



LIBRARY BOARD MINUTES

October 8, 2014

BOARD PRESENT: Amir, Brooks, Christman, Core, Cotter, Lewis, Persaud, Ram, Rao, Reedy, Sabnis, Watts

STAFF PRESENT: B. Parker Hamilton, Director; Regina Holyfield, Recording Secretary; Eric Carzon, Business Manager; Mary Louise Daneri, Manager, Collection Management; Carol Legarreta, Public Services Administrator, Human Resources and Community Engagement

GUESTS: Tanner Wray, Director of College Libraries and Information Services, Montgomery College

The Library Board meeting was convened by Chair Watts at 7:00 p.m.

INTRODUCTIONS:

Board Members, staff and guest were introduced.

APPROVAL OF BOARD MINUTES:

The minutes from the September 10, 2014 Board meeting were approved with two corrections: Add Robyn Watts' name to the Board Present and remove Amishi Sabnis as liaison to Twinbrook LAC.

APPROVAL OF LAC APPLICATIONS:

The LAC applications were approved.

DIRECTOR'S REPORT:

- New hours were implemented this week including Sunday hours at Aspen Hill, Damascus, Quince Orchard and White Oak.
- Vice Chair Deborah Brooks will report on the refresh project at the next Aspen Hill LAC meeting.
- The Board members were thanked for participating in the National Library Card Sign Up Month campaign.

- MCPL, with the University of Maryland (UMD), will give a joint presentation on Social Media at the Maryland Library Association Conference. Our proposal was accepted and the planning committee asked us to partner with UMD. The conference is scheduled for May 6-8, 2015.
- MCPL will no longer limit the number of early literacy programs that can be offered in a branch per month. During the recession, as a result of reduced staffing, a limit was imposed on the number of early literacy programs a branch could offer in a given month. That restriction is now able to be lifted. Branch managers can once again make this determination at the local level based on operational (staff and other resources) capacity.
- MCPL's Role/Mission as a Public Library versus Research/Academic Library.
 - Recently a call was received from Councilmember Floreen's office regarding meeting to discuss creating research/academic libraries within MCPL, which was a request of a local author. Director Hamilton spoke briefly to Councilmember Floreen regarding her exact vision. Prior to meeting with Ms. Floreen, Director Hamilton briefed the County Executive and sought the advice of the Library Board, as would be done with any changes that would significantly impact Libraries.
 - Mary Louise Daneri will give a presentation on library roles.
- The Office of Management and Budget and MCPL responded to a request for information from Councilmember Riemer regarding E-rate. Mr. Riemer wanted this information in order to prepare for a meeting with former Federal Communications Commission chairman, Reed Hundt. Mr. Hundt had indicated that MCPL could be getting more money through E-rate than we are currently. It is our understanding that Mr. Hundt also plans to meet with Councilmember Berliner and Governor O'Malley regarding this issue.
 - Eric Carzon will give presentation on MCPL and E-rate.

E-RATE PRESENTATION (Eric Carzon):

What is E-Rate (from Wikipedia)

“E-Rate is the commonly used name for the Schools and Libraries Program of the Universal Service Fund, which is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC). The program provides discounts to assist most schools and libraries in the United States (and U.S. territories) to obtain affordable telecommunications and Internet access. It is one of four support programs funded through a Universal Service fee charged to companies that provide interstate and/or international telecommunications services.

The Schools and Libraries Program supports connectivity - the conduit or pipeline for communications using telecommunications services and/or the Internet. Funding is requested under four categories of service: telecommunications services, Internet access, internal connections, and basic maintenance of internal connections. Discounts for support depend on the level of poverty and the urban/rural status of the population served and range from 20% to 90% of the costs of eligible services. Eligible schools, school districts and libraries may apply individually or as part of a consortium.”

Montgomery County Notes

The E-Rate program is very complex, and there are two primary reasons MCPL has been unable to successfully get e-rate funding for several years.

- The first impediment is the Children’s Internet Protection Act (CIPA) requirement. This has long been a national issue with the program. The E-Rate program requires that funding recipients filter both children’s and adult PCs to prevent viewing of “obscene” material (this is a simplification, see the appendix below which includes a fuller version of what the act defines as content that must be filtered). The program’s definitions of filtering are counter to MCPL’s service policies for adult customers, which follows the American Libraries Association’s articulation of intellectual freedom. MCPL Policy and the related American Libraries Association policy statements are attached as an appendix to these notes. The statement below summarizes a key point about the policies that MCPL and many other library jurisdictions agree precludes the level of filtering demanded under the CIPA requirements:

“Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others.”

Because of the conflict between the CIPA requirements and MCPL’s service policy, MCPL only applied for funding of basic telecommunications services (telephone lines, cell phones, long-distance calling, phone system), the only E-rate activity exempted from the CIPA requirement. Telecommunications are only a fraction of what MCPL could be eligible for under the program, were it not for the CIPA requirement. Many library systems in the Country take the same approach, and as a consequence, the Urban Libraries Council (ULC) recently re-engaged this issue at a national level. ULC said this about the issue:

“One of the primary impediments that many libraries face in accessing sufficient E-rate funds is the filtering requirements imposed by the Children’s Internet Protection Act (“CIPA”). Many of ULC’s members have deployed filtering solutions in compliance with CIPA, but a sizeable number have chosen not to implement filtering. In accordance with the CIPA requirements, these systems forego E-rate funding. These systems strongly believe that any filtering requirement infringes on the intellectual freedoms of libraries, conflicts with their local governance of libraries and is contrary to their central mission of making information freely available to their communities.”
(Urban Libraries Council, Comments Before the FCC, Page 15, Sept. 15, 2014, WC Docket 13-184).

MCPL does filter children’s computers per State and Federal requirements, and we filter all PCs for illegal activity, such as child pornography.

- The second impediment is that there are other E-rate requirements regarding the timing and documentation for procurement of services to be funded that essentially require MCPL to procure our services independently from the long-standing and highly technical arrangements already in place via the County’s Department of Technology Services. It is not technically feasible for MCPL to separate ourselves from the County’s contract and physical telecommunications infrastructure. It can be difficult, in fact, to accurately separate MCPL-specific telecommunications costs from Countywide costs, due to the nature of the arrangements and the existing documentation. Most of what we could potential contract for in a manner consistent with the program’s requirements are in the categories which we can’t apply for due to the CIPA requirements (e.g., Wi-Fi upgrades, network upgrades, improvement to Internet access infrastructure).

If there is a successful effort to moderate these issues, the County may benefit, but until that effort is fully successful and implemented in both law and regulation, the penalties for being found to violate the CIPA requirements include being made ineligible for the program and paying back monies granted.

Finally, the E-rate program has made some recent changes for its upcoming FY15 cycle. These changes increase funding for Wi-Fi and broadband internet access, while reducing funding for non-broadband internet access and certain types of telecommunications technology (paging, voicemail, text messaging, etc.).

Discussion Regarding E-Rate:

- Hoping ULC is successful. MCPL will still have to work within the County regarding the procurement piece. We will also work with Mr. Riemer.
- MCPL applied for e-rate about four years ago and received \$20K.
- Susan Benton, CEO of the ULC, gave a personal briefing last week. Director Hamilton will see Ms. Benton on October 16 and will try to get an update.
- The funds are distributed every year; there are leftover funds which have been added to the FY15 funds.
- Other library systems may not have these issues, because many library systems in the State of Maryland are not a part of county government.

MCPL's Role/Mission as a Public Library versus Research/Academic Library (Mary Louise Daneri)

- Research is a very broad term.
- MCPL does not have the number of reference materials we had years ago. Many people are using the internet and databases.
- Our core collection is being used for research.
 - There are also materials available through Interlibrary Loan.
 - In this area, residents have access to many different research facilities.
- MCPL Research Materials
 - Reference Collection
 - Core reference collection in each branch
 - Special reference tools (ex. Annotated Code of Maryland)
 - Databases (homework assignments)
 - Masterfile – includes periodicals, reference books, primary documents, images.
 - Biographies
 - Literature
 - Science
 - Health and Wellness
 - U.S. and World History
 - World Book encyclopedia online
 - Small Business
 - Student Resources Center
 - Databases (specialized)
 - Geneology (ex. HeritageQuest, National Archives of Geneology)
 - Business (ex. Reference USA, Safari (business topic ebooks))

- Testing and Educational Reference Center
 - Legal Forms
 - Gale Virtual Reference Library (e-books such as Encyclopedia of World Religions, Encyclopedia of Medicine, Mental Health, Encyclopedia of Law, Dictionary of Popular Musicians since 1990, etc.)
 - MyGovernment
 - Washington Information Directory
- Branch Collections
- Historical Societies collection holdings are in the MCPL catalog
- Branch Core Reference Collections
 - World Book Encyclopedia
 - College Guides
 - Scholarship/Financial Aid College Guides
 - Physician's Desk Reference/Physician's Consumer Guide to Prescription Drugs
 - Medical Dictionaries
 - Professional Guide to Diseases
 - Atlas of Human Anatomy
 - Occupational Outlook
 - Atlas of the World
 - Dictionaries/Thesauri (includes world language titles)
 - Chicago Manual of Style
 - Writers/Songwriters/Children's Writers & Illustrator Market
 - Old Farmer's Almanac
 - Codes (Electrical/Building/Fire/Plumbing/Residential)
 - Stamp catalogs
 - U.S. & World Coin catalogs

Discussion Regarding MCPL's Role/Mission as a Public Library versus Research/Academic Library:

- Public Libraries – providing the materials, services and resources that the community wants and needs; we do not have the budget to fulfill all requests.
- Some customers are in a “brick and mortar” mindset.
- Cite the mission of the medical libraries and agricultural libraries.
- Academic libraries also do a great deal of borrowing.
- There is a community borrowing program at Montgomery College.
- Public funds are for everyone; we do not build collections for one person.
- We have to provide balance – learning spaces, discovery rooms, meeting spaces, etc.
- MCPL's priority is to meet the needs of the community.
- After discussion the Board determined: 1) does not have funding to service one particular customer; 2) has sufficient resources (books, e-books, databases, etc.) for research; 3) has the means for customers to borrow materials not owned by the system; 4) is in an area in which customers/residents can easily access many academic/research libraries (i.e., Library of Congress, National Agricultural Library, University of Maryland libraries, Montgomery College libraries).

CHAIR'S REPORT:

- Board members were reminded to attend the Wednesday, November 5 Joint Meeting.

- Director Hamilton gives the state of the Library address which is very informative.
- Encourage LAC members to attend.
- Brainstorm goals for libraries so that we will all begin the year on the same page.
- The Joint meeting will be in lieu of the November Board meeting.
- MCPL Steering Committees will again conduct table presentations during the reception.
- We will begin working on the Advocacy Calendar which is in the toolkit. It was developed and updated by the Board Chair and the FOLMC Board of Trustees President.
- December meeting – Andrea Castrogiovanni, Manager of the Correctional Facility Library, will give a presentation.
- It is unfortunate to hear about Snapshot Day, but it is very exciting to conduct it in February during Library Lovers Month.
- The Thanksgiving Parade is November 22. All are encouraged to attend. MCPL is signed up as a system to participate. Carol Legarreta will keep the Board members informed regarding the time and meeting place. Those who participate may dress up if they like.
- Chair Watts will meet with immediate past chair, Jill Lewis, regarding the work plan.
- The Board should be involved in more State activities. A calendar of State activities would be useful.
 - A volunteer is needed to develop the calendar.
- Website needs some housekeeping. LAC chairs and terms need to be updated. Board members were asked to have LAC meeting schedules and LAC chair information by the November meeting.
- The Citizens for Maryland Libraries annual meeting is November 8 – all were encouraged to attend.
- Promote the branches as destinations for out of town visitors. Listed on websites such as trip advisor. Noyes Library is listed as place to visit with tools that map their visitors (Google Fusion Tables).

NEW BUSINESS:

- Anne Core suggested sending small pumpkins to councilmembers thanking them for the additional library hours.
 - It was agreed by the Board members to send the pumpkins, but to have a general fall theme accompanying the thank you.
 - Chair Watts volunteered to purchase and prepare the pumpkins; MCPL staff can deliver the pumpkins per Director Hamilton.

OLD BUSINESS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

The meeting was adjourned at 8:30 p.m.

B. Parker Hamilton, Director

Appendix (From the USAC Web-site): Children’s Internet Protection Act (CIPA) Requirements

CIPA requirements include the following three items:

1. Internet Safety Policy

Schools and libraries receiving universal service discounts are required to adopt and enforce an Internet safety policy that includes a technology protection measure that protects against access by adults and minors to visual depictions that are obscene, child pornography, or — with respect to use of computers with Internet access by minors — harmful to minors.

The Internet safety policy must address all of the following issues:

- Access by minors to inappropriate matter on the Internet and World Wide Web
- The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
- Unauthorized access including "hacking" and other unlawful activities by minors online
- Unauthorized disclosure, use, and dissemination of personal information regarding minors
- Measures designed to restrict minors' access to materials harmful to minors

For schools, the policy must also include monitoring the online activities of minors. Not: beginning July 1, 2012, when schools certify their compliance with CIPA, they will also be certifying that their Internet safety policies have been updated to provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response.

2. Technology Protection Measure

A technology protection measure is a specific technology that blocks or filters Internet access. The school or library must enforce the operation of the technology protection measure during the use of its computers with Internet access, although an administrator, supervisor, or other person authorized by the authority with responsibility for administration of the school or library may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

3. Public Notice and Hearing or Meeting

The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing or meeting to address a proposed technology protection measure and Internet safety policy. For private schools, public notice means notice to their appropriate constituent group. Unless required by local or state rules, an additional public notice and a hearing or meeting is not necessary for amendments to Internet safety policies.

Appendix: From MCPL Policies and Procedures Manual:

“Customer Information About Library Privacy And Confidentiality: Each user’s right to privacy and unrestricted access is reaffirmed by ALA’s Library Bill of Rights and Freedom to Read, which are endorsed by the Department and the Library Board.”

Collection Development Section:

A. Collection Management Development policies

Policy

Goal 1:

Insure intellectual freedom for all users.

To meet this goal the Library endorses and supports the American Library Association Library Bill of Rights (as amended to date with all current published interpretations)

<http://www.ala.org/advocacy/intfreedom/librarybill>

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of “age” reaffirmed January 23, 1996.

A history of the Library Bill of Rights is found in the latest edition of the [Intellectual Freedom Manual](#).

The ALA Freedom to Read Statement (as amended to date)

<http://www.ala.org/ala/aboutala/offices/oif/statementspols/frstatement/freedomreadstatement.cfm>,

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can

machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970

consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

[American Library Association](#)
[Association of American Publishers](#)

Subsequently endorsed by:

[American Booksellers Foundation for Free Expression](#)
[The Association of American University Presses, Inc.](#)
[The Children's Book Council](#)
[Freedom to Read Foundation](#)
[National Association of College Stores](#)
[National Coalition Against Censorship](#)
[National Council of Teachers of English](#)
[The Thomas Jefferson Center for the Protection of Free Expression](#)

The ALA Freedom to View Statement

<http://www.ala.org/advocacy/intfreedom/statementspols/freedomviewstatement>

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council

The ALA Access to Electronic Information, Services, and Networks, an Interpretation of the ALA Bill of Rights

<http://www.ala.org/advocacy/sites/ala.org.advocacy/files/content/intfreedom/librarybill/interpretations/accesstoelectronic.pdf>

Access to Electronic Information, Services, and Networks: An Interpretation of the LIBRARY BILL OF RIGHTS

INTRODUCTION

The world is in the midst of an electronic communications revolution. Based on its constitutional, ethical, and historical heritage, American librarianship is uniquely positioned to address the broad range of information issues being raised in this revolution. In particular, librarians address intellectual freedom from a strong ethical base and an abiding commitment to the preservation of the individual's rights.

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information. These rights extend to minors as well as adults. Libraries and librarians exist to facilitate the exercise of these rights by selecting, producing, providing access to, identifying, retrieving, organizing, providing instruction in the use of, and preserving recorded expression regardless of the format or technology.

The American Library Association expresses these basic principles of librarianship in its *Code of Ethics* and in the *Library Bill of Rights* and its Interpretations. These serve to guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to electronic information, services, and networks. Issues arising from the still-developing technology of computer-mediated information generation, distribution, and retrieval need to be approached and regularly reviewed from a context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are not swept away.

Electronic information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it. Even so, many people, for reasons of technology, infrastructure, or socio-economic status do not have access to electronic information. In making decisions about how to offer access to electronic information, each library should consider its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures or regulations relating to electronic resources and services should be scrutinized for potential violation of user rights.

User policies should be developed according to the policies and guidelines established by the American Library Association, including *Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities*.

Users should not be restricted or denied access for expressing or receiving constitutionally protected speech. Users' access should not be changed without due process, including, but not limited to, formal notice and a means of appeal.

Although electronic systems may include distinct property rights and security concerns, such

elements may not be employed as subterfuge to deny users' access to information. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Users also have a right to information, training and assistance necessary to operate the hardware and software provided by the library.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice. Users should be advised, however, that because security is technically difficult to achieve, electronic transactions and files could become public. The rights of users who are minors shall in no way be abridged.¹

Equity of Access

Electronic information, services, and networks provided directly or indirectly by the library should be equally, readily and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by all libraries and information services that receive their major support from public funds (50.3; 53.1.14; 60.1; 61.1). It should be the goal of all libraries to develop policies concerning access to electronic resources in light of *Economic Barriers to Information Access: an Interpretation of the Library Bill of Rights and Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities*.

Information Resources and Access

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Determining the accuracy or authenticity of electronic information may present special problems. Some information accessed electronically may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate. Parents and legal guardians who are concerned about their children's use of electronic resources should provide guidance to their own children.

¹ See: *Free Access to Libraries for Minors: an Interpretation of the Library Bill of Rights; Access*

to Resources and Services in the School Library Media Program; and Access for Children and Young People to Videotapes and Other Nonprint Formats.

Libraries and librarians should not deny or limit access to information available via electronic resources because of its allegedly controversial content or because of the librarian's personal beliefs or fear of confrontation. Information retrieved or utilized electronically should be considered constitutionally protected unless determined otherwise by a court with appropriate jurisdiction.

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. Libraries have an obligation to provide access to government information available in electronic format. Libraries and librarians should not deny access to information solely on the grounds that it is perceived to lack value.

In order to prevent the loss of information, and to preserve the cultural record, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained electronically.

Electronic resources provide unprecedented opportunities to expand the scope of information

available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to electronic resources no less than they do to the more traditional sources of information in libraries.²

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² See: Diversity in Collection Development: an Interpretation of the Library Bill