various OCR tools. [Tesseract](#) was selected as the best option and placed in the Amazon Cloud. OCLC has been working with a group of libraries on a proof-of-concept that will allow automatic OCR of pdfs via a batch loading process.

This effort to provide universal OCR capability is a work in progress.

Accessibility Technology FAQ – a work in progress

Question 1: How can you set up OCR?

Answer 1: Adobe has a very informative webpage on how to OCR scanned documents, available at the link below.

<https://www.adobe.com/accessibility/products/acrobat/pdf-repair-perform-ocr.html>

Also, here is a link to an ADOBE advertisement explaining OCR.

<https://acrobat.adobe.com/us/en/acrobat/how-to/ocr-software-convert-pdf-to-text.html>

Question 2: Is the only way you get the article from lenders as a pdf?

Answer 2: Article Exchange supports delivery of documents in the following formats: BMP, GIF, J2K, JIF, JFI, JFIF, JP2, JPE, JPEG, JPF, JPM, JPX, JPG, MDI, MJ2, PEG/JFIF, JPEG 2000, PDF, PNG, PSD, TIF, TIFF, TGA, TPIC, WEBP and ZIP.

<https://www.oclc.org/en/worldshare-ill/features/article-exchange.html>

Question 3: How are libraries obtaining or creating EPUB and audiobooks?

Answer 3: EPUB file options:

- Center of Inclusive Design and Innovation: <https://cidi.gatech.edu/>
- BlueLeaf: <http://www.blueleaf-book-scanning.com/>

Question 4: Is it possible to automate the process of OCRing non-English and non-Roman texts?

Answer 4: It's possible but challenging.

One challenge in trying to fully automate OCRing ILL materials is in having the system recognize non-English text and then directing the document to the right language within the OCR software, such as [Tesseract](#).

Most requests going through WorldShare ILL have a WorldCat bibliographic record, which should include a language indicator. (Trying to address this issue contributes to the complexity of OCLC integrating automated OCR capability into Article Exchange.)

OCRing non-Roman character languages (Chinese, Japanese, Arabic, Hebrew, Russian, etc.) is especially challenging. [Tesseract](#) works well when a specific language module is loaded, but frequently staff must intervene to invoke individual languages. [Tesseract](#) has the capability to load multiple languages, but some SHARES partners report mixed success in having the software invoke the correct

non-Roman languages. Other SHARES users reported encountering similar difficulties with [SensusAccess](#).

IV. Next steps

The SHARES community proposed the following points as the beginning steps to incorporate accessibility standards into the regular interlibrary loan procedures workflows.

OCR integration: Approach vendors to seek integration of OCR capabilities into electronic delivery services such as Odyssey and Article Exchange.

Interlibrary loan code: Add an accessibility guidelines section to the Interlibrary Loan Code. Consider providing OCR'd articles whenever possible. *(Update: in November 2021, SHARES submitted to the ALA RUSA STARS Codes Committee seven suggested additions to the US ILL Code and its Explanatory Supplement regarding accessibility of library materials.)*

Groups and directories: Add a group affiliation with institutions that can provide OCR'd articles. This will help create better custom holdings groups for borrowers.

Toolkits: Create a toolkit at consortia levels summarizing standards, guidelines, and basic training techniques for OCR.

Repository: Seek channels to create a shared repository to access reformatted items.

Best Practice: It would be helpful for the SHARES Executive Group to present some universal guidelines.

V. Resources – a work in progress

- In the news
 - [Disability Advocates Worry The Quick Shift To Online Learning Could Overlook Needed Accommodations](#)
 - [What's lost in the rush to online learning](#)
 - [Coronavirus exposes the digital divide's toll](#)
- Lawsuit: [Publishers File Suit Against Internet Archive for Systematic Mass Scanning and Distribution of Literary Works](#)
- Mass digitization aggregations
 - [HathiTrust Accessible Text Request Service](#)
 - [Internet Archive Disability Access](#)
- US Copyright Law
 - [§ 121.Limitations on exclusive rights: Reproduction for blind or other people with disabilities](#)

- [§ 121A.Limitations on exclusive rights: reproduction for blind or other people with disabilities in Marrakesh Treaty countries](#)
- Organizations doing work on accessibility
 - [Daisy Consortium](#)
 - [Educational Materials Made Accessible \(EMMA\)](#)
 - [NYU How-to-Guides on Making Digital Materials Accessible](#)
- [Becoming a qualified authority to register disabled users](#) (Internet Archive beta program)
- Travis Goode of University of Texas at Dallas attended a useful workshop put on by the [Slavic Reference Service](#) of the University of Illinois that touched upon accessibility

Please send comments, corrections or additions regarding this document to massied@oclc.org. We'd like to make this set of resources on the accessibility of ILL materials as useful and current as possible for all in the global resource sharing community.