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Chair’s Note

Implementation of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled presented an unprecedented opportunity for access to printed works for blind and other print-handicapped persons. With libraries playing a key role in facilitating access, the Association of Research Libraries (ARL) and the Canadian Association of Research Libraries (CARL) responded by creating a task force to lead an implementation of the Marrakesh Treaty within and between research libraries in Canada and the US.

While the essence of the treaty is the elimination of the legal barriers that impede access to works, other barriers remain. Attempting to achieve the goals of the project—to identify and recommend the resources needed for research libraries to fulfill the promise of the treaty—revealed unforeseen complexity that included a lack of metadata standards to describe accessible works, library management systems with both untapped and inadequate accessibility features, and a web of policies and practices that hinder access.

While the project disclosed the barriers to access, the project teams applied their expert knowledge and skills to resolve many of the barriers and recommend the further steps necessary to deliver materials into the hands of print-disabled students, faculty, and staff in research institutions.

As chair of the task force, I was inspired by the commitment of the task force members, and by turns daunted by the complexity of implementing the Marrakesh Treaty, and awestruck by the expertise and dedication of the metadata and systems teams, as they went about uncovering, resolving, and proposing solutions to the barriers encountered. Personally, the project has given me a much deeper grasp of the complexities of and barriers to access to works and the concomitant responsibility to advocate for the changes necessary to achieve it.
While seamless accessibility to print materials is still far in the distance, the joint CARL/ARL Task Force is presenting a path forward, towards greater accessibility.

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Executive Summary

In 2019 the Association of Research Libraries (ARL) and the Canadian Association of Research Libraries (CARL) began a collaborative initiative to implement the Marrakesh Treaty and provide a pathway of practices and documentation, for all libraries to follow to fulfill the Marrakesh Treaty’s promise of access to works across national borders and ending the book famine.

CARL and ARL created a task force to lead this international initiative in Canada and the United States to explore requirements for both research libraries and the user community to effectively implement cross-border exchanges of materials.

The ARL/CARL Task Force identified four main areas of exploration: beneficiary needs, metadata requirements for searching capabilities, implementing the discovery systems within the library, and developing strategies and opportunities for the pilot project members to socialize the work being done. Working groups were formed for each area of exploration.

The Beneficiary Working Group held a focus group with Marrakesh beneficiaries, interviewed directors from pilot institutions, and consulted with leaders and experts of related projects. They met with the US National Library Service for the Blind and Print Disabled (NLS) and the World Intellectual Property Organization (WIPO) Accessible Book Consortium (ABC) to develop a holistic view of the needs of the beneficiary community and where the gaps lie. The working group found that misunderstandings about what copyright law allows regarding making works accessible and lending works for people with print disabilities persist among staff and faculty at institutions of higher education, as well as with students. Another key finding is that the needs of graduate student and faculty beneficiaries may be distinct from undergraduates or other beneficiaries. For example, graduate students may need access to specialized texts in languages other than English.
The Metadata Working Group analyzed sample descriptive records from pilot institutions, developed a metadata specification with the minimum required metadata elements for the pilot, agreed upon additional recommended metadata elements for use in alternate format description, and recommended controlled vocabularies. The working group collaborated with external bodies such as the Canadian Committee on Metadata Exchange (CCM) to propose improvements related to accessible works to the MARC21 cataloging standard. The working group findings noted the lack of best practices for alternate format description, the absence of equivalent English/French vocabularies, and the significant challenges for catalogers in verifying, selecting, and describing accessibility features.

The Systems Implementation Working Group explored the use of available technologies in place at member libraries. To leverage the capabilities of library services platforms (LSPs) currently deployed in pilot member sites, the working group discovered that the Ex Libris Alma (library services platform) and Primo (discovery system) were most widely used by libraries on both sides of the Canada/US border and therefore would be the platforms used to strategize, document, and pilot a test implementation.

The Strategy and Operations Working Group met regularly throughout the project to ensure that the work of the project was proceeding as planned, revise deadlines as necessary, share ideas and suggestions on ways to move forward, and most importantly, to strategize ways to promote the work of the project and its findings. Through numerous public engagements, the working group found that there is a lack of awareness not only about the Marrakesh Treaty generally, but also about the lack of resources available to people with print disabilities and their struggles in finding and using learning materials.

The results of the work and the findings of these groups can be found through a series of recommendations and possible next steps contained in this report. These include both work related to the pilot project and discoveries that were beyond the remit of the project.
Summary of Recommendations

Beneficiary Working Group

Recommendations for libraries:

- Coordinate with disability services offices to ensure that beneficiaries know the available services and processes to access accessible works.
- Consult with students with disabilities at all levels—graduate and undergraduate—to understand their needs, the barriers they face, and how to support them by providing excellent accessible library services.
- Consider the specialized needs of graduate students and researchers who may need to access multiple journal articles in accessible formats, or rare books that may be difficult to digitize.

In addition to the recommendations for libraries, there are roles that ARL and CARL may continue to play:

- In partnership with the disability community, advocate for libraries and beneficiaries to fully exercise their statutory right to contract, create and share accessible copies, and to limit barriers like contracts or license terms that purport to restrict this right.
- Develop tools to educate library staff on accessibility and copyright law to make sure they fully exercise users’ rights under their country’s statutory implementation of the Marrakesh Treaty.
- Share project findings of Marrakesh implementation with key stakeholders including those at the International Federation of Library Associations and Institutions (IFLA), the Library Copyright Alliance (LCA), the WIPO Accessible Book Consortium (ABC), and the WIPO Standing Committee on Copyright and Related Rights (SCCR) with the aim to influence limitations and exceptions.
- Track and monitor developments, like the US National Information Standards Organization (NISO) creation of a standard to develop standard metadata for remediation of content

**Metadata Working Group**

- Develop standardized guidelines for recording accessibility metadata.
  - Start work on best practices at a community or national level aiming for international standards.
  - Make recommendations for libraries on fields to use, vocabularies, and integration into the main library catalog to support a more equitable research process.
  - Use Marrakesh Metadata Specification as the basis for future best practices.
    - Include more detailed specifications for the coding of zone 007.
    - Use field 533 to specify the reproduction.
- Take advantage of MARC fields that could yield more granular and precise data for future use in the catalog and other applications.
- Consult with beneficiaries to develop best practices for metadata for display and discoverability such as setting up a testing environment for beneficiaries to provide feedback on:
  - The discoverability and identification of resources with accessibility features that are integrated into the catalog with all library resources
  - The identification and discoverability of resources that are eligible for use according to the provisions of the Marrakesh Treaty
  - Metadata elements and standardization
- Ensure the accessibility metadata in Bibframe remains an important metadata consideration for the future.
- Monitor the revision proposal for MARC 21 to ensure:
  - 341 Accessibility Content is reworded so that the field’s
definition and scope is broadened to describe all accessibility features of a resource

- The proposal paper is submitted for the MARC 21 Advisory Committee (MAC) Midwinter 2024 for approval
- Raise awareness of the role of accessibility metadata in the library catalog and continue to work with library technology vendors (such as OCLC and Ex Libris) to index and display the data.
- Engage with the IFLA Standing Committee for Libraries Serving Persons with Print Disabilities (LPD) to further advance the work of (LPD) in international standards for accessibility metadata.
- Advocate with the Program for Cooperative Cataloging Standing Committee on Standards (PCC SCS) for improvements to Provider Neutral Guidelines in support of users with print disabilities.
- Translate the Schema.org Accessibility Properties for Discoverability Vocabulary (Section 4. Accessibility Features and Section 7, auditory, tactile, textual, visual) into French.
- Participate in the ANSI/NISO proposed new work item to create a metadata standard for remediation of content for accessibility.
- Contribute to RVM’s Expert User Group for accessible formats and persons with perceptual disabilities (RVMGD) to develop French terms that are aligned with current terminology.

**Systems Implementation Working Group**

Influence library services platform/discovery vendors to:

- Increase the number of indexable MARC fields to address complex consortial implementations that have exhausted available fields.
- Make resource-sharing configurations to be available in test environments at parity with production configurations, so this workflow can be fully tested pre-production.
- Enhance discovery of accessible works through community repositories of shared descriptive metadata and holdings.
Recommendations for research libraries:

- Catalog with the MARC 341 field and make it visible.
- Implement a test environment that is available externally for testing accessibility features and configurations between partners.
- Ensure consortial networks are able to index the fields necessary for search and enable all the fields they use for display.
- Implement a new patron group for people with print disabilities at your institutions and incorporate regular record loading to be able to provide bespoke accessible services to these users most easily.
- Explore the implementation of a closed collection of accessible works in a digital repository that can be used locally to store accessible texts acquired or digitized and formatted by the library, for local use and lending accessible works under Marrakesh provisions.
- Implement a separate view of the catalog that only includes materials tagged with a 341 (and probably other) recommended MARC fields, and, if available, limit access to this view to the Marrakesh patron group.

**Strategy and Operations Working Group**

Recommendations for CARL and ARL:

- Follow through on the recommendations developed by the other working groups within their respective jurisdictions and/or jointly.
- Plan events, create online presentations / joint webinars for annual Accessibility Day (October) and other opportunities.
- Collaborate to create events (with, for example, ARL Diversity, Equity, and Inclusion Committee, others).
- Develop educational materials and toolkits that are practitioner-focused.
- Engage with NLS, ABC, DAISY, FRAME, and university presses to explore further collaborative initiatives.
- Review program elements from the Accessible Forum for possible
action.
- Monitor events (Canada, US, and international) to present the Marrakesh final report.
- Explore US National Science Foundation funding for workshops (cross-sectoral research).
- Develop a framework for sustainability of the project outcomes.
- Develop recommendations for broader policy and regulatory structure for accessibility to guide CARL and ARL’s work (such as copyright, accessibility, etc. legislative and policy work).
- Advocate publisher responsibilities for born accessible materials.
- Develop a toolkit.
- Write blog posts and do website development.
- Explore a national strategy for the retroactive digitization of print works.
- Create copyright/use guidelines for libraries.
- Develop a method for testing with beneficiaries outside of the university community.
- Use recommendations in this report to inform “Advancing Accessibility: A Framework for Canadian Library Initiatives.”
- Explore public libraries implementation through discussions with pertinent organizations (such as the Canadian Urban Libraries Council (CULC) and the Urban Libraries Council (ULC) in the US).

**The Marrakesh Treaty Implementation Project**

The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (Marrakesh Treaty) was adopted in June 2013. It is a historic treaty because it is the first World Intellectual Property Organization (WIPO) treaty with a human-rights focus at its core and it is the first user-rights treaty in the history of WIPO. The goal of the Marrakesh Treaty is to end the book famine experienced by millions of people with print disabilities, where alternate formats exist for less than 10% of works
available worldwide. Real and perceived constraints of copyright law contribute to the dearth of alternate format works, and the Marrakesh Treaty sought to clarify the legal foundation for creating and lending accessible works through mandatory limitations and exceptions to copyright law. Libraries, with their mandates to provide equitable access to information, are key players in the practical implementation of the Marrakesh Treaty. As nonprofit providers of information, libraries qualify as authorized entities under the treaty.

In 2019 the Association of Research Libraries and the Canadian Association of Research Libraries began a collaborative initiative to implement the Marrakesh Treaty and provide a pathway of practices and documentation, for all libraries to follow to fulfill the Marrakesh Treaty’s promise of access to works and ending the book famine.

CARL and ARL led this international initiative in Canada and the United States to explore requirements for both research libraries and the user community to effectively implement cross-border exchanges of materials.

This report presents the findings of the working groups and provides recommendations and considerations for ARL and CARL to continue the important work in support of people with disabilities.

**Project Governance**

To effectively manage the goals of the project, the associations created a joint task force to oversee the advancement of the project.

**ARL/CARL Task Force**

The joint ARL/CARL Task Force on Marrakesh Treaty Implementation advised the associations on approaches to the implementation of articles of the Marrakesh Treaty that facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled.
The purpose of the task force was to:

- Identify and recommend the resources needed for CARL and ARL members to implement the terms of the Marrakesh Treaty and to fulfill its promise of improving access and facilitating the cross-border exchange of works for people with print disabilities.
- Design and undertake a pilot project with a small, international group of libraries, to test the recommended approach to implementing the treaty.
- Recommend further steps to resolve issues revealed by the pilot and broaden implementation.

To address the challenges in the mandate, the task force, drawing on its own members, created working groups, tasked with specific areas.

**Testimonials**

Gerald Beasley, May 29, 2023

Serving as Cornell University’s Carl A. Kroch University Librarian (2017–2022), with experience working in Canada and the US as well as the UK, I was delighted to be nominated to the joint ARL/CARL Task Force on Marrakesh Treaty Implementation in fall 2020 as the representative of ARL’s Advocacy and Public Policy Committee. After completing my term on ARL’s Advocacy and Public Policy Committee in 2021, I stayed an active member of the task force until summer 2022 in order to support the pilot implementation of the treaty in libraries on both sides of the border. I was especially pleased when the task force initiated a Beneficiary Working Group, of which I was a founding member. I presented (virtually) about the work of the task force at the 2021 Canadian Connecting the Dots conference for people who are blind or partially sighted.

The work of the task force undoubtedly brought implementation of the Marrakesh Treaty closer for the members of both associations and their libraries. It is a great credit to the task force chair, Victoria Owen, that our monthly meetings were both effective and enjoyable. Also, I
think the task force has achieved two other important, if unspoken, objectives. It has demonstrated the value of bringing librarians with a wide variety of experience together on a regular basis to solve problems; and it has given people in leadership positions such as myself a new opportunity to exchange ideas directly with others possessing specialist expertise—especially in the areas of metadata, technology, and accessibility.

Solving the issues associated with implementation of the Marrakesh Treaty between Canada and the US will offer libraries in both countries a rare opportunity to be part of a truly global initiative to enhance access to the kind of knowledge that is most needed in the world today. I am confident the work of the task force will be recognised by the membership of both library associations as well as the wider group of beneficiaries to whom its work is addressed. It was a privilege and a pleasure to be part of it.

Merideth Fletcher, June 30, 2023

It has been my great pleasure, since 2021, to represent Library and Archives Canada (LAC) on the ARL/CARL Task Force on Marrakesh Treaty Implementation, and to chair the Metadata Working Group. I have learned so much from my colleagues in these groups, who are so knowledgeable and dedicated to serving users of alternate format materials. Collectively we have made progress, by developing recommended metadata elements to improve access, by consulting directly with users of alternate formats about their needs, and by evaluating strengths and limitations of library systems, among other accomplishments. However there remains much to be done, as outlined in this report. I look forward to continuing this work, building on the strong foundation prepared by the task force, along with my ARL and CARL colleagues, and other communities, with shared interests and commitments. This does not only include libraries, but also publishers and library technology vendors. Delivering equitable access to users of alternate formats is a huge task, and one that must be shared broadly to accomplish great things.
Judith Russell, July 19, 2022

I think this is really an incredibly important project. And I think it’s important that it focuses on the print disabled, because they have been underserved for a long time, notwithstanding some of the other organizations that have evolved to support them. But hopefully, it also then becomes a model that allows us at some point to extend service.

I think the task force is just incredible. I mean, Pascal Calarco has been just amazing and wonderful to work with, for example. I think we’re very fortunate at the quality of the people who are moving this forward. I’m eager to see it move forward to see what impact we can have.

Clearly, this is the beginning of a very long and complicated process. And I do think that this will be an important tool for motivating other people and raising awareness. But I do think we’re going to have to marshal a lot of people. And I think the fact that it’s ARL and CARL starting, so we’ve got a very strong contingent of libraries who are influential within their own communities, and who typically are pretty motivated and resourced well enough to initiate this...I think we’re going to have to do a lot of motivational work and a lot of tool development that will make it more possible for the smaller and less-well-funded institutions to be able to participate.

I don’t fear that [the work] won’t continue on with a lot of support, I do worry about the economics of it. You know, it’s easier for us, in an institution our size, to dedicate some staff to this, than it’s going to be in a lot of other institutions. So thinking about tools that can make this easier to implement for those folks.

Joy Kirchner, June 26, 2023

I was delighted to be invited to join the task force. As a leading institution in providing accessibility services and library accessibility services, I am keenly aware of the content needs, particularly for global and multilingual content, our students and faculty need to be successful in their academic work. It truly is a matter of providing equitable access to needed content in a timely way. We are still quite far from that
reality. Through my participation on the task force I learned even more about the cultural supports that are needed to support our community and how daunting of an expectation it is for our students to have strong technical proficiency in order to utilize accessible content. For all of these reasons and more, international collaboration is critically needed. No one institution can solve this alone. I am very grateful to CARL and ARL for jointly launching this important advocacy work, bringing global recognition to the issues at hand, and working together to advance solutions for globally accessible content.

Julie Cardinal, 25 juin 2023

C’est avec un immense plaisir que je me suis jointe à l’ARL/CARL Task Force on Marrakesh Treaty Implementation, et que je me suis plus particulièrement impliqué dans les travaux du Metadata Working Group. J’ai tellement appris au contact de collègues aux expertises variées, et si dévoués aux utilisateurs en situation de handicap. Dans le cadre de mon travail comme directrice du traitement documentaire et métadonnées aux bibliothèques de l’Université de Montréal, le catalogage inclusif a toujours été une préoccupation, et nos travaux constituent un pas de géant dans la réalisation de catalogues plus inclusifs. Le travail ne fait que commencer, mais les travaux du groupe pour établir des spécifications de métadonnées descriptives pour le traitement de documents accessibles et leur visibilité dans nos outils de découverte donneront, j’en suis convaincue, l’impulsion nécessaire pour continuer ce travail si important en vue d’offrir le service auquel les personnes ayant une déficience visuelle ont droit.
The Current Legislative Landscape in Canada and the US

Legislation in Canada

In 1985 Canada’s Copyright Act introduced a new exception in Section 32(1), Persons with Perceptual Disabilities. The exception permitted production and distribution of works in accessible formats specially designed for persons with a perceptual disability. The exception had two significant limitations: it did not include authorization to produce the work in large print, and, the exception was not available if the work in the specified format was available commercially at the time of the reproduction in accessible format.

Another legislative update occurred in 2012, adding the ability to send copies outside of Canada, with certain restrictions. It added the definition of a print disability, modified Section 41.16 (1) to allow the circumvention of technological protection measures for the purpose of making an accessible copy, and, if enacted through regulation, the provision to pay royalties and to submit reports.

In 2016, the Copyright Act was again amended in compliance with the requirements for the Marrakesh Treaty, allowing for import and export of accessible works. It added a definition for nonprofit organizations, removed the restriction on the production of large-print works, and clarified the section related to circumventing technological protection measures.

The Marrakesh Treaty has clear copyright exceptions to facilitate access. When Canada adopted the treaty, the Government of Canada chose one of the most restrictive statutory interpretations in the world. It availed itself of two optional provisions that limit the provisions under the treaty; that is the commercial availability check, which narrowed the exception with the downstream impact of reducing the number of titles produced and shared, and undermining the essential purpose of the Marrakesh Treaty.
The Marrakesh amendment to the Copyright Act of Canada allows for the export of alternate format works to a nonprofit organization, in another country, acting for the benefit of persons with a print disability in that country. This provision also allows nonprofit organizations in Canada to remove digital locks on works for use within Canada and also for the purpose of exporting material outside of Canada, if required, to meet the needs of a person with a print disability.

By adopting the commercial availability check in Canada, Canadian authorized entities (AEs), such as libraries, are required to conduct a commercial availability check on every book they wish to produce in accessible format to ensure it is not commercially available in the required accessible format. This step is time-consuming and unproductive, as it yields virtually no results, particularly if the format is braille or DAISY audio. Purchasing a work in an accessible format is a significant savings in cost and production time for AEs and, as such, AEs would search for commercially available accessible content without the legal requirement to do so. The absence of a marketplace of commercially available, accessible works is clear and as such, the Canadian library community has developed a standard for what constitutes a reasonable search:

A reasonable search is constituted by expending the same effort, cost, and time, to locate materials in accessible format as would be expended in locating the same work for a user without a perceptual disability.

Another barrier arises when purchasing commercially available content, such as audio files, and adding accessibility features to the purchased work. The work now enters a legal gray area as it is considered a commercial work, even with the addition of accessibility features, and therefore can be interpreted as excluded from the Marrakesh international exchange. In addition, most publishers require the AE to sign a contract to specifically exclude the work from export and international exchange.
The unintended consequence of the commercial availability provision is that when the publisher creates a commercially accessible work, it is excluded from international exchange through Marrakesh. Exchange via Marrakesh is only possible if Canadian AEs produce an accessible copy. The commercial availability language in the Canadian legislation adds barriers to access and reduces the number of titles produced and shared, running counter to the stated aims of the Marrakesh Treaty and contrary to the purpose of libraries and their societal role in providing access to works.

In addition to the commercial availability check in Canada, the Government of Canada also added a requirement to conduct a second commercial availability check, upon export. This means that even though a work was not commercially available when first produced in accessible format by the AE, it is deemed reasonable to repeat that nonproductive step prior to export. The requirement in itself is problematic; it is difficult, if not impossible, to perform a check in another country’s market.

**Legislation in the United States**

In the US, the Copyright Act and case law provide a strong legal foundation for libraries and other authorized entities to make copies for accessibility purposes. Before the 1996 enactment of Section 121 of the Copyright Act, referred to as the Chafee Amendment, the Library of Congress National Library Service for the Blind and Print Disabled (NLS) had to request permission from publishers and authors to make books and other works accessible. This often resulted in people with disabilities waiting for months to receive materials. Through Section 121, Congress clarified that it is not an infringement of copyright for authorized entities like libraries to make accessible versions of copyrighted works available to people with print disabilities, without the rightsholders’ permission.

In 2018, the US Congress adopted the Marrakesh Treaty Implementation Act (MTIA), which amended Section 121 the
Copyright Act to conform with the obligations of the treaty. In particular, the MTIA:

- Expanded the types of works that may be copied to include all literary works and musical works fixed in the form of text or notation.
- Broadened access to works by clarifying that works may be made available in “accessible formats,” a definition that allows an eligible person to have access to a work that is equivalent to a person without a disability.
- Changed language referring to beneficiaries from the original language of “blind or other persons with disabilities” to the more expansive “eligible persons,” conforming the regulatory text with the statutory language in Section 121. “Eligible persons” is inclusive of people who are blind as well as people who have other print disabilities, including physical abilities that impede holding or reading a book.
- Created a new Section 121A that explicitly permits the import and export of copies in accessible formats to facilitate cross-border exchange.

Shortly thereafter, the Library of Congress Technical Corrections Act of 2019 allowed NLS to comply with the Marrakesh Treaty.

Case law also supports copying works to create and lend accessible formats. The Second Circuit in Authors Guild v. HathiTrust affirmed that in addition to Section 121, libraries may rely on fair use to make accessible format copies for people with print disabilities. Fair use is a fundamental doctrine codified in Section 107 that allows the use of works protected by copyright in certain circumstances without permission from a rightsholder.

The Digital Millennium Copyright Act (DMCA) requires additional consideration as it prohibits users from circumventing the technological protection measures that publishers use to protect digital works that are under copyright. Libraries, however, must circumvent the digital locks in order to convert digital materials into formats
accessible for people with disabilities. The library and disability communities have worked hard to secure exemptions from the DMCA's prohibitions, but the exemptions are narrow. The US Copyright Office recently announced its intention to recommend renewing the exemption allowing people with disabilities to break digital works to access literary works, which is welcome news. But vendors of digital content may still use contracts to prevent breaking digital locks, which creates a barrier despite these regulations.
Accessible Publishing

Canadian and US copyright law clearly allow for the remediation and lending of texts in accessible formats. Sections 121 and 107 (US) and Sections 32.01 and 41.16(1) (Canada) are critical in ensuring that libraries can fulfill their missions and meet the constitutional purpose of copyright, but they simply ensure that works can lawfully be made accessible and shared; they do not provide libraries with the resources or funds needed to convert materials into accessible formats. It would be far more efficient for a publisher to produce a book in an accessible format that could be used by all students with disabilities assigned to read the book, than for each institution in which the students are enrolled to convert analog or digitally locked materials into accessible formats. Ideally, libraries would be able to obtain accessible materials directly from the publishers rather than undertaking remediation efforts.

During our Marrakesh Treaty pilot, we learned that beginning in 2025, providers of e-books in the European Union must comply with accessibility requirements for people with print disabilities. ARL and CARL will monitor this regulation, and identify any lessons that can be applied in the US and Canadian context. ARL and CARL will continue to socialize the concept of accessible publishing, in which publishers provide libraries with accessible content. The ability to purchase accessible works from publishers reduces the responsibility, cost, and liability that libraries bear in providing equitable services to all users.

Next Steps for CARL and ARL on Born-Accessible Works

- In partnership with the disability community, ARL will continue to advocate for libraries and beneficiaries to fully exercise their statutory right to create and share accessible copies, and to not let barriers like contracts or license terms restrict this right.
- The European Commission is calling for an evaluation of the Marrakesh Treaty Directive and Regulation. ARL and CARL will monitor the results of this evaluation to see if there are advocacy or contribution opportunities.
• The US National Information Standards Organization (NISO) will create a standard to develop standard metadata for remediation of content for accessibility. CRKN supports this initiative. There may be opportunities for ARL and CARL to influence this work, or to engage our member libraries in working with the standard.
• ARL and CARL will continue to socialize the concept of accessible publishing, in which publishers provide libraries with accessible content, reducing the burden, cost, and liability of libraries to remediate works that they have already paid to acquire.

Beneficiary Working Group Report

The Beneficiary Working Group, chaired by Katherine Klosek (ARL), was established in spring 2021.

The Beneficiary Working Group held a focus group with Marrakesh beneficiaries; interviewed directors from pilot institutions; and consulted with leaders of related projects and experts from the National Library Service for the Blind and Print Disabled (NLS) and the World Intellectual Property Organization (WIPO).

The purpose of the Beneficiary Working Group was to:

• Identify and liaise with organizations in the US and Canada representing beneficiaries and Authorized Entities as defined by the Marrakesh Treaty
• Develop communications to share with beneficiary organizations on the work of the ARL/CARL Marrakesh Treaty Task Force
• Collaborate and consult with beneficiary organizations and community on deliverables of the pilot project
• Collaborate and consult with the Marrakesh Implementation Task Force, systems and metadata working groups, and external bodies as needed, for direction with engagement with beneficiaries
• Identify and pursue opportunities to share updates on task force work with the beneficiary community, and gather feedback
• Routinely test solutions with a focus group of people from the beneficiary community
Select Quotes from Beneficiary Focus Group

These various interactions provided the working group with some great insight into the challenges people with print disabilities experience. For a full transcript, please see Appendix 2. The task force acknowledges and thanks DeLa Dos, Senior Director, Learning + DEI at ARL, for facilitating this focus group.

Availability of books for research

- “I will say not every book that I want is available. And sometimes that is unfortunate. I’d say it’s about an 80% chance the book is a yes. The newer the book, the dicier it gets.”
- “If you’re doing research, oftentimes, you don’t know if you need the book until you look at it. So you, you know, you have to go through the entire process, get the entire book, and then you realize, I don’t need this, or I do need this or this is the wrong edition, or this book now tells me I need another book. Even just access to the table of contents or the index, and things like that would help. But generally speaking, that’s the biggest hurdle is knowing what you need.”

Availability of accessible works in languages other than English

- “So in general, we are speaking in English, so the majority of the material is going to be in English. But if you’re accessing it in other languages, like French or Spanish, it’s not as accessible, let alone the fact that non-Latin-script texts are even less so. So that’s just a very short list, but it’s good enough to get the point across.”

Issues faced by beneficiaries with other disabilities

- “I have noticed that for fellow students who are deaf it is really difficult to get interpreters to accompany them in their research. I wonder if there could be a service part of accessibility services that could request an appointment with an ASL interpreter pretty quickly, which would require a partnership with an ASL company or even better, with the ASL course leaders at York.”
Students may not always know what services are available when searching for works in their preferred formats

- “Oh that’s a mess, you have to like, you have to like get actual permission. So I have an advisor for my accessibility stuff. And then we did this whole thing where you have to go through the process, but each individual who has an advisor gets taken through the process, so I’m not sure how much, but it is a process. And once that process is done, then it’s smooth. But that process is a thing. I don’t even remember. But I know that it required a lot of forms and meetings and stuff, but after like the first few months was over.”

The focus group also revealed perceived barriers of Canadian copyright law, and opportunities for advocacy

- “Sharing books, like the texts go out of the way to be like ‘do not show this to anybody or else, like, not at all.’ And I was just thinking, like, if I was not, if I didn’t need these services, and I took a book from the library, I would theoretically be able to pass it to another human being for them to read it. So the energy behind saying ‘do not share’ is a little bit weird, I just wanted to share that. And the other thing is, like, new books. I’d like to have, like, some kind of allowance to be, like, I don’t know if there’s any wiggle room to get books that are physically owned by the library, but not scannable.”

Beneficiary working group engagement with NLS

The National Library Service for the Blind and Print Disabled (NLS), Library of Congress team shared details about the metadata standards the library uses in its Braille and Audio Reading Download (BARD) program. The library has been able to double its braille acquisitions under the Marrakesh Treaty, and emphasized the importance of getting the right book to the right patron at the right time.
Library Director Interviews

The beneficiary working group interviewed Joy Kirchner, dean of Libraries, York University, and Judith Russell, dean of University Libraries, University of Florida, to better understand their interest and motivation in joining the pilot; campus policies, procedures, and communication; and how their institutions acquire accessible materials. Excerpts from those interviews can be found in the “Testimonials” section of this report.

Beneficiary Working Group Recommendations and Next Steps

Based on our work together, the Beneficiary Working Group recommends the following activities to research libraries:

- Coordinate with disability services offices to ensure that beneficiaries know the available services and processes to access accessible works.
- Consult with students with disabilities at all levels, graduate and undergraduate, to understand their needs, the barriers they face, and how to support them by providing excellent accessible library services.
- Consider the specialized needs of graduate students and researchers who may need to access multiple journal articles in accessible formats, or rare books that may be difficult to digitize.

In addition to the recommendations for libraries, there are roles that ARL and CARL may continue to play:

- In partnership with the disability community, advocate for libraries and beneficiaries to fully exercise their statutory right to contract, create and share accessible copies, and to limit barriers like contracts or license terms that purport to restrict this right.
- Develop tools to educate library staff on accessibility and copyright law to make sure they fully exercise users’ rights under their country’s statutory implementation of the Marrakesh Treaty.
- Share project findings of Marrakesh implementation with key
stakeholders including those at IFLA, LCA, WIPO ABC, and WIPO SCCR with the aim to influence limitations and exceptions.


**Metadata Working Group Report**

The Metadata Working Group, chaired by Merideth Fletcher (LAC), was established in spring 2021.

The purpose of the Metadata Working Group was to:

- Build on the outcomes of previous work of the FRAME Project (and similar accessibility initiatives)
- Determine minimum metadata requirements for pilot participating libraries
- Recommend controlled vocabularies for use in alternate format descriptions
- Make recommendations to the Marrakesh Steering Committee on post-pilot activities
- Advance standardization for accessibility metadata
- Collaborate and consult with the Marrakesh Implementation Task Force, working groups, and external bodies as needed

The top priority of the Metadata Working Group was to determine the minimum requirements for the MARC records from libraries participating in the pilot. It was important to act quickly so that the participating libraries would have the time to add metadata if necessary for the success of the pilot.

The plans for the original pilot had a changing group of potential participants. When the working group did metadata analysis, they requested samples of MARC records for alternate format materials from all potential participants. The information from the samples
was then consolidated into one spreadsheet for analysis. The working group focused their analysis and recommendations for the pilot on current usage of metadata so as not to cause a heavy burden on libraries participating in the pilot. The sample records did not cover all possible formats that a person with print disabilities might use but focused on those collected in sufficiently large numbers by the pilot participants to be suitable for the pilot. The Marrakesh Metadata Specification was used to develop the MARC 21 metadata templates for the pilot project: DAISY, EPUB3 and PDF formats.

Over the course of the Metadata’s Working Group term, several issues were identified:

- The differences in metadata requirements for physical versus electronic resources.
- The negative impact of the Program for Cooperative Cataloging (PCC) policy on vendor-neutral MARC records for electronic resources. PCC policy acts as a standard among libraries contributing to OCLC WorldCat. This policy prevents the addition of accessibility information since not all versions of an e-book will include those features.
- The lack of multilingual controlled vocabularies, specifically equivalent vocabularies available in English and French versions. This has proved challenging, given the membership of both English and French language libraries in CARL.
- The fragmentation of accessibility information in many different places in a MARC 21 record: The analysis of sample records revealed that information is stored in fixed fields, control fields, fields that can use a source vocabulary, and free-text fields. This fragmentation presents a challenge in terms of finding the relevant information or developing standardized indexing and displays.
- Lack of best practices, so individual institutions take different approaches and record information in the best way they can within the limitations of their system.
- Two key MARC 21 fields are focused on accessibility information:
341, Accessibility Content, and 532, Accessibility Note. These two fields are not indexed or displayed in many library management systems or platforms. Vendors argue that the fields are not used, hence they have no need to support the display of this data or its use as a filter. However, individual libraries are reluctant to use fields when the data remains hidden from their users, especially users who need to know about accessibility features or hazards.

- For the pilot: the need to focus on the most common resources held by the pilot libraries instead of examining all formats possibly used by the print disabled.

Université de Montréal (UdeM) carried out a pilot project cataloging 10 accessible documents produced at the request of students with disabilities between 2015 and 2023 using the Marrakesh Metadata Specification. Of these 10 documents, 7 were PDFs and 3 were Word documents in .docx format. These documents were provided by the UdeM’s service for students with disabilities, which is responsible for providing accessible documents for students. The context of each request was not provided, nor was information on the original document. Cataloging these accessible documents highlighted a number of difficulties, the main ones being:

- Selecting and describing accessibility features important to the user without guidelines proved difficult.
- Verifying accessibility features also proved difficult. It requires knowledge of the different accessible formats and possible accessibility features for each format, which is not always the case.
- Lack of vocabulary in French to describe accessibility features.
- The vocabulary in French for target audience characteristics was too reductive or stigmatizing, and field 385 was not used.
- The lack of metadata for original documents and reproductions complicated cataloging, as elements for description were missing, such as the date of reproduction for field 534.
Metadata Working Group Recommendations and Next Steps

The working group members recommend the following next steps to advance the work:

- Develop standardized guidelines for recording accessibility metadata.
  - Start work on best practices at a community or national level aiming for international standards.
  - Recommendations for libraries on fields to use, vocabularies, and integration into the main library catalog to support a more equitable research process.
  - Use Marrakesh Metadata Specification as the basis for future best practices.
    - More detailed specifications for the coding of zone 007.
    - Use field 533 to specify the reproduction.
- Take advantage of MARC fields that could yield more granular and precise data for future use in the catalog and other applications.
- Consult with beneficiaries to develop best practices for metadata for display and discoverability such as setting up a testing environment for beneficiaries to provide feedback on:
  - The discoverability and identification of resources with accessibility features that are integrated into the catalog with all library resources
  - The identification and discoverability of resources that are eligible for use according to the provisions of the Marrakesh Treaty
  - Metadata elements and standardization
- Ensure the accessibility metadata in Bibframe remains an important metadata consideration for the future.
- Monitor the revision proposal for MARC 21 to ensure:
  - 341 Accessibility Content is reworded so that the field's
Definition and Scope is broadened to describe all accessibility features of a resource

- The proposal paper is submitted for the MAC Midwinter 2024 for approval
- Raise awareness of the role of accessibility metadata in the library catalog and continue to work with library technology vendors to index and display the data (such as OCLC and Ex Libris).
- Engage with the IFLA Standing Committee for Libraries Serving Persons with Print Disabilities (LPD) to further advance the work of (LPD) in international standards for accessibility metadata.
- Advocate with the Program for Cooperative Cataloging Standing Committee on Standards (PCC SCS) for improvements to Provider Neutral Guidelines in support of users with print disabilities.
- Translate the Schema.org Accessibility Properties for Discoverability Vocabulary (Section 4. Accessibility Features and Section 7, auditory, tactile, textual, visual) into French.
- Participate in the ANSI/NISO proposed new work item to create a metadata standard for remediation of content for accessibility.
- Contribute to RVM’s Expert User Group for accessible formats and persons with perceptual disabilities (RVMGD) to develop French terms that are aligned with current terminology.

**Systems Implementation Working Group Report**

The Systems Implementation Working Group, chaired by Pascal Calarco (University of Windsor), was constituted in May 2021.

The purpose of the Systems Implementation Working Group was to:

- Gather feedback from beneficiary community on technical needs and requirements for Marrakesh lending solutions.
  - Outcome: technical requirements document of end-user needs
- Liaise with systems personnel at pilot partner libraries in Canada and the US.
• Outcome: a current report on the variety and distribution of library services platforms (LSPs) in use at ARL/CARL member libraries

• Liaise with LSP vendors on technical approaches, including those represented across the ARL and CARL library communities.
  • Outcome: knowledge of how each vendor might/will plan to support Marrakesh accessible text fulfillment to end users

• Develop communications to share with the task force, working groups, and external bodies on the work of the ARL/CARL Marrakesh Treaty Task Force.
  • Outcome: conference presentations, authoring articles on Marrakesh Treaty work, feedback, and outcomes

• Collaborate and consult with pilot libraries, vendors, and community on deliverables of the pilot project.
  • Outcome: Educated vendor and library community on creating, integrating and using accessible text

• Investigate digitization processes for creating accessible versions of books and document recommended tools and workflows for libraries.
  • Outcome: Enhance library understanding of what is needed to digitize print works to accessible versions of those works

• Develop technical approaches and documentation for the three high-level components of functionality for the pilot outcomes:
  • Outcome: Metadata description, access, and availability to ARL/CARL libraries
  • Outcome: Discovery and access of the metadata and related digital accessible works
  • Outcome: A repository strategy that explores distributed vs. centralized models

• Collaborate and consult with the Marrakesh Implementation Task Force, working groups, and external bodies as needed.
  • Outcome: communicate with all relevant bodies and individuals throughout the project
In the summer of 2021, member representatives from the University of Florida Libraries (UF) and York University Libraries (YUL) were sought and secured, and we began meeting monthly and sometimes weekly, as needed, starting in September 2021. The other two library partners, Bibliothèque et Archives nationales du Québec (BAnQ) and Cornell University Library (CUL), were not in a position to participate: BAnQ was in the midst of a systems migration, and CUL was busy with other systems projects in 2021–2022. After some initial discussion in fall 2021, we followed up with CUL in fall 2022 and again in January 2023, to bring them up to speed with the project’s direction and expectations and level of work. The systems prototyping was done in the UF Florida Virtual Campus (FLVC) test environment and the University of Windsor (UW) test environment as UW had its own test environment, separate from the six shared test instances of the 18 libraries on Alma/Primo at the Ontario Council of University Libraries (OCUL).

The Ex Libris Alma (LSP) and Primo (Discovery) pairing was selected for the project because the vast majority of US ARL member libraries were using it (~80%–85%) and a significant number of CARL member libraries (59%) were also using it. Thus, if we came out with a documented implementation path for configuring these platforms, we could enable a large number of research libraries to be able to lend and borrow accessible texts across borders.

From the beginning, the work approach overall in the project has been practical. Using available technologies at hand already implemented in member libraries, the implementation focus for this project would leverage Library Services Platforms (LSPs) in place at partner member sites. Given the availability of partner libraries for the project, we recommended to the task force, and it was accepted, to focus on the Ex Libris Alma (Library Services Platform) and Primo (Discovery System). We would strategize, document, and do a test implementation of changes necessary to enable (1) description, (2) discovery and access,
and (3) resource sharing between the two libraries, one in Canada and one in the United States. One other decision that followed this general principle of practicality is that we would largely work within the MARC standard, instead of creating a new metadata schema (as the related FRAME and EMMA projects did) or do the implementation work in BIBFRAME. Importantly, both of the two partner libraries, York University (Ontario Council of University Libraries) and the University of Florida (Florida Library Virtual Consortium) were part of larger regional consortia, and it was hoped that seeding this accessibility work within the context of larger consortia would enable the implementation and metadata recommendations to be able to scale quickly to include many libraries.

In January 2023, Université de Montréal announced that it would like to join the project. This was an important factor, as they were on the OCLC Worldshare Management Services platform, and so extending the project to include them would add another LSP platform to be tested and documented. Unfortunately, OCLC had to do software modifications to properly do ISO ILL transactions, and this work wasn’t completed until June 2023, at the end of the project. We hope there will be another phase of this project to be able to work on their platform as well.

**York University Accessible Texts Platform: Papyrus**

The metadata committee had draft recommended MARC additions to enhance the descriptive, discovery, and access elements of finding and accessing accessible works in a catalog, and the FLVC group implemented three new metadata editor templates in the University of Florida (UF) sandbox, one for DAISY, one for EPUB 3.x, and one for PDF. These templates were recreated in the UW test database as well, as three test records for each library were cataloged in the test databases. This work was in place in both catalogs in July 2022.
Beyond metadata, there are several functional areas in any LSP that need to be used for a Marrakesh Treaty implementation. In discussions and meetings over the course of 2021–2022, we came up with the following functional areas:

1. **Fulfillment/Resource Sharing:** Lending accessible text in digital form has both circulation and interlibrary loan components. In almost all ways, a Marrakesh ILL to another library’s patron is similar to a non-returnable, such as a scanned journal article that need not be returned and the recipient may keep the article for personal research use indefinitely. In the case of Ex Libris systems, it’s possible to create resource-sharing links between Alma libraries and also via ISO ILL. Where an Alma Fulfillment Network (AFN) has been implemented in a consortia, this can serve to facilitate accessible text lending within a consortia. A final component in this area is the possibility of modifying the controlled digital lending (CDL) functionality and workflow in Alma.

2. **Discovery:** For the purpose of making it easier to find accessible materials in a catalog, we recommend that libraries create separate views of a collection that only include accessible material. In the UF and UW test environments, we created a new collection of records in each that included 341 MARC fields. This could also be added as a facet in the discovery interface that would limit holdings to accessible materials. This can then serve as a quick, local corpus of library materials available at the home institution to the print-disabled user. It is also possible to expose this collection to a specific ILL policy just for accessible material lending. In Alma, creating new Terms of Use for accessible materials, and then creating a new rule that associates the accessible collection with the accessibility patron group would be a preferred way to handle Marrakesh Treaty ILL requests as the workflow may have slightly different steps.

3. **User credentials and authentication:** Research libraries take a conscientious approach to copyright. In particular, CUL was concerned about their potential liability in providing digital rights management (DRM)–free digital copies of works to other libraries.
In discussing how the FRAME project was handling this issue, they rely on the home institution of the requester to place the request on the individual’s behalf, therefore doing a local verification of the individual’s need for accommodation, and protecting the institution from copyright liability. Ideally, a library will create a new patron group, load the names and credentials of the print disabled at their institution (working in conjunction with the Office of Disability Services, or Accessibility Office on campus), and limit access to the discovery view created above to library staff and print-disabled patrons from that institution.

4. **Acquisitions issues**: For the UF, their preference was to be able to purchase accessible texts from publishers and book jobbers directly. In some cases, depending on the license, the publisher may have to provide a DRM-free PDF or EPUB to the library. Depending on the library’s workflow, they may want to consider creating new portfolios of electronic materials that gather together all of the DRM-free commercially available accessible texts for easier tracking. In Canada, the commercial availability clause requires libraries to check to see whether a work is available in accessible format before a Marrakesh Treaty request/lend can be done. Until this constraint is addressed, Canadian libraries may need to also purchase DRM-free copies from publishers on behalf of their print-disabled users, and it may be an important consideration to track these separately in the LSP.

5. **Digital repository**: Because a library will be self-hosting many of the made accessible texts, either through commercial acquisition or local scanning and remediation, it is also necessary for participating libraries to have a closed digital collection in a digital asset management system or digital repository locally to store the digital accessible texts. If a library owns the optional Alma Digital component, they can leverage the Alma collection locations and patron groups to limit access to both the records and the digital files, which addresses some of the authentication issues, although in a proprietary way.
6. **A place to publish accessible records and holdings:** How does a library let other libraries know what accessible texts they have available for lending? Libraries need repositories to publish and maintain metadata and holdings for these works. In a consortial environment, this could be as part of the broader collective holdings of the consortia. Globally, this could mean being able to share holdings and descriptive metadata to places like the Accessible Books Consortium (ABC), OCLC WorldCat, or perhaps a shared repository for both digital files and their associated metadata for libraries that are collaborating on an accessible books service, such as the approach in the FRAME project.

The above made its way into documented Alma/Primo configuration changes in the summer and fall of 2022 (see Appendix 4.A and 4.B). This was made more generic and expanded to general prototyping requirements for any LSP/ILS and discovery system (see Appendix 4.C).

During the course of configuration and prototyping, we ran into several constraints that stopped our continued work. This project meant to use off-the-shelf, in-place systems and document workflows and configuration changes and also gaps in system functionality.

1. **Limits in the number of indexed fields:** Alma has a limit of 99 fields that can be indexed within a stand-alone or shared system. The FLVC consortia had already used up its 99 indexed fields and the only one in the metadata recommendation was the 341 field. If a MARC field cannot be indexed, it cannot be used in search parameters.

2. **Resource sharing:** Ex Libris does not allow for Alma-to-Alma Resource Sharing in test instances. A fall-back configuration would be to use ISO ILL. At the UF, they did not have ISO ILL set up, as they were using an external ILL product. More research and testing needs to be done in this area. It may be possible to indicate Marrakesh Treaty ILL requests/lending as non-returnables in OCLC Tipasa or other external ILL tools.
3. **Shared configuration policies in Network Zone:** UF would need to get agreement with all of the other FLVC members for metadata template, ILL, and Discovery changes, as they are set up for shared policies in their consortial Network Zone. Some of the required configuration changes at OCUL are also done in the Network Zone, including ISO ILL rota definitions.

Prototyping with University of Florida & Florida Virtual Campus (FLVC)

The systems team at UF and FLVC implemented some demonstration features in their sandbox prototyping, specifically:

1. A new index of items held in all formats that had a 341 field in the record
2. A new facet for limiting results to those records with a 341 field
3. A search scope, which is a defined subset of the catalog, that users can easily limit their searches to
The above demonstrate some approaches to easily implementing more accessible features in a widely deployed, commercially available library services platform.

**Recommendations for Library Services Platform/Discovery Vendors**

Influence Library Services Platform/Discovery Vendors to:

- Increase the number of indexable MARC fields to address complex consortial implementations that have exhausted available fields.
- Make resource-sharing configurations to be available in test environments at parity with production configurations, so this workflow can be fully tested pre-production.
- Enhance discovery of accessible works through community repositories of shared descriptive metadata and holdings.

**Recommendations for Research Libraries**

- Catalog with the MARC 341 field and make it visible.
- Implement a test environment that is available externally for testing accessibility features and configurations between partners.
- Ensure consortial networks are able to index the fields necessary for search and enable all the fields they use for display.
- Implement a new patron group for people with print disabilities on campus and incorporate regular record loading to be able to provide bespoke accessible services to these users most easily.
- Explore the Implementation of a closed collection of accessible works in a digital repository that can be used locally to store accessible texts acquired or digitized and formatted by the library, for local and lending accessible works under Marrakesh provisions.
- Implement a separate view of the catalog that only includes materials tagged with a 341 (and probably other) recommended MARC fields, and, if available, limit access to this view to the Marrakesh patron group.
Strategy and Operations Working Group

The Strategy and Operations Working Group, chaired by Katherine McColgan (CARL), was formed in spring 2021.

The purpose of the Strategy and Operations Working Group was to:

- Monitor the work of all committees and working groups related to the project.
- Recommend strategies to the task force to advance the work of the pilot project.
- Identity opportunities to communicate the work of the pilot project (such as conferences, publications, etc.).
- Ensure that all operational tools are in place to support the work of the pilot project (for example, websites, Google Drive, project management software, email lists, etc.).
- Develop and monitor communication strategies (such as formats, mediums, etc.).

The working group met regularly throughout the project to ensure that the work of the project was proceeding as planned, to share ideas and suggestions on ways to move forward, and, most importantly, to identify ways that the group could promote the work of the project and its findings.

Throughout the project, the working group became aware of a number of issues related to accessible formats that lie outside of the mandate of the pilot project. These will be brought to the attention of both associations to consider in continuing the important work of making materials readily available for people with print disabilities.

Strategy and Operations Recommendations and Next Steps

Recommendations for CARL and ARL:

- Follow through on the recommendations developed by the other working groups within their respective jurisdictions and/or jointly.
• Plan events, create online presentations/joint webinars for annual Accessibility Day (October) and other opportunities.
• Collaborate to create events (with, for example, ARL Diversity, Equity, and Inclusion Committee, others).
• Develop educational materials and toolkits that are practitioner-focused.
• Engage with NLS, ABC, DAISY, FRAME, and University presses to explore further collaborative initiatives.
• Review program elements from the Accessible Forum for possible action.
• Monitor events (Canada, US, and international) to present the Marrakesh final report.
• Explore US National Science Foundation funding for workshops (cross-sectoral research).
• Develop a framework for sustainability of the project outcomes.
• Develop recommendations for broader policy and regulatory structure for accessibility to guide CARL and ARL’s work (such as copyright, accessibility, etc. legislative and policy work).
• Advocate publisher responsibilities for born accessible materials.
• Develop a toolkit to support library implementation.
• Communicate about advances in accessibility policy and the Marrakesh Treaty in particular.
• Explore a national strategy for the retroactive digitization of print works.
• Create copyright/use guidelines for libraries.
• Develop a method for testing with beneficiaries outside of the university community.
• Use recommendations in this report to inform “Advancing Accessibility: A Framework for Canadian Library Initiatives.”
• Explore public libraries implementation through discussions with pertinent organizations (such as CULC/ULC).
Conclusion

The ARL/CARL Task Force on Marrakesh Treaty Implementation completed a successful three year pilot project. The task force identified the resources required of CARL and ARL member libraries to implement the provisions of the treaty. The task force uncovered the enormous complexity of providing accessible works to people with print disabilities, including institutional attention and commitment to providing access to collections and services, metadata for discovery of accessible works, library management systems for delivery of works, and authentication of beneficiary users.

The task force designed a pilot project that examined the metadata required, the system functionality needed, and the experiences of students using accessible format works. The work of the task force was possible because of the deep expertise that resides in top-level research institutions, and was committed to the project. The systems and services in CARL and ARL research institutions have accessibility features available, but without national or international standards, the ability for people with print disabilities to discover and use accessible format works across institutions and international borders will remain unfulfilled. The task force found that a commitment to focus on providing access to works in accessible formats requires commitment at the highest level of the organization and to providing the resources to work locally, nationally, and internationally to equalize access.

Two task force members, Judith Russell and Merideth Fletcher, have written eloquently about a possible future. Judith Russell recognized the leadership of ARL and CARL, and the knowledge and networks that the metadata, systems, and legal experts brought to the project, and the benefit the project will have for all libraries, including smaller and less-well-funded institutions. Merideth Fletcher’s statement, “Delivering equitable access to users of alternate formats is a huge task, and one that must be shared broadly to accomplish great things,” captures the essence of the ARL/CARL Marrakesh project; the project considered the needs of the users, the metadata and systems required for discovery
and delivery of resources, and the broadest communication and sharing of the results of the pilot project for maximum benefit. The recommendations of the ARL/CARL Task Force, if implemented, will go a long way in improving access to accessible format works for scholars nationally and internationally.
Appendix 1—Task Force and Working Group Members

ARL/CARL Task Force on the Marrakesh Treaty Implementation

Victoria Owen (Chair), CARL/ARL Visiting Program Officer (VPO) for Marrakesh Treaty, Information Policy Scholar-Practitioner, University of Toronto

Gerald Beasley, Former Carl A. Kroch University Librarian and Vice Provost, Cornell University (2020–2022)

Pascal Calarco, VPO for Marrakesh Treaty, University of Windsor

Julie Cardinal, Directrice, Soutien à la réussite, à la recherche et à l'enseignement, Université de Montréal

Greg Cram, Associate General Counsel and Director, Information Policy, New York Public Library

Merideth Fletcher, Manager, Metadata Sharing, Library and Archives Canada

Susan Haigh, Executive Director, Canadian Association of Research Libraries (CARL)

Joy Kirchner, Dean of Libraries, York University

Katherine Klosek, Director, Information Policy and Federal Relations, Association of Research Libraries (ARL)

Katherine McColgan, Manager, Administration and Programs, Canadian Association of Research Libraries (CARL)

Lisa O’Hara, Vice Provost (Libraries) & University Librarian, University of Manitoba

Chris Oliver, Head, Metadata and Processing, University of Ottawa (retired August 2022)

Judith C. Russell, Dean of University Libraries, University of Florida

Judy Ruttenberg, Senior Director, Scholarship and Policy, Association of Research Libraries (ARL)
Beneficiary Working Group

Katherine Klosek (Chair), Director, Information Policy and Federal Relations, Association of Research Libraries (ARL)

Gerald Beasley, Former Carl A. Kroch University Librarian and Vice Provost, Cornell University (2020–2022)

Pascal Calarco, VPO for Marrakesh Treaty, University of Windsor

Katherine McColgan, Manager, Administration and Programs, Canadian Association of Research Libraries (CARL)

Victoria Owen, CARL/ARL VPO for Marrakesh Treaty, University of Toronto

Judy Ruttenberg, Senior Director, Scholarship and Policy, Association of Research Libraries (ARL)

Metadata Working Group

Merideth Fletcher (Chair), Manager, Metadata Sharing, Library and Archives Canada

Pascal Calarco, VPO for Marrakesh Treaty, University of Windsor

Haiyun Cao, Director, Metadata, Discovery and Access, York University

Julie Cardinal, Directrice, Soutien à la réussite, à la recherche et à l'enseignement, Université de Montréal

Greg Cram, Director, Information Policy, New York Public Library

Chelsea S. Dinsmore, Chair of Resource Description Services, University of Florida

Mélanie Dumas, Directrice de la collection de la Grande Bibliothèque, Bibliothèque et Archives nationales du Québec (BAnQ)

Katherine McColgan, Manager, Administration and Programs, Canadian Association of Research Libraries (CARL)
Chloe McLaren, Metadata Librarian, Cornell University

Chris Oliver, Head, Metadata and Processing, University of Ottawa (retired from the University in August 2022)

Victoria Owen, Special Advisor on Information Accessibility, University of Toronto

David Van Kleek, Authorities/Identities Librarian, University of Florida (retired March 2023)

**Resources**

Senior Librarians at Library and Archives Canada for metadata expertise and analysis and secretarial support: Claire Banton, Jim Clark, Hong Cui, Andrew Dunnett

**Systems Implementation Working Group**

Pascal Calarco (Chair), VPO for Marrakesh Treaty, University of Windsor

Haiyun Cao, Director, Metadata, Discovery and Access, York University

Daniel Cromwell, Systems Specialist, Florida Virtual Campus Library Services

Tuan Hguyen, Manager, Library Information Services, York University

David Van Kleek, Authorities/Identities Librarian, University of Florida

**Resources: Florida Virtual Campus Library Services**

Chrissy Cogar, Public Services Systems Specialist, FLVC

Wendy Ellis, Director of Integrated Library Systems, FLVC

Cheryl McCraw, Library Services Consultant, FLVC

Clayton Tucker, Library Services Systems Specialist, FLVC
Strategy and Operations Working Group

Katherine McColgan (Chair), Manager, Administration and Programs, Canadian Association of Research Libraries (CARL)

Pascal Calarco, VPO for Marrakesh Treaty, University of Windsor

Katherine Klosek, Director, Information Policy and Federal Relations, Association of Research Libraries (ARL)

Victoria Owen, CARL/ARL VPO for Marrakesh Treaty, University of Toronto
Appendix 2—Beneficiary Focus Group Questions and Transcript

Beneficiary Focus Group Questions

The Beneficiary Working Group held a focus group with students from York University. The questions that guided our discussions are below.

1. Under what circumstances do you most often search for works in accessible formats?
   a. Prompt: Circumstances may include fulfilling course requirements, leisure reading, independent research, or other scenarios

2. Describe your process searching for works in your preferred accessible format. Do you start with the library, office of disability services, or somewhere else?
   a. Describe your experience searching for works in your preferred accessible format.

3. What challenges do you experience in searching for works in your preferred accessible format?
   a. Prompt: Challenges may include accessing certain elements like data or tables; lack of metadata describing accessible elements; being asked by your institution to purchase a copy of a work for your institution to make accessible; books unavailable in my preferred format

4. What would be helpful in your search?

Beneficiary Focus Group Transcript

Under what circumstances do you most often search for works and accessible formats?

- **Text chat:** When I need to for class or research.
- **Text chat:** Readings and research.
- **Text chat:** Course readings and research purposes mainly.
- **Text chat:** I previously had an undergrad in PoliSci so all my
readings were provided by library accessibility services to assist with transcribing my paperbacks into PDF.

- **Speaker 3:** Because I have trouble reading texts, because I fall asleep, I get bored. Like I need audiobooks to stay engaged. And I think it is good to say that I would like to have access to more books than is just on the reading list, because I might need to read other stuff. So while I’m in school, I benefit from access to as much books as I can get so that I can stay on top of stuff. I think that’s the verbal answer. Yeah. So I’m constantly depend...I’ve been dependent on all the PDF that I’ve gotten. Because yeah.

**Will you please describe your process, searching for works in your preferred accessible format, though, like what is the actual process you go on?**

- **Text chat:** Online mainly via email or York University Library or in person.
- **Speaker 3:** My process is pretty easy. You know that I, because but this, basically, if I have a book I want, I emailed the title to transverse or something like that, I think the person’s name is Claudio, I think, amazing individual, within, like, two or three days, I get the books back (chef kiss), then I have the PDF, and then I take the PDF, and I give it to a OCR, or some kind of program that can read texts to me, then I dance with it. But yeah, things have been very streamlined because of the support that you’re provided. So if I have the title, and the name, and it’s in the York library, I get it. And I just wanted to verbally say that, I appreciate that.
Anyone else—what is your process like? Including, like, where do you start? I know you had mentioned your point of contact, do you start with the library or the Office of Disability Services or somewhere else? Like, how do you navigate the system?

- **Speaker 3:** Oh that’s a mess, you have to, like, get actual permission. So I have an advisor for my accessibility stuff. And then we did this whole thing where you have to go through the process, but each individual who has an advisor gets taken through the process, so I’m not sure how much, but it is a process. And once that process is done, then it’s smooth. But that process is a thing. I don’t even remember. But I know that it required a lot of forms and meetings and stuff, but after, like, the first few months it was over.

**What I’m hearing is that the entry to having access to the actual process of getting the accessible materials is really the challenge, not the process of getting the accessible materials itself in many cases.**

- **Speaker 3:** because there are gatekeepers, so you need the gatekeeper to let you in. Once the gatekeeper let you in and you got that email address. (chef kiss)
- **Speaker 2:** Can I sort of share it as a question to please? Um, because my process is the same, but I just have more issues maybe with, like, what is it, like audio recordings, or something because I feel like I always need, like, a note taker to make sure I understand every single word. Like I need, like, I would say, like, captions, because they’re always on, like, zoom. Or like, other, like, video, software, but I just don’t know how to, you know, like, get, like, captions available or something like that.

**Any other notes around process?**

- **Speaker 3:** I didn’t know you get access to audiobooks. I’m jealous. Is that a thing? Because I’ve just been working with PDF and computer voice. Yeah. So that’s the thing. I’d like human voices sometimes.
What challenges do you experience in searching for works in your preferred accessible format?

- **Speaker 4:** Okay, so I’ll be quite specific. So there’s two aspects to this one is, generally speaking, the services are geared towards undergraduate students, and they’re the largest body so it makes sense. As for graduate students, it’s been more difficult, both because of the material that’s being accessed, and secondarily the volume. So that’s a different word, especially doctoral candidates like myself. So I’ll be very specific issues are getting texts that are out of print. Once a text is secured, whether or not it’s able to be digitized, so problems are tight binding, weak or fragile spines. Or if the texts come from special collections or rare books, or if they include answers such as acetate slides, certain micro films are not being shipped across or are not accessible. If dissertations have not been digitized, there’s usually a cost that’s unclear who you would ask to have that done. So in general, we are speaking in English, so the majority of the material is going to be in English. But if you’re accessing it in other languages, like French or Spanish, it’s not as accessible, let alone the fact that non-Latin-script texts are even less so. So that’s just a very short list, but it’s good enough to get the point across.

Any other notes on experience?

- **Speaker 3:** Yes. I will say not every book that I want is available. And sometimes that is unfortunate. I’d say it’s about an 80% chance the book is a yes. The newer the book, the dicier it gets. But um, yeah. But in terms of experience, it’s hard for me to like, I mean, it’s my personal experience as I have a PDF now and I gotta make that work, you know what I mean? Like, I don’t really think my personal process is that interesting to, to you outside of get the book.

- **Speaker 3:** I imagine if I didn’t have, like, a good mouse game, like, this process is really smooth if you’re good at the internet. No, I mean, because it’s all done through email, and links and sites and stuff like that. But if you, I don’t have, like, really strong mouse or internet game,
I don’t know how—I’m assuming each individual has to set up their process uniquely. But I will say I think the books expire after a couple—like two semesters—and I’ve had to oftentimes ask the people to be, like, can you give me my books back? If not, it’s like, yeah, so because if I’m doing research... I’m saying, I would like to have more time with the books that I’m given, just so that I’m clear that the thing that I’m asking for, I’d like to have more time and not to have to ask to get the books to be read.

• **Speaker 4:** Just to add on that, so generally speaking, it’s cumulative knowledge. So you need some of the earlier texts to refer to them when you’re doing studies later on. So if you no longer have access to those texts, you don’t have that cumulative knowledge. The other thing I would like to add just in my experience as well is the red tape when it comes to copyright in the terms of periodicals. So for example, in my research, they had a special edition for a journal, where all the articles are relevant to my research. However, I could only request one period for my entire career as a student. So how am I supposed to do my research when every article is necessary? And it’s an older journal? So it’s not available online?

• **Joy Kirchner:** May I ask a clarifying question, Would that be okay with you? I mean, that’s fascinating. And just so that everybody knows here because we have some American colleagues with us—the Canadian copyright laws and provisions under what we call fair dealing are more restrictive than in America. So it’s really interesting to hear your point of view and I was just curious if the journals that you wanted copies of—was it the entire journal, and then you were only allowed to have one article from that volume?

• **Speaker 4:** Yes. In my field, each issue tends to have a general theme. It’s usually based on a conference. So all the conference papers are then published in that issue. So you, you would need
all of those articles, or let’s say, eight out of ten, or even six out of ten articles, but you only have access to one. And there isn’t a limit to, you can only ask for one a month or one a year, it’s once you’ve asked for one, that’s it, you can’t have any other article from that journal issue.

- **Joy Kirchner:** I mean, we’re hoping this Marrakesh Treaty might help with some of that. So that’s really great feedback. Thank you.

**Any additional items, you’d want to lift up about challenges or details you’d like to fill in?**

- **Speaker 4:** I do have some, yeah. If you’re doing research, oftentimes, you don’t know if you need the book until you look at it. So you, you know, you have to go through the entire process, get the entire book, and then you realize, I don’t need this, or I do need this or this is the wrong edition, or this book now tells me I need another book. Even just access to the table of contents or the index, and things like that would help. But generally speaking, that’s the biggest hurdle is knowing what you need.
- **Text chat:** When I first started at York I didn’t even know about transcription services. It was only when I was in therapy was I informed of the facilities.

**What would be helpful in getting you to be able to find the formats and the resources that you need?**

- **Text chat:** Perhaps transcriptions can be more publicized.
- **Speaker 3:** Remember that amazing person that I was talking to you about? I never met them. And it might have been cool to, like—because of COVID, probably, but whatever—it might have been cool to have a conversation with people in their first semester about this process, like a meeting with all so that you can tell us because there’s probably things and things that I could have access that I don’t know about, because I never met with the person who was helping me, you know what I mean? And I think it’s really important to have a conversation between the helper
and the helpee, to be, like, how do you work best? How do you work best and to have that done early, early, early, early, early, you know? So yeah.

- **Joy Kirchner:** I guess I heard a little bit about human connection and how critical that might be in your experience.

- **Speaker 3:** Yeah, my experience because it was, I started during COVID. And it was pretty much a remote experience. So I don’t know how it compares, or how much my data fits the dataset, because we’re in an awkward or interesting moment. But um, if I imagined, if I wasn’t good at computers, it would be difficult to swim in the computer waters, you know what I mean? So that’s something that I think you all should just consider, like, and even consider before you meet the humans, you know what I mean, like, what about these humans who aren’t good at computers? And just try to create lanes that are comfortable, because you don’t need somebody, like, to come in with the issues to tell you what the solutions are, you can already assume what the challenges could be and build the bridges, right? Like, you know, it’s simple, but takes resources.

- **Speaker 4:** I guess because we have to state the obvious, I’ll just confirm everything you put in the question in that list. So yes, being told that your institution has to buy the text, or in some cases where it might not be a traditional academic publisher, it might only be available online. And so even if you do reach out to other libraries, they don’t have a copy. On the other issue, so I’ll give you personal experience between York University and University of Toronto. So I’d say maybe back in 2007, I’m dating myself a bit. At U of T, they didn’t have a policy where they could just scan a book that’s in their own library, you’d have to purchase every single book, and then they would rip off the spine, put it through a speed scanner, and then put it out for you. And so you literally have to buy the entire library, just to access what every other student can access just by going and taking a book off the shelf. So that’s obviously unhelpful. One of the reasons why I transferred to York, which does a much better job, if it’s in their
collection, they do their best to get a digital copy for you. The only thing I can think of where they did have an advantage is that they had this special camera where they can take a picture of certain texts where the spine is fragile. And so I think it’s a glass on both sides. And then that way they can take the picture and so someone who’s doing—so I’m in the humanities—so a lot of the texts that I use, the books are fragile and so unable to scan so I’ll often get “can’t scan, spine is fragile.” And so you’re left, you know, scrambling using paraphrases from secondary sources, if you can’t actually access the original content, which makes you a poor researcher, if you can’t access primary sources, or older texts.

- **Joy Kirchner:** It’s fantastic to hear your point of view. I’m just, I’m assuming, as a humanities researcher, it’s very important for you to see the entire container that the text is within. So to see that kind of visual of the original, fragile archive, or book.

- **Speaker 4:** It doesn’t have to even be a fragile, rare book, it’s just a book published from 1956 that hasn’t been kept properly, or that’s been used quite often. And so I have books from the ’70s that they’re just secondary sources. Or texts that are secondary sources have, but they contain images of primary sources, for example. And so because the spine is fragile, and it’s out of print, you can’t scan it. And so they would just scan that just to get it. So I think U of T put up a lot of text on archive.com using that camera. So that’s more what I’m talking about a lot of the older stuff from, you know, early 1900s or late 1800s Those texts, but even something from the 1970s, which it’s maybe yeah, one of the texts was, I think, a 3,000-page book. And because it’s so heavy, the spine is you know, it’s been worn and you can’t scan that. But yes, to your point, seeing the, if you are dealing with a rare manuscript or a document, it doesn’t even have to be that old, it could just be a rare document and of itself. And being able to access that. So able-bodied people can, can, you know, maybe use a magnifying glass or you know, squint to look a little bit closer at the text, and they’re able to do their work. Whereas for someone like myself, that’s not possible. And even then, if you do get a scan,
the scans are not perfect, or they have corruptions and you don’t have the original text. Sometimes actually, this happens often. Where if it’s, the borders get cut off, because the spine is too tight. And so you can’t get the last few letters. But if you’re there, looking at it physically, you can, you know, turn your head to the side, put in the right light and then and then get the last word that’s there, which you cannot do if it’s scanned.

Is there anything related to our conversation that we did not discuss but you feel was important?

• **Speaker 3:** Sharing books, like the texts go out of the way to be like “do not show this to anybody or else, like, not at all.” And I was just thinking, like, if I was not, if I didn’t need these services, and I took a book from the library, I would theoretically be able to pass it to another human being for them to read it. So the energy behind saying “do not share” is a little bit weird, I just wanted to share that. And the other thing is, like, new books. I’d like to have, like, some kind of allowance to be, like, cause I don’t know if there’s any wiggle room to get books that are physically owned by the library, but not scannable.

• **Joy Kirchner:** Really appreciate those comments, they’re giving us some really good information for advocating a different copyright conversation with our, with our government officials. So thank you for that. Particularly those restrictions around copyright issues.

• **Speaker 4:** Well, just to build on that, if you need someone to help you with the text, right? Where technically, where does that fall? Right? If the person is a reader, if the person’s helping you, you know, technically you’re sharing it with that individual. But they’re aiding you. So, you know, what’s the jurisprudence on that?

• **Speaker 3:** And also, like, you can’t really stop me. So, like, why are you threatening me? Like, stop lying, what are you going to do?!

• **Joy Kirchner:** I don’t know the answer to your, to your question about the reader. That’s when I have to go back and figure out, but
to your point, you know, there’s so much about due diligence and protection. And the experience is really what we need to hear so that we can advocate differently.

This is kind of the last call for any comments that you want to put into the space.

- **Speaker 3:** I think if there could be more support around the tech—like after I have the book, I have a lot of experience with using adaptive technologies. I’m cool with it, but it would have been better or optimal If there was more, I want to use the word “hand-holding” even in, like, navigating the tech. You know, I mean, because, like, even, they gave me a Kurzweil license and some PDFs and said, alright, now you’re gonna be it. And it’s, like, okay. You know, I mean, like, it would have been. So I think if you can, I don’t know if you have resources here, but it would have been, it’s a help.

- **Speaker 4:** Oh, one last point. Text with, with pages missing. So that’s an issue. And also people tend to mark in the text, which is not very respectful, it’s poor etiquette, but that corrupts the copy that’s being scanned. So if you’re trying to read it from audio, that’s just not going to work. And even certain formats, such as tables, footnotes, and whatnot, it doesn’t read it properly. So that’s also an issue, actually. Yeah, so footnotes, endnotes. That’s another section that isn’t given much thought either.

- **Text chat:** I’ve seen people who have access to transcription services be bullied by people who do not, to get the people with access to get digital copies to be shared with others—perhaps training to deal with peer pressure can help.

- **Text chat:** Getting bullied for books is a shame. “Pressure,” “requests,” but not exactly “violence.”

- **Speaker 4:** I can second that. So in particular, one text just wasn’t available online. And it was, of course, text. And I had it while I was, I had it on my laptop in class following with the professor. And, you know, people can look over your shoulder. It’s a very
uncomfortable conversation to have, when you have to tell them, No, I can’t share with you. There’s an implication there, what kind of person you are, if you don’t share. So that’s something that other students don’t understand.

- **Speaker 3:** I will say though, and this is in defense of the bullies, books are hella expensive. And sometimes people don’t understand the difference between asking somebody for something and bullying, right? Like, if, if I asked a student can you give me that book, right? I don’t think I’m being bullied, right? I might just be begging for a book. But if I’m intimidating and my energy is aggressive, and the person who has the book is sensitive or not really feeling like having that uncomfortable conversation, then it’s going to be perceived as bullying, but it might not be, like, hey, give me this PDF or I’m gonna take your lunch money it might just be, like, can I borrow the book please, like repeated asks. And in a world where books are expensive you can see the climate where those who are trying to save money would try to cut corners by pressuring students so I just wanted to frame it from that standpoint too because how we perceive it as the bullied and how the bully imagines their behavior might not necessarily be the same. You know, but it definitely is a thing that happens for sure. Like yeah, and we do need help with it.

- **Joy Kirchner:** Sounds like you’re maybe being put in a position to have to explain something you don’t want to explain.

**How would you define or describe the differences between awareness and interactions and some of those pieces of the experience?**

- **Speaker 4:** I don’t think there is any awareness. It’s, it’s not advertised, it’s not broadcasted, it’s not a policy that—so you did a land acknowledgement at the beginning of the session. So there isn’t anything that when students are inducted to university, that they make clear that if you see the situation, this is someone who has access for certain reasons. And so it comes out then at every class you’d have to explain, either nonverbally, by the way you’re
practicing having to access the material with your classmates, or having to explain it, if there’s group work or if even the professor is not understanding of the situation.

- **Speaker 3:** And people are jealous. I’m not gonna lie to you, like, books ain’t cheap. I think there’s, like, not only there’s not a total not understanding because it’s never discussed. But also, like, once they do find out that I think I imagine this jealousy or, like, because wouldn’t it be cool if in your tuition was also the books that you needed for your course, like that would be kind of cool. In our situation, it’s kind of like that in their situation, it’s not.

- **Speaker 4:** I would push back on that, because they can still access the copy and reserve. They do have access to the physical copy. So basically, what we’re doing is getting the book on reserve. Okay, so it’s the exact same access that they have. It’s not a question about money, they can go to the library, they can sign it out. Yes, for a short period. But we also have a short period, as you mentioned earlier, there’s a limit to how long you can have it because of copyright issues. So it’s, I would push back on that narrative that it’s, we’re getting a free pass, or anything like that, or things are expensive. They can go to the library and check it out.

- **Speaker 3:** I hear what you’re saying. But I just want to be clear that I’m not saying we’re getting a free pass. I’m actually just saying books are expensive. And I think but yeah, like, and that’s, but I do hear what you’re saying. And I agree with you. But I will also say, like, as a human being that’s a bit of a germaphobe or whatever, the idea of me not having to touch, like, a book that’s been touched hella hella hella times, I’m also grateful for that. You know, so, like, they can go to the library, it is comparable. But I do recognize that there is benefit to digital.

**Anything else?**

- **Joy Kirchner:** I’m just so grateful for the range of feedback we’re getting, because I’m hearing that there needs to be more attention on accessibility needs in our EDI—our equity, diversity, and inclusion work. That’s really struck me, so thank you very much for that.
• **Judith Russell:** And I would like to add to that as well. It’s just been so helpful to hear this and I think the point that he made about we all have perceptions about it, and even anecdotes, but the focus group provides us with much greater attention, and you’ve brought up some very interesting details that we will definitely want to follow up on as we move forward with how to implement this treaty in a way in a way that actually is as beneficial as possible to the beneficiaries. Your time is valuable for yourselves and for others who will be benefiting from the implementation of the treaty.

**Written Submission by Anonymous Beneficiary A Who Was Unable to Participate in Focus Group**

1. Under what circumstances do you most often search for works in accessible formats?
   a. Prompt: Circumstances may include fulfilling course requirements, leisure reading, independent research, or other scenarios.

   Either as an alternative format for content studied for courses, or for research (I started with a MA, and am now a PhD student). Occasionally for independent research when I prepare for research trips.

2. Describe your experience searching for works in your preferred accessible format. Do you start with the library, office of disability services, or somewhere else?

   I am looking for material that I can read with my digital converting or reading tools. I start with the online library, looking for PDF or e-book formats that I can download (either chapter or book or article), and if I don’t find them I reach out to the Library Accessibility Services. My contact there has always been very useful, trying is best to find what I needed.
I have also looked at videos with transcriptions. For this format, it is a bit more difficult, but I am quite good at finding my way in the multiple libraries. The Library Accessibility Services have helped me find the right contact for other formats.

3. What challenges do you experience in searching for works in your preferred accessible format?
   a. Prompt: Challenges may include accessing certain elements like data or tables; lack of metadata describing accessible elements; being asked by your institution to purchase a copy of a work for your institution to make accessible; books unavailable in my preferred format.

Mostly books unavailable, but sometimes the format available is a scanned version that cannot be read by my tools.

Also, it is rare to find transcripts for videos that are not available on YouTube.

4. What would be helpful in your search?

Right now, I search on the mail library website, and send the link/reference to accessibility services to request an accessible format by email, then it is delivered on another platform.

What could be useful is to have everything centralized, for example to search on the mail library website, have a button to request accessible format (that could be available/activated only for the students who are approved/who need it, since we have a profile per student), and when it is available, the accessible format can be accessed from the profile menu, for example. Then in this menu there would also be an option to request content that is not listed in the main library, instead of sending an email.
Also, it would be great to have other formats than books available through the Library Accessibility Services, without having to search in multiple other places.

5. Is there anything related to this topic that was not covered by the questions but you feel is important?

I have noticed that for fellow students who are deaf it is really difficult to get interpreters to accompany them in their research. I wonder if there could be a service part of accessibility services that could request an appointment with ASL interpreter pretty quickly, which would require a partnership with an ASL company or even better, with the ASL course leaders at York.

6. Are there any comments?

This goes a bit further than simple academic research but my research is about professional musicians with disabilities, and I lead adaptive instruments and voices workshops. I sometimes try to find Braille scores. This is another accessible format that is uneasy to find. I work with CNIB outside of York but it takes weeks to order one score. I wonder if there would be opportunities to find an efficient partnership.

More generally, how can we create more partnerships between accessible services and outside companies providing accessible services?

A last comment: thank you so much for leading this study, it is very important!

Written Submission by Anonymous Beneficiary B Who Was Unable to Participate in Focus Group

1. Under what circumstances do you most often search for works in accessible formats?
   a. Prompt: Circumstances may include fulfilling course requirements, leisure reading, independent research, or other scenarios.
The only circumstances I would most often search for works in accessible formats are by fulfilling course requirements or to have the material read back to me, so I can try and memorize it a lot easier (for example, when studying for an exam or presenting a monologue).

2. Describe your experience searching for works in your preferred accessible format. Do you start with the library, office of disability services, or somewhere else?

In terms of my experience searching for works in PDF accessible format, I usually start with emailing Claudio Iacoe to see if he has copies of my textbook available. Otherwise, York Libraries is my next stop if he doesn’t have what I’m looking for on file (or the most updated version for that matter).

3. What challenges do you experience in searching for works in your preferred accessible format?

   a. Prompt: Challenges may include accessing certain elements like data or tables; lack of metadata describing accessible elements; being asked by your institution to purchase a copy of a work for your institution to make accessible; books unavailable in my preferred format.

   The challenges I experience in searching for works in PDF accessible format are finding the most updated versions according to what my professor requires us to purchase. When the physical book is sold out at the York University Bookstore, I’d be forced to buy the online version (it’s cheaper). Though, for my reference, I like to have a digital PDF on hand to access it on all my devices (my phone, tablet, or MacBook).

4. What would be helpful in your search?

I think the one thing that would be helpful in my search is understanding when updated versions of a specific book are available, although it’s hard to satisfy everyone.

5. Is there anything related to this topic that was not covered by the questions but you feel is important?
I don’t think I have any other questions related to this topic that I’d like to address but thank you for conducting this written focus group submission with me.

6. Are there any comments?

Comment: I appreciate the work that Claudio and the entire York University Libraries team does to make accessible PDF formats available for people like myself while taking specific courses at York University.
Appendix 3—Library Director Interview Questions

Library Director Interviews

The questions that guided our conversations with Joy Kirchner and Judith Russell are below:

- What are some of the reasons you decided to participate in the ARL/CARL Marrakesh Treaty Task Force? Was there a particular problem you are trying to solve, a personal experience or encounter, that resonated?
- What barriers do you anticipate the task force may help you address?
- What policies and processes do you currently have in place on campus to serve beneficiaries with print disabilities? This may include accessibility policies, staffing, communications with beneficiaries, coordination among offices, etc.
  - After: What has changed since the pilot project / joining the task force?
- Besides the library and disability services officers, are there other stakeholders you work with to provide accessible materials on campus?
- Have you had experience interacting with people with print disabilities? If so, how do you interact with Marrakesh beneficiaries, and what have you learned from them?
  - After: Has that changed since the pilot? If so, how?
Appendix 4—Systems Implementation Additional Information

A. Marrakesh Treaty ARL/CARL Implementation Pilot: Prototyping with Alma and Primo

About 80% of ARL member institutions use Ex Libris’ Alma and Primo in 2022, so it seems like a good opportunity to use these widely deployed tools to prototype against, configuring and assessing how far we can get with using vanilla functionality that Alma and Primo provide. We will document any gaps in functionality, and also dialogue with the vendor to address these gaps for the future, or get alternative approaches using Alma and Primo to enable lending of accessible materials between US and Canadian ARL/CARL member libraries on behalf of beneficiaries affiliated with their institutions.

We have been working with the premium sandbox at the University of Windsor (part of Ontario Council of University Libraries), and the premium sandbox for the University of Florida (part of Florida Virtual Campus). We are seeking another ARL partner to work with the project because of some configuration limitations we’ve discovered with Florida’s configuration:

1. FLVC makes their configuration at the network level to ensure all member libraries have the same search and display configuration. They are unable to make configuration changes at the institution level
2. Because of this, their custom search fields have been entirely used (there are 99 custom field definitions possible), so they cannot index the 385, 506, and 540 MARC fields for the prototype configuration, which limits our ability to test these out.

So, we are searching for a second Alma-Primo ARL member library to add to the pilot prototyping, preferably one that is not part of a consortium, and who can make configuration changes in their premium
sandbox at the institutional level. The timeframe for this work and testing is fall 2022 to early winter 2023.

**Background:**

https://docs.google.com/document/d/1F9KpSX7167illiMhhwPErokDox5dVE-PtIpmP9sy_Dk/edit#heading=h.3ywnhiglxlf

**Requirements for Alma-Primo Pilot Prototyping**

1. Institution has a premium sandbox (PSB) to test with.
2. Institution can provide someone who has expertise with their Alma and Primo configurations for the project.
3. Institution does not do their PSB configuration in the Network Zone, if they are part of a consortium.
4. Institution has free custom search scopes (maximum is 99) to index the following MARC fields: 341, 385, 506, 540 for search and display
5. Institution is willing to implement new DAISY, EPUB, and PDF Marrakesh MARC templates and catalog a few sample items.
6. Institution is willing to work through configuration steps with Windsor and Florida, documented here.
B. Alma Configuration for Marrakesh Treaty

Timeline: June–August 2022

1. Implement three new MARC21 record templates for DAISY, EPUB, PDF.
2. Add new Marrakesh Library (MARR) so that restriction can be scoped appropriately.
3. Define new location for Marrakesh items.
4. Define new patron category for local Marrakesh patrons.

5. Define new patron rules for local Marrakesh patrons, providing access to new location and excluding all others.
7. (Optional) Define digitization request feature for local items.
8. Load local Marrakesh patrons into new patron category.
9. Create one record and digital object at both Florida and Windsor for one each of DAISY, EPUB, PDF.

**Primo Configuration for Marrakesh Treaty**

2022-07-11

1. Configure new restricted access view to new local Marrakesh patron category only.

![Restricted Search Groups](image)

2. Configure new open access view to Marrakesh item records that hides 856 links for external searching and in local/network zone records.
3. Configure new facets for new views.
4. Advanced Search tab: add lds69 (Accessibility Content) as a search index.
5. Brief results tab: Added a local facet for lds60 (Accessibility content) in the second position after Availability.
6. Full Record Services: #4 Record details: configured full record display fields so that lds60 (Accessibility Content) displays.

**Other Items**

1. Discuss indexing needs for OCLC WorldShare Management Services (WMS) (TBA).
2. Primo facets for 341, 385, 506, and 540 fields. Note: in Primo VE, this is limited to ten; we may need to group 341 and 385 for facet and search; library-defined fields; 341 has this configured already.
C. Design Features for Marrakesh Treaty Prototyping

2023-01-09

Background

The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired, or Otherwise Print Disabled came into force in Canada on September 30, 2016, and the United States of America acceded to it on May 8, 2019. It will be referred to hereafter as the “Marrakesh Treaty.” The treaty is the first WIPO treaty that focuses on users’ rights and includes mandatory copyright exceptions to permit the copying and distribution of works. WIPO estimates that less than 10% of the world’s published books are available in accessible formats making this treaty a very important step towards improving equitable access.

A patron of a library who has been verified as having a visual disability (blind, low vision, otherwise print disabled) is considered a beneficiary, and is eligible for benefits in any of the countries that ratified the Marrakesh Treaty. These benefits for beneficiaries are articulated by respective countries: United States of America and Canada.

The ARL/CARL Marrakesh Treaty Library Implementation Task Force has been prototyping a potential solution path for making, describing, requesting, and lending of accessible versions of texts and talking books using Ex Libris’ Alma and Primo discovery platforms. This document will articulate our approach to using stock features in the Ex Libris products which may also be implementable in other Library Services Platforms, such as Folio, OCLC WorldShare WMS, and Innovative, (amongst others).

Principles for Marrakesh Treaty Fulfillment: USA and Canada

1. Accessible textual materials should be provided to a beneficiary in a digital format that is open and unfettered by Digital Rights Management or other copyright circumvention prohibitions, as such features can inhibit their use by the beneficiary.
2. Textual materials are ideally provided in one of the following common accessible formats for digital text:
a. **EPUB 3.x:** Accessible texts should pass validation with the DAISY Consortium’s [ACE EPUB validation software](https://www.daisy.org/technical/standards/ace/). The current version of EPUB is 3.2 (2019).

b. **DAISY Audio Book:** The DAISY Consortium provides a specification for creation and packaging of audio books, which are widely supported by accessible spoken reading devices used by beneficiaries.

c. **Portable Document Format:** ISO 32000-2 2020 is the current specification for PDF 2.0, developed and maintained by Adobe, Inc. The W3C provides [recommendations for making PDF accessible](https://www.w3.org/TR/past/2008/REC-accessibility-faq-20081211/) and conformant to the [WCAG 2.0](https://www.w3.org/WAI/intro/wcag/) standard. Creation of PDFs should take into account these recommendations and tools to create accessible text in PDF.

3. Cinematographic works are specifically excluded from the Marrakesh Treaty. Consider which exceptions you may rely on to lend film and video in accessible formats according to your country’s copyright laws.

4. Loaned materials do not need to be returned to a library from a beneficiary. They are free to keep the copyrighted work forever, with the provision that the work is for the sole use of beneficiaries.

5. Libraries acquiring born-digital texts in EPUB or PDF from a producer or publisher should ensure that the work in question meets accessibility requirements for the format, outlined above.

6. Libraries providing copyrighted materials to beneficiaries need to ensure that the material(s) is/are only available to confirmed beneficiaries through system access and control.

7. Patron privacy is also tantamount, and libraries should pay attention to ensuring the status of being a beneficiary is kept confidential.

8. Once an accessible version has been created, the library, as an Authorized Entity (AE), can lend copies multiple times to any beneficiary, or to the beneficiary’s home library. The definitions for AE are articulated in the country questionnaires in the second paragraph of “Background,” above.

1. Create a distinct patron group for verified beneficiaries at the institution and load these as a regular patron feed, in tandem with the Disability Support Office, Office of Accessibility, or other campus service that provides services to people with a print disability.

2. Implement the experimental MARC21/RDA templates that the ARL/CARL Marrakesh Treaty Metadata Committee has articulated for creating bibliographic records in the LSP. One template should be created for each of EPUB, DAISY, and PDF formats.

3. Create a distinct collection for bibliographic items and holdings in the LSP for Marrakesh descriptive records.

4. Based on one of the MARC field codes for accessibility information, such as 341, create two dedicated indexed views of these records:
   
   **a. For campus beneficiaries:** We will first create a catalog of accessible texts that serves as a self-service collection for local beneficiaries at that institution. Make this catalog view of materials in #3, above, restricted to search and display to the patron group in #1, above, and appropriate Library staff. This view should require patron sign-in before it can be accessed.

   **b. For beneficiaries at other institutions:** if the LSP and discovery system allow, also create a second view of the records in #3, above that excludes the 856 MARC field. This bibliographic data view should be able to be referenced in a URL and resolvable to anyone in the world. This view of the catalog serves as the public view of accessible materials, and a request to borrow link should be made available in this view so that beneficiaries from other institutions in Marrakesh Treaty countries can request these materials, via mediated Interlibrary Loan/digital delivery for their home institution.

5. Bibliographic records and holdings in 4b and their digital files may be able to be shared with the Accessible Book Consortium’s Global Book Service, contributing to a global catalog of accessible works amongst Marrakesh Treaty countries. Country-specific Marrakesh implementation issues may constrain this.

6. Each library needs to provide a digital repository where they will
store the digital accessible text files in EPUB, DAISY or PDF. The URL included in #4a, above, should require a tokenized access to the digital file, ideally a SAML authentication that leverages the patron group authorization in #1, above.

**Marrakesh Lending Principles**

1. The requesting library in a Marrakesh fulfillment is responsible for verifying the beneficiary status of the requestor at their institution, and making the request to the owing library on the beneficiary’s behalf.
2. The beneficiary does not have to return the material and may keep it permanently. The library should reinforce that the beneficiary may not share the material with non-beneficiaries.
Appendix 5—MARC 21 Metadata Templates

These three templates were prepared specifically for the pilot project. Decisions on text and use of fields represent the decisions made for the pilot project. Fields 341 and 532 were used in all three templates, as well as fields 385, 506, and 540. Indicators and subfields to be determined by the cataloger, as appropriate for the information to be recorded.

DAISY

LDR 00543nim a2200217 u 4500
001 99384147535606597
005 20220616160508.0
006 m\\
007 cr\\
007 s
008 220616s2022\\xx\\\\\\000\0\eng\d
041 $a (Add language code or codes if applicable) [Recommended field]
245 10$a (Title) [mandatory field]
250 \$a (Edition note) [mandatory field if applicable]
300 \$a (If item is a disc, or other tangible carrier, use the appropriate term. For example: 1 audio disc. Also possible to use a term in common usage: 1 DAISY audio disc.) [Mandatory field]
336 \$a spoken word $2 rdacontent [recommended field]
337 $a audio $2rdamedia [recommended field]
338 \$a (Pick appropriate term based on media in 337) $2 rdacarrier [recommended field]
341 $a auditory (determine which of subfields b through e should be included to accompany subfield a) (can use W3C vocabulary terms for $a ) $2 (vocabulary code, e.g. $2 sapdv) https://www.loc.gov/standards/sourcelist/accessibility.html [recommended field]
For use solely by Marrakesh Treaty beneficiary persons [unless use is permitted by exceptions and limitations in copyright law or if the work is not protected by copyright law] Marrakesh Treaty to Facilitate Access to Published Works and [citation for contributing institution’s local implementation of Marrakesh Treaty] [mandatory field]

(Add appropriate subject terms as needed) [recommended field]

(Add appropriate genre/form terms as needed) [recommended field]

(Optional - note used for display of the URL in $u) (recommended to describe access restrictions when the URL points to the resource directly. The rights should correspond to what appears in 506) (URL is mandatory) [mandatory field if applicable]

**PDF**

LDR 00543nim a2200217 u 4500

001 99384147535606597

005 20220616160508.0

006 m\\\o\\\\\\

007 cr\\\\\\

008 220616s2022\\xx\\\\\\000\0\eng\d

041 $a (Add language code or codes if applicable) [Recommended field]

245 10$a (Title) [mandatory field]

250 \$a (Edition note) [mandatory field if applicable]

300 \$a 1 online resource (xxx pages) [mandatory field]

336 $a text $2 rdacontent [recommended field]

337 $a computer $2 rdamedia [recommended field]

338 $a online resource $2 rdacarrier [recommended field]
341 $a textual (determine which of subfields b through e should be included to accompany subfield a) (can use W3C vocabulary terms for $a ) $2 (vocabulary code, e.g. $2 sapdv) https://www.loc.gov/standards/sourcelist/accessibility.html [recommended field]

347 \$a Text file $bPDF $c (file size, e.g., 100 mb) [recommended field]

385 $a People with visual disabilities $2 lcdn (recommended field)

500 \$a (General note) [Optional field]

506 \$f (Use applicable term from STAR vocabulary (Standardized Terminology for Access Restriction) https://www.loc.gov/standards/sourcelist/access-restriction.html) $2 star [mandatory field if applicable]

532 \$a (Choose appropriate first indicator for data entered into $a) (use $a to describe accessibility technical details, features, or deficiencies) [recommended field]

534 \$a (Add data for original version, if applicable) (recommended field)

538 \$a (Free text field for a system details note) [recommended field].

540 \$a For use solely by Marrakesh Treaty beneficiary persons [unless use is permitted by exceptions and limitations in copyright law or if the work is not protected by copyright law] $c Marrakesh Treaty to Facilitate Access to Published Works and [citation for contributing institution’s local implementation of Marrakesh Treaty] [mandatory field]

650 \$a (Add appropriate subject terms as needed) [recommended field]

655 \$a (Add appropriate genre/form terms as needed) [recommended field]

856 40$y (Optional - note used for display of the URL in $u ) $z (recommended to describe access restrictions when the URL points to the resource directly. The rights should correspond to what appears in 506) $u (URL is mandatory) [mandatory field if applicable]
Additional Resources, Meetings, and Presentations

Authorized Entities Who Support Learners with Print Disabilities

The National Network for Equitable Library Service (NNELS)

NNELS provides services and collections to users throughout Canada. NNELS’s collection is owned and sustained by Canadian public libraries. NNELS works with International partners, libraries, readers, and publishers (particularly Canadian ones) to make books in accessible formats available to anyone in Canada who has a print disability. Simply put, a print disability is a learning, physical or visual disability that prevents a person from reading conventional print.

The Centre for Equitable Library Access (CELA)

CELA is a national not-for-profit organization that provides accessible reading services to the approximately 3 million people across Canada with print disabilities. CELA provides access to a collection of over 1 million titles in multiple accessible formats, including audio, braille, printbraille and text. Our services ensure that people with print disabilities across the country are more able to fully participate in learning, work and community life and contribute to the social, cultural, and economic development and success of their local and broader communities.

CELA’s collection includes award winners, best sellers, fiction and non-fiction with a special emphasis on Canadian authors and stories, and favourites for kids and teens. Patrons have access to close to 45 newspapers and 150 DAISY magazines which are available on the same day they are published.

Accessible Books Consortium (ABC)

The Accessible Books Consortium (ABC) is a public-private partnership led by the World Intellectual Property Organization (WIPO). It includes organizations that represent people with print disabilities such as the World Blind Union (WBU); libraries for the blind; standards bodies,
and organizations representing authors, publishers and collective management organizations.

**Federated Repositories of Accessible Materials for Higher Education (FRAME)**

The FRAME project seeks to establish a partnership between libraries and disability service offices, to ensure that remediated content is preserved, organized, and made discoverable for re-use, reducing the duplication of staff effort in order to improve service to students (and faculty) with disabilities.

**National Library Service for the Blind and Print Disabled (NLS), Library of Congress**

National Library Service (NLS) is a free braille and talking book library service for people with temporary or permanent low vision, blindness, or a physical, perceptual, or reading disability that prevents them from using regular print materials.

**Other Resources**


Presentations


Implement Marrakesh in Research Libraries in Canada and the US.” IFLA World Library and Information Congress, Rotterdam, August 19, 2023.


Consultations

- Accessibility Task Force (reports to the W3C Publishing Community Group)
- ARL
  - Jonathan Band
- BAnQ
  - Mélanie Dumas
  - Sebastien Nadeau
- Canadian Committee on Metadata Exchange
  - Chris Carr
- Cornell University
  - Debbie Krahmer, Diversity & Inclusion Research Librarian
  - Bethany Silfer, Supervisor, Circulation Services
  - Simeon Warner, Associate University Librarian
- Fondazione LIA
  - Cristina Mussinelli
  - Gregorio Pellegrino
- FRAME Project
  - Bill Kasdorf
  - John Unsworth
• IFLA Standing Committee on Libraries Serving Persons with Print Disabilities
  • Kirsi Ylänne
• National Library Service for the Blind and Print Disabled (NLS), Library of Congress
  • Kelsey Corlett-Rivera, Foreign Language Collections Librarian
  • Matthew Field, Special Assistant to the Director
  • Anita Kazmierczak-Hoffman, Head, Bibliographic Control
  • Alice O’Reilly, Chief of Collections Division
• OCLC
  • Jody Stroh, Product Manager, Metadata Services
  • Cynthia Whitacre, Manager, WorldCat Quality
• WIPO Accessible Book Consortium
  • Luc Maumet