

PUBLIC LIBRARIES - PART II

Chair Martha Ray, Committee Members Judith Anderson and Louise Meade

INTRODUCTION

In June 2005, LWVFA centered on the “Fairfax County Library (FCPL) Update – Part I.” It provided an overview of the FCPL system with a focus on the selection of books for purchase and the effects of the Patriot Act on libraries. It covered the changing dynamics within the library system, including demographic and budgetary issues, and identified three strategies that FCPL had developed to deal with them. These strategies were to maximize the use of technology; develop new forms of non-public money; and maximize the use of volunteers to augment staff that would not be replaced. The rest of the study contained information on FCPL’s organization, the budget process, the impact of the Patriot Act, and collection policies. Feedback from these meetings showed that the discussions were lively and prompted a wide variety of follow-up questions.

The League asked additional information on electronic resources and filtering; updates on the implications of the Patriot Act; and clarification on how the library was financed, especially the roles that the state, county, federal, Friends groups and the Foundation play. These topics are addressed in Part II. LWVFA now has a unit in Prince William County; information about the Prince William Public Library System (PWPLS) is included.

PRINCE WILLIAM REGION

Library service for the 420,000 residents of Prince William County and the cities of Manassas and Manassas Park is provided by Prince William Public Library System (PWPLS). Current facilities include two regional libraries, two community libraries, and six neighborhood libraries. Their collections consist of books for adults, teens and children as well as electronic resources, recorded books, and other audio and video formats. Their Potomac Community Library includes a computer learning lab initially funded by the Gates Foundation and offers many basic computer classes for adults and youth. Augmenting its public financing, the PWPLS enjoys private support from Friends of the Library primarily for a diverse range of programs and from a non-profit Foundation primarily

supporting new technology pilot projects.

Like FCPL, Prince William has a written Materials Selection Policy including a process for reconsideration of contested materials. That policy encourages free and open access to materials in a wide variety of formats and with varied points of view. Unlike FCPL, the first appeal for reconsideration of an item is to a rotating committee of the Library Board, with neither the Director nor the Acquisitions Manager casting a vote. The final appeal is to the full Library Board.

The one issue on which FCPL and PWPLS differ is the manner in which Internet access is provided. The Library Board of PWPLS has made the considered decision to filter Internet access on all computers used in that library system. PWPLS began to offer Internet access in May 1998 without filtering while the Library Board directed the staff to fully investigate filtering software that could be applied beyond the County firewall. During that deliberative and investigative phase, about 45 incidents of Internet misbehavior were reported, usually instances of observing images or websites thought inappropriate. The County Attorney further ruled that public use policy must come from the Library Board.

By May 2002, the Library Board had concluded that filtered Internet access was desirable for the Prince William region. Software purchased for use on other County computers can categorize websites as “sex/acts” and Library staff can also categorize such websites to block them from appearing on public computers. Computers with access for children use the added category “sex/personals.” The Board policy also requires staff to promptly review the filtering whenever any patron believes access to a particular site has been blocked in error. The Library Board has reaffirmed its filtering policy as recently as August 2005. A similar number of Internet incidents had been reported in the intervening years, mainly attempts to override the filtering software.

Reflecting on the Fairfax experience reported in Library Study Part I, both citizen Library Boards gave careful consideration of a controversial issue affecting

their respective communities and arrived at different conclusions. Both systems report that patron use of the Internet is highly satisfactory and neither anticipates policy change on Internet filtering. This case illustrates the appropriate decision-making authority of the locally appointed Library Board. The Code of Virginia in 42.1-35 establishes a Library Board's authority for "management and control" of library systems. The General Assembly does require libraries (42.1-36.1) that receive state funding to adopt acceptable Internet use policies and offers filtering as one alternative. That legislation also states "charging Library employees to casually monitor patrons' Internet use" is another alternative. Such legislative attempts to require filtering and to tie such a requirement to loss of state funding would violate the General Assembly's own intent. To date, the Virginia Senate has defeated such bills. No filtering legislation had been prefiled for the 2006 General Assembly at this *Bulletin* deadline.

DIGITAL RESOURCES

Both library systems subscribe to a number of electronic databases that are a collection of newspapers, magazine, journal, and encyclopedia articles that offer current information on a wide range of topics. Access to this information is available free at any library. Additionally, cardholders may access many of the databases remotely through any computer with Internet access.

Some of the digital resources are provided by the state to all public libraries, while other databases are purchased, just as books, tapes, and CD's, from the materials budget. The criteria used to select them is basically the same as other materials, but also considered is their cost effectiveness compared to print resources, whether the information is in print, and the space required to house print material.

The amount of funding budgeted for materials plays a crucial role in deciding what materials and which formats will be purchased each year. In FY 2003, funding for library materials in FCPL was cut by 30%. To address this situation, a Print Reference Review Committee consisting of staff from collection management and branches was established. Their mission was to identify the materials that would best reflect the

needs of each of the branches. They began by looking at each branch, including the amount of space they had. Then they prioritized all materials, including reference titles, based on the usage and the uniqueness of the information each one provided. By doing this they could identify those titles that were deemed most important and those that were rarely used or that contained information that could be found in other resources.

They concluded that circulating fiction and non-fiction books and magazines and periodicals were heavily used and should be highest priority. Many hard copy reference titles are lower priority and are also very expensive, increasing in price from 20-80% for a new edition. Every succeeding year fewer titles could be ordered. Their comparable digital resources increased only 3 to 8% in price in the same time period. As a result, many of the reference titles could be affordable in database format. The changes that the Print Reference Review Committee made received little negative feedback from the general public. The primary challenge for both libraries' staff has been to provide their users with training on how to access the material.

The use of digital resources will continue to increase because many materials are now available only online. For example, Fairfax County no longer makes available printed copies of the updates for their Comprehensive Plan. But all changes are accessible online and in a more timely manner. Another advantage of using materials online is that the library can make these resources available for patrons not only during the library's open hours, but at home during the hours that the library facilities are closed. The key is that patrons must have a computer and Internet access and become computer savvy. Since there are still many citizens who are uncomfortable using the Internet for more than e-mail, the libraries offer training in accessing these databases. And because today's students are well versed in using computers and can use these resources readily, the public can expect to see much more use of online resources in the future. In order to get the greatest benefit from these resources, the public needs to know that they exist and are available at no cost through their public libraries.

Both library systems warn users in their Acceptable Use statements to be wary consumers of the informa-

tion found on the Internet. Although there is endless information to be had, it is not necessarily authoritative or accurate. Libraries put their own credibility and that of reputable publishers behind the electronic resources they offer the public.

PATRIOT ACT

As noted in Library Study I, the Patriot Act has not impacted either library system to date. Policies already in place prohibit giving out any information on patrons or their use of library materials. The Virginia Freedom of Information Act exempts all public library patron and borrowing records. Ordinarily subpoenas received are referred to the Library Director, who consults with the County Attorney as to how to respond. Only items currently checked out are recorded in both FCPL and PWPLS systems.

Section 215 of the Patriot Act allows the FBI to obtain library, bookstore, and other business records. Many communities around the nation have objected particularly to these provisions, as has the American Library Association. The sunset provisions of the Patriot Act were due to expire at the end of 2005. Both the House and the Senate passed reauthorization bills before adjourning for their summer recess. The bills were sent to a conference committee for reconciliation.

The Washington Post revealed on November 6 that provisions in the Patriot Act have enabled the FBI to issue, with no judicial approval, national security letters demanding private information about ordinary Americans not suspected of a crime. There has been much wider use of such letters for domestic surveillance: more than 30,000 a year have been issued. National Security Letters were created in the 1970s for espionage and terrorism investigations and originated as narrow exceptions in consumer privacy law. Issued by FBI field supervisors, national security letters do not need the imprimatur of a prosecutor, grand jury or judge. They receive no review after the fact by the Justice Department or Congress. The FBI no longer destroys data collected through such sweeps, even if it is irrelevant to the investigation at hand. The power to issue National Security Letters (NSL) was not included in the sunset clause of the Patriot Act and therefore received scant attention from Members of Congress and the public. Since the Post published this informa-

tion, a great deal of attention and concern is now being shown regarding all the Patriot Act provisions that affect private citizen's rights.

The conference report issued on December 8 by the House-Senate negotiating committee originally called for a 7-year sunset, but a compromise changed that provision to 4 years after a bi-partisan group of Senators strongly objected to the 7-year sunset provision. The Act would have amended Section 215 to require that investigators demonstrate to a judge that the records are relevant to a terror investigation, *The Washington Post* reported Dec. 9. The agreement would also have given recipients of National Security Letters the right to challenge them in court and delete a provision making disclosure of the receipt of NSLs punishable by a year in prison, according to American Library Association News.

As Congress prepared to adjourn for their recess in December 2005, the issue was still unresolved. Therefore, the Senate passed a 6-month extension of the Patriot Act. On December 22, the House of Representatives approved a one-month extension. Congress will again take up this issue at the start of the 2006 session.

LIBRARY FUNDING

The primary source of financial support for both library systems is from local taxes. Other sources of support are funds from the State of Virginia and contributions from the Library Foundation and from Friends of the Library. Part I of this Library Study elaborated on the local budgeting process for FCPL.

STATE CONTRIBUTION TO LIBRARIES

Under Virginia's current library aid distribution formula, public libraries receive 30 cents per capita for populations up to 600,000 and 10 cents for each additional resident. Another aspect of the funding formula recognizes how serving large areas impacts rural jurisdictions and awards an amount per square mile. Formerly rural Prince William region still benefits from that authorization for its 360 square miles served. Fairfax County is the only jurisdiction in Virginia with more than 600,000 people, a benchmark it achieved in 1983. Since that time, Fairfax has received only one-third the credit for its still growing

population.

The formula for State Aid to Libraries has not been fully funded for years. Over the past five years, state aid to Fairfax County's library system has suffered from repeated state budget reductions. In fiscal year 2000, the amount received was \$649,362 and by FY05 the amount had been cut to \$541,821. The Virginia Library Association (VLA) wants "full funding" before supporting legislation to change the formula. VLA does not oppose Fairfax County seeking money outside the formula.

Legislation introduced in 2004 by Delegate Mark Sickles (D-Franconia), former chair of Fairfax County's Library Board, to get the State Aid population cap removed was not adopted by the legislature. However, Governor Warner responded by including the shortfall of \$89,000 in his budget amendments for 2004-2005. In addition, \$180,000 for FCPL is included in Governor Warner's proposed two-year budget released in late December 2005.

Funds received by both library systems from the State are earmarked to purchase materials. The materials' budgets have suffered from numerous budget cuts in the past several years, while the population and use of the libraries has increased. Therefore, any increase in the amount of money received from the State is an important benefit to the Library system.

SUPPORT FROM FCPL FOUNDATION AND FRIENDS OF THE LIBRARY

Both public library systems receive private support from their respective Library Foundations and Friends of the Library organizations. For purposes of illustrating this support we are reporting on the Fairfax example.

The Fairfax County Public Library Foundation, Inc. is a private non-profit 501(c)3 corporation committed to providing supplementary support to the Fairfax County Public Library. The Foundation reinforces the need for continued and increased public support for the Library and serves as a catalyst for attracting private funding from individuals, businesses, organizations, and foundations to enhance Library services for the community. Funds raised by the Foundation and contributed to the Library are used to support program

needs as identified by the Library Board.

Direct support to FCPL by the Library Foundation in FY2005 was \$376,654.97. This includes Motherread/Fatherread; West Side Stories; Exxon Mobil Summer Intern; INOVA gift; NextBook grant; all donations for branches, scholarships, Bond Referenda information, and gifts from Friends of the Libraries. The Foundation raised \$199,000 in FY 2005 to support FCPL in FY 2006.

The Foundation has worked to establish endowment funds that will address the Library's most critical needs. The investment balances as of 10/31/05 were \$1,949,539. This includes the New Century Library Fund, \$747,018.69; Children's Reading Program (established by George Mason Friends \$500,000 pledge), \$340,428.09; and the Macleod Fund, \$62,092.99. The interest on the NCLF and Children's Reading Program are used to grow the funds. The interest on the Macleod fund is used by the library to purchase non-print materials.

In FY 2005, 21 Friends of the Library groups contributed \$165,056.25 to the Library Foundation. The individual Friends groups identified projects on which this money would be spent. For the most part, it was used to meet needs in their individual libraries. In some cases, the Friends group chose to make a contribution to the Library Scholarship Fund or to programs benefitting the system as a whole. (The Scholarship Fund provides financial aid to staff and volunteers who are pursuing a Masters in Library Science or continuing education related to their work.) Most of the money contributed by Friends Groups is raised from book sales. Sometimes a gift is made to the group to for a special purpose, such as a memorial.

ADEQUATE FACILITIES

The two library systems both face shortages in the library space needed to house their collections and the services that their growing populations enjoy. All the currently provided services require space – for study tables and chairs, for public access to computers, for story programs, for community meetings, and for the books. Whatever future services may evolve will doubtless bring their own space requirements. Addi-

tionally, the community growth puts other pressures on existing facilities. Road congestion can mean long drives, and neighborhood facilities in out-of-the-way sites may be less efficient than sites in highly traveled, highly visible centers of commerce. As critical as it is to have library collections that are diverse, it is essential to have well-planned facilities placed throughout the Fairfax and Prince William regions to offer convenient locations and hours with well-trained staff to assist in fully utilizing the resources.

Library facilities are described in each county's Comprehensive Plan and Capital Improvement Programs. Objective targets exist for size of building sites required, for the size of buildings, for the size of populations to be served, and for the estimated service area that can be reached in a reasonable driving time. This planning process can be slow to recognize the service inadequacies of existing facilities in both the highly congested areas of Fairfax and in the rapidly developing areas of Prince William. In Fairfax, 40 year-old facilities need upgrading and over-used facilities need relief by the "in-fill" of added libraries. The successful bond referendum of 2004 will finance two new Fairfax libraries and renovate several others. Already the next Fairfax library bond referendum is scheduled for 2010.

It has been twelve years in Prince William since the last bond referendum for library construction. Though a bond referendum may be scheduled for Fall 2006, it is only to provide for two new sites for community libraries in Gainesville and Montclair areas where the growth standards have long been surpassed. Currently Prince William planning standards do not project when the next libraries will be required and when the next bond referendum is to be expected.

In conclusion, please refer to the following page of Comparative Statistics of Libraries in the Washington, D.C. region and Virginia.

Sources:

Interview 11/1/05 with Prince William Public Library System Director Dick Murphy

Interview 11/16/05 with PWPLS Director Dick Murphy

and FCPL Director Sam Clay

Interview 11/07/05 with FCPL Director of Collection Management and Acquisitions Julie Pringle and Frances Moffett and Paula Grundset, members of the collection staff

Consults with: Martina Murphy, Development Assistant, FCPL Foundation; Jane Goodwin, FCPL Deputy Director; Lois Kilpatrick, FCPL Public Information Manager FCPL Policy J. Policy regarding Privacy of Patrons' Research and Reading Materials, 11/13/02

Fairfax County Comprehensive Plan, 2003 Edition, Policy Plan for Public Facilities, Libraries, pages 10-14 Acceptable Use of the Internet - <www.fairfaxcounty.gov/library/internet/Online_Databases>, FCPL publication, September 2005

Gelman, Barton. "FBI Secret Scrutiny." *The Washington Post*; November 6, 2005.

Eggen, Dan. "Rising Support Cited for Limits on Patriot Act." *The Washington Post*. November 10, 2005.

Weisman, Jonathan. "Congress Arrives at a Deal on Patriot Act." *The Washington Post*. November 17, 2005.

Babington, Charles. "Renewal Lawmakers at Impasse on Patriot Act." *The Washington Post*. November 19, 2005.

Eggen, Dan & Babington, Charles. "Mixed Messages from Hill on Patriot Act Talks." *The Washington Post*. December 8, 2005.

Babington, Charles. & Eggen, Dan. "GOP Accepts Deal on Patriot Act." *The Washington Post*. December 9, 2005.

Babington, Charles. "House Votes to Revise, Extend, Patriot Act, Angers Senators." *The Washington Post*. December 15, 2005.

American Library Association Website: <www.ala.org> Prince William County 2003 Comprehensive Plan/Library page 1-8

Prince William County FY2005-2010 Capital Improvement Program/General Government/Library page 142-145

PWPLS documents: Library Internet and Computer Use Policy, August 2005

Filtration Resolution approved by the (Prince William) Library Board of Trustees, May 23, 2002

Materials Selection Policy of the Prince William Public Library System, revised June 2005

PWPLS website: <www.pwcgov.org/library>

Comparative Statistics
Libraries of the Washington, D.C. Area & Virginia
FY 2004 – 2005 Public Library Data Service¹

Jurisdiction	Financial		Materials Expenditures	Expend. per capita
	Total Operating Expenditures	Expend. per capita		
Alexandria	\$ 6,016,757	\$44.57	\$ 684,656	\$5.07
Arlington	11,280,855	57.97	1,253,414	6.44
Dist. of Columbia	27,922,147	49.56	2,543,057	4.51
Fairfax	26,739,568	25.62	4,522,369	4.33
Loudoun	8,535,819	41.48	1,568,424	7.62
Montgomery	30,477,071	32.74	4,747,452	5.10
Prince George's	21,754,607	25.94	3,841,671	4.58
Prince William	14,143,808	39.24	1,863,894	5.17
Norfolk, Va.	5,681,215	23.50	976,385	4.04
Virginia Beach	16,218,968	37.86	1,941,004	4.53

Jurisdiction	Resources		Usage			
	Holdings	Hldg/cap	Circulation	Visits	Reference	Programs
Alexandria	562,318	4.1	1,032,147	893,427	580,650	40,176
Arlington	545,776	2.8	2,580,361	1,552,183	84,604	53,509
Dist. of Columbia	2,623,320	4.7	1,083,379	1,958,441	1,127,879	222,930
Fairfax	2,747,313	2.6	11,425,007	5,283,497	912,418	168,137
Loudoun	472,344	2.3	3,140,679	1,440,276	194,068	105,960
Montgomery	2,897,042	3.1	11,406,518	6,972,090	646,016	135,800
Prince George's	2,248,189	2.7	3,868,999	2,441,995	859,824	93,817
Prince William	859,615	2.4	3,009,036	1,531,309	528,820	98,567
Norfolk, VA	789,379	3.3	939,946	822,850	695,214	67,515
Virginia Beach	1,003,784	2.3	2,757,539	1,538,178	324,012	36,504

¹Public Library Data Service (PLDS) Statistical Report 2005. Public Library Association, Chicago IL. Note that there is a one-year lag between the data that libraries voluntarily supply and the report date.

