



Implementing Controlled Digital Lending (CDL) Responsibly and Effectively:

A Primer for Librarians

Librarians have grappled for years with how to circulate digital copies of books and other resources they legally own in an ethical, legal and responsible manner. However, the shift to remote lending during the pandemic has brought this issue to the forefront for libraries worldwide.

Making copies of print materials available to patrons in digital format brings many advantages. For instance, this practice can make collections more widely accessible to researchers and the general public, as seen during the pandemic. There are also economic and ecological benefits to digital lending. Yet, libraries must ensure they are not violating copyright restrictions when circulating digital copies of their physical materials.

To help librarians navigate this challenge, a concept known as Controlled Digital Lending (CDL) has emerged. This paper explains what CDL is, how it supports the library's mission, and how librarians can implement CDL successfully at their institutions.

CDL Explained

CDL is an approach to lending in which libraries enable their patrons to “borrow” a digital copy of a physical resource in a “lend like print” manner.

However, to make sure they are not violating copyright law, “any library considering implementing [CDL] should consult a competent attorney to develop an appropriate program responsive to the specific needs of the institution and community,” ControlledDigitalLending.org recommends.

According to ControlledDigitalLending.org, a website created by members of the lending community (including Kyle K. Courtney, copyright advisor for Harvard University Library, and David Hansen, associate university librarian and lead copyright/information policy officer for Duke University),

“CDL is the digital equivalent of traditional library lending. A library can digitize a book it owns and lend out a secured digital version to one user at a time, in place of the physical item.”¹

CDL has three core principles, the website explains:

1. A library must own a legal copy of the physical book, either by purchase or gift.
2. The library must maintain an equal “owned to loaned” ratio, simultaneously lending no more copies than it legally owns. (If a library owns three print copies of a book, it could lend no more than two physical and one digital copy at a time, or one physical and two digital copies, and so on.)
3. The library should use technical measures to prevent the digital file from being copied or redistributed.

Why CDL Matters

Purchasing or licensing electronic copies of books directly from publishers allows libraries to lend these materials to patrons digitally. However, there are cases where CDL provides an important solution for problems facing institutions. Such as; print materials that cannot be reasonably sourced otherwise, making works accessible for visually impaired and other disabled patrons or users, and preservation of rare print materials.

CDL allows libraries to leverage the investment they have already made in existing materials to bring these items to patrons in a more convenient digital format. Here are four key reasons why libraries might want to do so.



¹ See <https://controlleddigitallending.org>.



Digital lending can make items more accessible to patrons.

With digital lending, libraries no longer have to be physically open to lend materials. This means patrons can have 24-7 access to desired resources, without having to wait until a branch opens its doors; and patrons for whom traveling to a physical location to check out materials is not convenient can get online access instead. This makes the lending process more inclusive.



Digital formats allow for enhanced functionality.

Whereas a physical book is limited in terms of its functionality, a digital copy is more versatile. For example, users can search the text for specific words or phrases, and they can enlarge the font size to accommodate print disabilities more easily. Libraries can index digitized texts so that patrons can find what they are looking for using keyword searches. In addition, audio-visual aides can be delivered as part of the resource.



Digital formats can aid in the preservation of materials.

Digitizing rare books and other fragile items can help libraries preserve these materials more effectively by allowing patrons to access the digital copy rather than using the physical one.



Digital lending can reduce environmental impact.

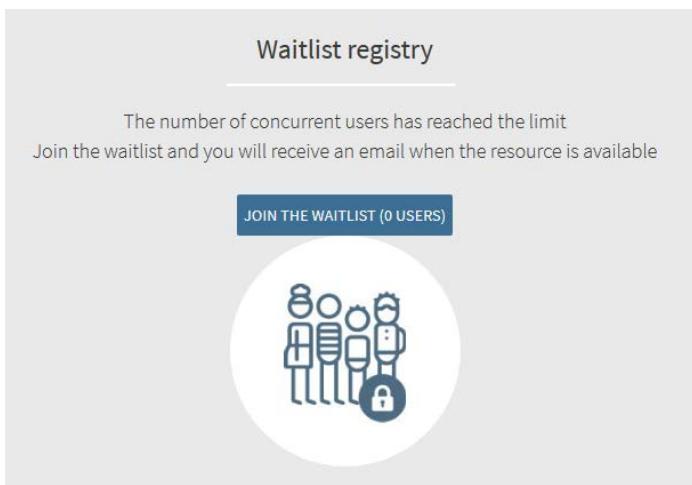
Libraries can reduce the amount of space their collections occupy by digitizing print materials helping to shrink the library's footprint. Libraries can also benefit when participating in resource sharing with fellow institutions as digitized books can be sent to the borrowing library electronically. This is a greener approach and secures physical resources so that they do not get lost or damaged.

What Libraries Need to Implement CDL

Librarians must be thoughtful in how they implement CDL to make sure they are not violating copyright rules. The burden is on librarians to make sure they operate ethically and responsibly in carrying out this model.

To follow industry guidance on this libraries need to ensure that they limit the total number of copies of a work in circulation at any given time (print and digital) to the number of copies they lawfully own. They should lend each digital version only to a single user at a time, just as a physical copy would be circulated. And, they should limit the loan period for digital copies to the amount of time they typically allow patrons to borrow physical materials.

The right resource management system can help libraries enforce their own carefully crafted CDL policies. Working with our partners in the library community, Ex Libris has formed an advisory group to help guide the development of new features and capabilities within our fully integrated suite of cloud-based solutions to support CDL in an ethical and responsible manner. The goal is that libraries have the flexibility to implement this model in a way that best suits their needs.



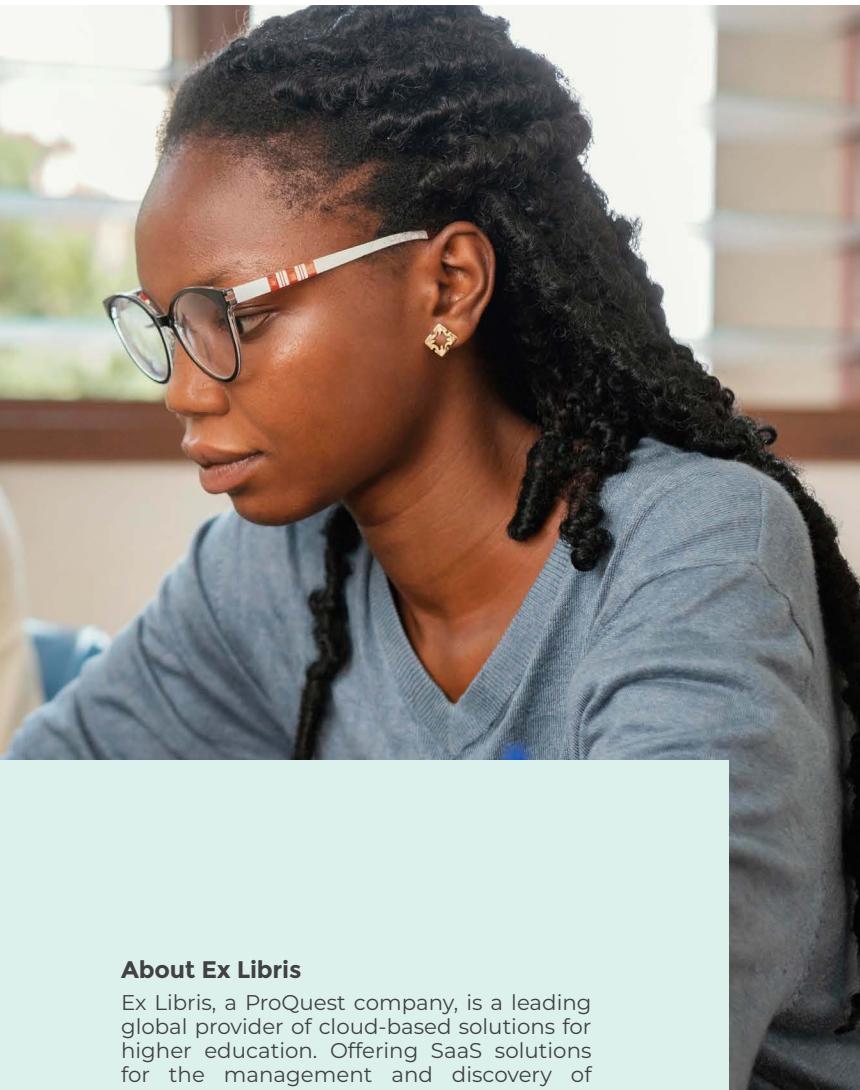
Users of [Alma](#) Digital and the [Leganto](#) course resource list management system from Ex Libris now have features and functionality to support controlled digital lending when managing course resources owned by their institution. A new waitlist management feature helps academic libraries control the circulation of digitized textbooks and other course materials to conform with their institution's CDL policies. Future enhancements to the Ex Libris suite of products will support CDL within other use cases as well, such as general circulation and resource sharing among libraries.

Looking Ahead

There are many compelling reasons why librarians might want to make digital copies of existing print resources available to patrons. Controlled digital lending is a model that is being used by libraries for making materials available ethically and within an industry recognized legal framework.

Successfully implementing CDL requires the use of technologies to control and manage the circulation of both physical and digital materials in compliance with CDL best practices and the policies established by local institutions. As a leading provider of technologies that empower librarians to meet emerging challenges, Ex Libris is collaborating with our library partners to design highly flexible and adaptable solutions that support CDL responsibly and effectively moving forward.





About Ex Libris

Ex Libris, a ProQuest company, is a leading global provider of cloud-based solutions for higher education. Offering SaaS solutions for the management and discovery of the full spectrum of library and scholarly materials, as well as mobile campus solutions driving student engagement and success, Ex Libris serves thousands of customers in 90 countries. Visit www.exlibrisgroup.com