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Future of Libraries

Can they survive budget cuts and digitization?

By [Barbara Mantel](#)

July 29, 2011 • Volume 21, Issue 27

Introduction

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Visitors to an online reading room at the New York Public Library can bring their own laptop or borrow one for free. (Getty Images/Spencer Platt)

As economic pressures wrought by the recession continue to squeeze millions of Americans, they are turning increasingly to the nation's libraries for help. Many are taking advantage of computer workstations to hunt for jobs and polish their résumés. Those who can no longer afford to buy DVDs or books are now borrowing them from the library. Yet state and local governments are slashing library budgets, and many public library systems have been forced to reduce hours and staff and close branches. Academic and school libraries also are struggling with budget

cuts. Meanwhile, the role of reference librarians is evolving to meet emerging demands spurred by digital publishing. The myriad challenges facing libraries raise questions about their future: Should the physical library shrink as books, journals and other materials increasingly become available in digital form? What role will libraries play if e-books come to dominate the reading experience? And should public libraries be privatized in an effort to save money?

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Overview

At an overflowing budget meeting of the Oakland, Calif., city council last May, supporters and employees of the public library voiced dismay at the threatened closing of 14 of the city's 18 branches, a nearly 75 percent reduction in staff and a cut in service from five to three days a week.

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Brandishing a thick bundle of paper, Helen Block, an Oakland resident and children's librarian, stepped to the microphone and presented the council with 5,511 signatures of "outraged voters" as the audience applauded and cheered. ¹

"We don't have any choice. It's not something I want to do," Oakland Mayor Jean Quan, traditionally a strong library backer, said a few days later. The city faces a \$58 million deficit for fiscal 2012. "My mother was an illiterate immigrant from China," said Quan, who described how she walked to the library as a child to read books in English that she couldn't find at home. ²

At the eleventh hour, Quan was spared her painful choice. The city's major unions agreed to financial concessions, and on June 30, with a deadline just hours away, Quan and the city council narrowly passed a budget that preserved library funding.

This scenario has played out across the country, as municipalities face yet another year of shrinking revenues. As in Oakland, some libraries have managed to avoid or limit the damage. Galvanizing supporters with a sophisticated advocacy campaign on Facebook, Twitter, YouTube and its own website, the New York Public Library, for example, averted most of a 25 percent planned reduction in its city funding.



Libraries around the country are reporting increasing numbers of visitors — many seeking help with job hunting — even as local governments slash library budgets, forcing libraries to reduce hours or close branches. Above, patrons at Chicago's Harold Washington Library. (Getty Images/Scott

But many other public libraries have been unable to escape the recession's lingering effects. Budget cuts forced the Three Rivers Regional Library System in southeast Georgia, which operates 10 libraries across seven counties, to lay off half its staff in June. ³ Harnett County, North Carolina, closed two of five branches in early July. ⁴ In Michigan, the Troy Public Library could shut its doors if voters don't approve a tax hike Aug. 2.

"It sends a bad message to our kids when we don't care about the library enough to keep it open," said Jennifer Hilzinger, 43,

Olson)

a Troy parent of a pre-schooler and a high-school

student.⁵

In fact, nearly 60 percent of public libraries report flat or decreased operating budgets for fiscal 2011, more than 30 percent of urban libraries report a decrease in hours and at least 17 states report library closures.⁶ Academic and school libraries have been hit almost as hard and are reducing hours, cutting back purchases of books, journals and other materials and in some cases laying off staff.

The squeeze on library funding is occurring amid unprecedented social and technological changes that are altering the reading and researching habits of library patrons and causing many libraries to rethink their mission.⁷ Two-thirds of Americans are now online, up 12 percent from 2005, and almost all of them visit social networking sites, such as Facebook, YouTube and LinkedIn — nearly triple the number just four years ago.⁸

More than 90 percent of Americans own a cell phone, up from about 66 percent in 2005, and a quarter of those phones are now “smartphones” capable of searching the Internet and displaying video, an increase of more than 1,000 percent.⁹ And in just six months, the share of U.S. adults who own an e-book reader, such as an Amazon Kindle or Barnes & Noble Nook, has doubled to 12 percent. (Ownership of tablet computers, such as the Apple iPad, has risen to 8 percent).¹⁰

“The changes confronting public libraries over the next 30 years will be profound,” said Roger Levien, author of “Confronting the Future,” a recent report from the American Library Association (ALA), in Chicago. “Unfortunately, it is not impossible to imagine a future without libraries,” he said, and if that is to be avoided, libraries “must play an active role in shaping their future.”¹¹

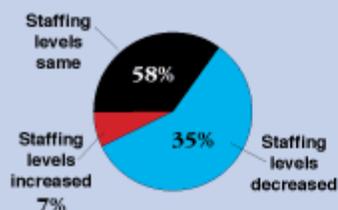
Urban School Libraries Face Depleted Resources

Libraries in urban school districts are facing numerous difficulties, ranging from staffing cuts to reduced operating hours. Less than 40 percent have at least one full-time certified librarian, and 35 percent report decreased staffing levels over the past three years. About half have annual book budgets of less than \$4,000, and nearly 90 percent have collections with an average age exceeding five years.

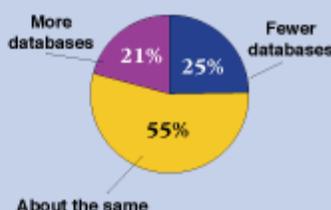
Survey Results for Urban School Libraries, October 2010 (based on 798 respondents)

Library Staffing*	
One or more library aides	36% (260)
One part-time certified librarian	57% (418)
One full-time certified librarian	29% (209)
Two or more certified librarians	8% (61)
One or more certified teachers not certified as school librarians	6% (42)
Volunteers, other	2% (15)

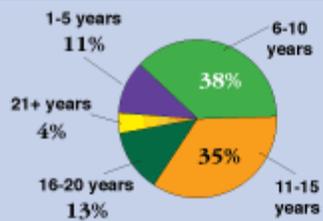
Trends in Library Staffing in Past Three Years



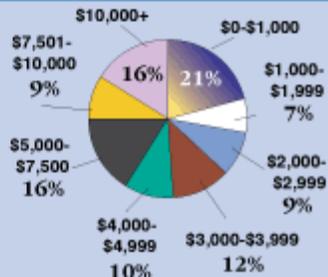
Trends in Number of Online Databases in Past Three Years



Average Age of Collection



Annual Book Budget, 2009-2010



* Respondents could choose more than one answer.

** Percentages may not total 100 because of rounding.

Source: "AASL Urban Schools Task Force Survey Report," American Association of School Librarians, January 2011, [www.ala.org/ala/mgrps/divs/aasl/researchandstatistics/AASL Urban Schools Taskforce Report_v2.pdf](http://www.ala.org/ala/mgrps/divs/aasl/researchandstatistics/AASL%20Urban%20Schools%20Taskforce%20Report_v2.pdf)

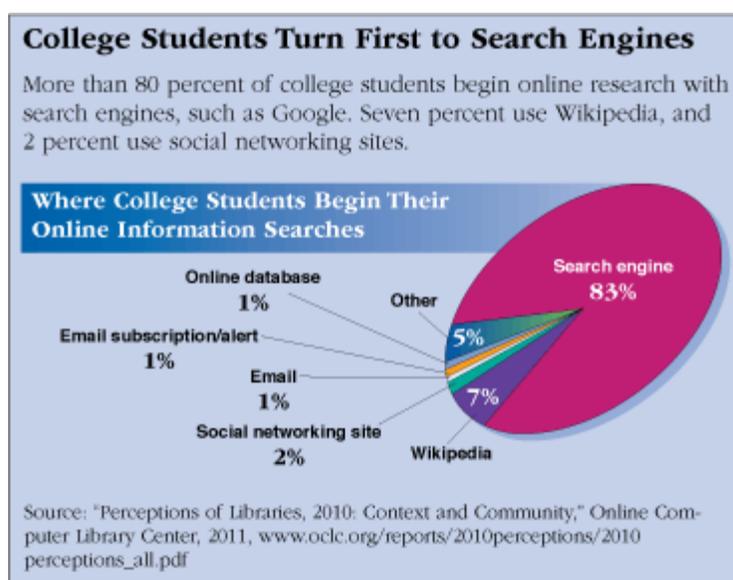
Libraries, for example, must decide how many services to offer from a physical building and how much to offer virtually via the Internet, said Levien. Should they cater to individual patrons, with hushed reading rooms and reference librarians available behind desks and online, or to the community, with community meeting rooms, computer labs, coffee shops, children's playrooms and theaters?

At the most fundamental level, perhaps, libraries must also decide whether they will continue to own and archive the books, magazines, CDs and DVDs they lend to patrons, or become portals through which patrons access electronic books, music and films, "all owned and hosted by other organizations," Levien

said.¹²

Already, public libraries have made significant changes. Nearly all now provide public access to computers and the Internet, compared to 28 percent in 1996. In addition, almost 86 percent provide Wi-Fi access, and more than 87 percent offer technology training to patrons.¹³

Those changes, coupled with the nation's stubbornly high unemployment rate, are driving job seekers and others to library resources just as library funding is being cut.¹⁴ "Since the recession began, libraries have grappled with budget cuts and decreased hours, while users wait in lines before doors open, eager to use library computers or access Wi-Fi, get expert assistance for job search and learn how to download e-books," said ALA President Roberta Stevens.¹⁵



During the depth of the recession, 40 percent of library computer users received career help, including searching for jobs and filling out applications online, according to a study funded by the Bill & Melinda Gates Foundation. Similar percentages of patrons used library computers to research health issues, make doctor appointments and get help with educational needs, including doing homework online.¹⁶

But accessing a library workstation is not always convenient or even possible. Up to a third of public libraries report they lack "even minimally adequate Internet connections to meet demand," and even more report that they cannot provide "the access their patrons need."¹⁷

"This study highlights what is at risk, particularly for low-income individuals who heavily rely on the public library for their

technology, if future public and private investment in public libraries doesn't keep pace with demand," said Allan Golston, president of the United States Program at the Gates Foundation.

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Increasingly, libraries and their advocates are using economics to justify their funding. Block, the Oakland children's librarian, waved a study in front of city council members that found a \$4 benefit for every tax dollar spent on Wisconsin's public libraries. A Vermont study found a benefit of \$5.36, and a South Carolina study pointed to a nearly \$3 return on each dollar invested.

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These returns "come through salaries that are paid, they come with taxes that are paid, they come from vendors and contractors ..., they come from neighboring businesses who generate income from patrons who use the library," Block told the city council.

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And proximity to libraries improves home values, according to a 2010 study of the Free Public Library of Philadelphia by the Penn Fels Institute of Government at the University of Pennsylvania. It found that the city's public libraries added \$698 million to home values, which homeowners "can borrow against to finance education, home improvements and other types of spending" and which produced an additional \$18.5 million in property taxes paid to the city and school district each year.

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Against this backdrop of economic, social and technological turmoil, here are some of the questions that library directors, staff and patrons, politicians, university and school officials and researchers are asking:

Will public libraries eventually lend only e-books?

Mikki Brunner, a 41-year-old advertising copywriter in New York City, says she reads 12 to 15 e-books per month, spending as much as \$150. The instant gratification of downloading a book onto her iPad "is the reason I kind of overspend," she says.

Instant gratification was elusive, however, when Brunner tried to borrow an e-book from the Brooklyn Public Library for free and discovered she would have to wait two weeks because someone else had downloaded the book and was reading it. "It was outrageous to me," she says. "It's digital. Why can't it be shared?"

Most book publishers allow libraries to lend an e-book to only one customer at a time, as if it were a print book. Nevertheless, library directors are intent on attracting and retaining the growing number of tech-savvy patrons, like Brunner, who read e-

books. "If we don't provide this material for them, they are just going to stop using the library altogether," said Michael Colford, director of information technology at the Boston Public Library.

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But because e-books don't wear out or disappear like paper books, publishers fear the loss of millions of dollars in library revenue if they allow libraries to purchase a single e-book and lend it out in perpetuity. What's more, publishers fear that if e-books are widely available for free from libraries, consumer sales of the books will plummet. Librarians, publishers and e-book distributors are struggling to figure out a workable business model that satisfies everyone.

E-books have the potential to be an important category for libraries. Nationwide, sales to Americans who use e-books totaled \$72.8 million in April, up 158 percent from the year before, according to the Association of American Publishers. In contrast, sales of most general fiction and nonfiction hardcovers and paperbacks are shrinking.²³ E-books now account for one in seven consumer books sold.²⁴

Two-thirds of U.S. libraries offer e-books, and many have had to double and triple their e-book budgets.²⁵ "It's amazing. We just can't keep up with e-book demand," said Diane Eidelman, administrator for member services at the Suffolk Cooperative Library System, a consortium of more than 50 libraries on Long Island.²⁶

Cleveland-based OverDrive, a leading distributor of e-books to public libraries, says it has seen e-book checkouts grow from a little more than 9,000 in 2003 to nearly 6.3 million in the first half of 2011.

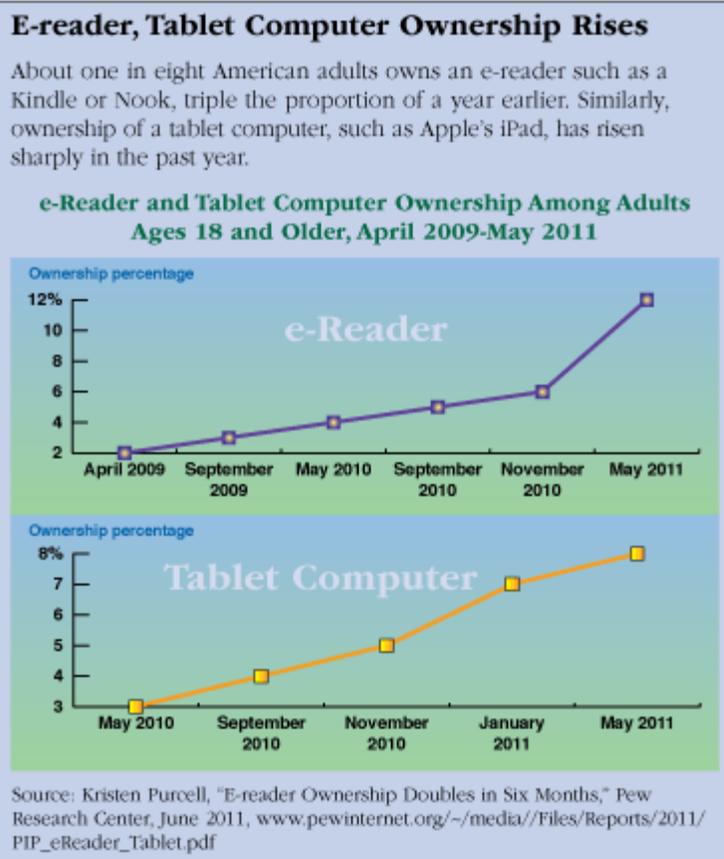
But e-books remain a mere small slice of library lending. For instance, patrons of the vast Los Angeles County public library system checked out only 6,700 e-books in May. While that pales in comparison to the 1 million physical items the library lends each month, according to Migell Acosta, interim assistant director for information systems, it is more than eight times the total in January 2010, when the library first offered e-books.

It's not clear, however, whether such growth can be sustained. The old-fashioned checkout policy is not the only issue for libraries. "A lot of the property rights and ownership issues that are swirling around e-books have to get resolved before you'll see every public library having the vast majority of their collection available digitally," says Margaret Donnellan Todd, head of the Los Angeles County library system.

Libraries don't own e-books in the traditional sense. They license them from publishers through distributors such as OverDrive. The e-books sit on OverDrive's computer server, and libraries provide access to the e-books through a custom-branded website that OverDrive creates for them.

That means the traditional copyright allowance called "right of first sale" that allows libraries to lend, share with one another, shred or make an archival copy of a print book doesn't apply when the material is licensed. "Archiving, in particular, is important because the sad fact is that publishers do go out of business," says Acosta.

The licensing arrangement also raises questions when libraries want to terminate a contract. The state librarian of Kansas, who is refusing to renew a contract with OverDrive that would raise fees nearly 700 percent, is arguing that the state library owns the e-books and can transfer them to the server of an OverDrive competitor. OverDrive has issued only a general statement, saying it "will cooperate" with the state.²⁷



Many publishers are leery of libraries lending e-books, however. Macmillan Publishers won't license e-books to libraries at all. Neither will Simon & Schuster. "We have not yet found a business model with which we are comfortable and that adequately addresses the interests of our authors," says Simon &

Schuster spokesman Adam Rothberg.

Last February, HarperCollins caused an uproar when it announced that it will limit each of its e-books to 26 checkouts, at which point a library's license will expire and have to be renewed. "We have serious concerns that our previous e-book policy, selling e-books to libraries in perpetuity, if left unchanged, would undermine the emerging e-book eco-system ... place additional pressure on physical bookstores and in the end lead to a decrease in book sales and royalties paid to authors," the company wrote in an open letter to librarians posted on its "Library Love Fest" website.²⁸

The comments following the posting were scathing. Many called the company "greedy." Others said the policy was "ridiculous," and one librarian called it "wrong, wrong, wrong."²⁹

Some libraries and library consortiums have gone as far as boycotting HarperCollins e-books. They include the Nebraska OverDrive Libraries, a 66-member consortium, the 34-member Southern Adirondack Library System, and the 70 public libraries in the North Texas Library Partners consortium.³⁰

"The reality is with a hardcover or even a paperback book, you can typically rely on significantly more than 26 circulations before it wears out and has to be replaced," says Tim Burke, executive director of the Upper Hudson Library system in New York, whose 29 public libraries voted to join the boycott. "It's like a library renting a print book for a year and then having to give it back and buy it again."

Burke says the boycott was the libraries' way of getting the attention of HarperCollins and forcing a dialogue. It seems to be working. "HarperCollins has been, and will continue to be, actively engaged with the library community regarding changes to our e-book policy," says Erin Crum, vice president for corporate communications. "There isn't anyone we're not talking to, either through our staff or our members," says Susan Benton, president of the Chicago-based Urban Libraries Council, whose members comprise North America's leading public library systems, when asked if her organization was talking with HarperCollins. "Just because a model has been put out there doesn't mean that it is going to be in cement for the next 20 years," she says.

Acosta says that perhaps a subscription model would work, with libraries paying an annual fee for unlimited access to a publisher's e-book catalogue. It would not solve the ownership problem or restore right of first sale, but the number of

checkouts would have no ceiling, and multiple patrons could borrow e-books simultaneously.

OverDrive has the same idea. It has a program called Maximum Access that allows libraries to buy subscriptions to audio books and videos. OverDrive has announced that it is hoping to sign up e-book publishers as well.

"One of the benefits for publishers is that this is a recurring revenue stream. The renewal rate for Maximum Access is very high," says Dan Stasiewski, OverDrive's marketing associate. OverDrive signed up its first, and so far only, e-book publisher in December: Liquid Comics, which publishes graphic novels.

Will the library of the future be completely virtual?

"In the past 22 years, we have either built or rebuilt just about every one of the 46 libraries in our system," says Bill Ptacek, director of the King County Public Library System in Washington state. Revenue from a 2004 bond issue has helped the system expand along with the rising Seattle-area population. Just this month, a new library opened and construction began on another.

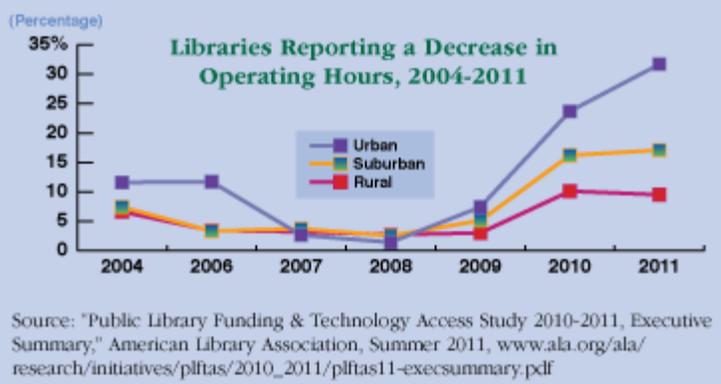
Ptacek is building for the long haul. "We like to think that the buildings are 40-year buildings, easily," says Ptacek. But their flexible designs reflect the rapidly changing ways people use them, he says.

"Google answers in one afternoon more reference questions than all the public libraries in the United States in an entire year," Ptacek says. Helping patrons with reference inquiries "is not our business anymore." As a result, many librarians are being redeployed into the community, training daycare providers and parents in early literacy skills and working in public schools.

Inside the library buildings, which draw about a million visitors a month, a large share of the space is devoted to computer workstations, "cyberbars" where patrons plug in laptops and meeting rooms for patrons to work on group projects or attend community events. There are fewer books and fewer stacks. Excess copies and worthy but low-circulation books have been moved to off-site storage; patrons can order them through the online catalogue. The remaining onsite librarians help people access digital databases and e-books and make recommendations about what to read.

More Libraries Cutting Their Hours

Nearly one-third of urban libraries reported a decrease in operating hours in 2011, a drastic change from just two years earlier, when fewer than 8 percent reported a drop. Rising numbers of suburban and rural libraries also have curtailed their hours.



Yet some believe that physical libraries are bound for extinction. "The idea of housing a large collection of printed material as a foundation for a community center and as a launching pad for a variety of educational services seems to me to be well rooted in the 19th century, sensible in the 20th century, but just does not compute for what I see as a mid-21st century world," says Mike Shatzkin, CEO of The Idea Logical Company, a consulting firm in New York, and an expert on digital change in the book-publishing industry. Shatzkin predicts that in 15 to 20 years the physical library will cease to exist; patrons will access electronic material online, and the meeting places and cyberbars will have migrated elsewhere.

"If you think about how much digitization has taken place in the three-and-a-half years since the Kindle was introduced, it's phenomenal," says Shatzkin. He foresees a fully e-booked world in which almost everyone will own screens with access to the Internet as prices for devices like smartphones and laptops continue to decline.

Cyberlibrarians, however, will be needed more than ever, he says. "Fifteen years from now there will be 5,000 e-books on Babe Ruth, of which 3,800 will be self-published pieces of crap, and 300 will be renowned and trusted sources, and [a student writing a report] will need an expert to help navigate that," says Shatzkin.

"Forget about Shatzkin's prediction," said John Berry, an editor-at-large at *Library Journal*. Librarians need to work face-to-face with everyone from children to immigrants to the elderly, and patrons need the library as a place to enter without fees; use "regardless of class, belief, or economic condition; and get full access to information for any purpose for free." ³¹

And Ptacek says it's wrong to say libraries are simply becoming community centers. "What separates it from a community center is that we provide social interaction around information," says Ptacek, whether that means someone quietly reading or a group of students working with a librarian on a digital assignment.

In academia, however, the physical library is shrinking and even occasionally disappearing for reasons other than budget cuts. Last year, Stanford University closed its brick-and-mortar physics and engineering libraries and consolidated them into a much smaller, more efficient, largely electronic library with more space for people and far fewer books. There are "brainstorm islands," group event space and cushy seating for students and faculty to use the library's four Kindle 2 e-readers. The reference desk is electronic, and the library's search tool can scan 28 online databases and more than 12,000 scientific journals.

"As far as research articles go, physics publication is already essentially entirely online," said physics graduate student Daniel Wasserman. "And old journal editions from before the Internet era have largely been digitized, so you can get those articles online too." ³²

In fact, because of their rapid move to electronic content, the sciences, medicine and engineering are well-suited to experiment with 'bookless' libraries or even no physical libraries at all.

Sometime in 2012, Welch Medical Library at Baltimore's Johns Hopkins University will close its doors to faculty and students. Instead, librarians, called informationists, will go to them. Many informationists are already embedded in various departments of the schools of medicine, nursing and public health, says Sue Woodson, associate director for collections.

"One woman will sit in on patient conferences, keeping track of questions that come up and making sure they are answered," she says. Others will help conduct systematic literature reviews across increasingly sophisticated databases for researchers who are writing papers.

The changes are the result of surveys, focus groups and individual interviews initiated by Hopkins library director Nancy Roderer after she arrived at the university in 2000. "People said they wanted access to the journals; they wanted a really good interface to get to those journals; and on occasion they wanted reference help from the staff," says Woodson. "What they did not ask for is a building."

Electronic Books Surge in Popularity

Library patrons worldwide have checked out more than 6 million e-books from the OverDrive network — a leading distributor of e-books for libraries — in the first half of 2011, exceeding the combined total of the previous two years. Annual totals have risen sharply since 2003, when fewer than 10,000 e-books were checked out.



“The need for physical space to store collections has diminished dramatically,” agrees Charles Lowry, executive director of the Washington-based Association of Research Libraries. But outside the medicine, science and technology disciplines, the trend is to reuse that valuable real estate for library purposes and in some cases to even expand, he says. “The Johns Hopkins main campus library is building a new extension,” Lowry says, “on the very same campus where the medical library is attempting to abandon the physical library and disperse its librarians throughout the hospital complex.”

Much like public libraries, main academic libraries have seen a drastic decline in reference requests but an increased demand for people space, whether to plug in a laptop, quietly study or work on group projects, a reflection of teaching trends that stress group assignments.

“You can say that space can happen anywhere on campus, and yes it can,” says Lowry, “but it can't happen anywhere else with a full array of information resources from print to electronic, with expert help available from librarians and staff and ... in a central location. I cannot imagine that you won't see physical libraries on our campuses 10 years and probably 25 years from now.”

Should private companies run public libraries?

On July 1, a private company took over the management and staffing of the three public libraries in Santa Clarita, Calif., a city of about 176,000 residents located near Los Angeles. The move came after a controversial city council decision a year earlier that resulted in several lawsuits, thousands of protest petitions and a campaign by the Service Employees International Union (SEIU), which represents library workers, against what it calls the “privatization beast.”

"Nobody was complaining about the libraries. Nobody," said Lynne Plambeck, a Santa Clarita resident.³³ But city officials said Santa Clarita will save hundreds of thousands, if not millions, of dollars by turning over management to Library Systems & Services, based in Germantown, Md.³⁴

The city also gained local control. The three branches had been part of the Los Angeles County public library system, headed by Todd, who says the Santa Clarita City Council ignored the will of the people. A public hearing was announced only a few weeks before the vote, there were no competing bids and the community "was really not given an opportunity to provide any input into the decision," says Todd.

The decision also inflamed an existing debate about whether public libraries should be off-limits to the trend of municipalities outsourcing a growing number of services to for-profit companies in an effort to save money as tax revenues stagnate.

"A basic community service like the library should not be run by a corporation," says Todd. "It's like deciding to privatize your police department or your fire department. It should be run by government employees whose sole commitment is to service and not to profit."

LSSI, as the company is known, began offering management services to public libraries in 1997 and is the only company in the United States to do so. It currently manages 16 public library systems across California, Kansas, Oregon, Tennessee and Texas, which together comprise 68 branches.³⁵

LSSI President Ron Dubberly says it is inaccurate to call what LSSI does privatization because the local government retains control over policy. "I'm a librarian. I believe that public libraries are an essential part of democracy. I would never give up the policy control to an entity other than the public," says Dubberly. Jurisdictions set the hours, the number of staff, the materials budget and other broad policy goals in contracts that are overseen by library trustees and government managers, he says, and the company provides a more efficient operation within those parameters.

"LSSI says they are not setting policy, but that is exactly what is happening," says Sally Reed, executive director of the Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF). "I was a library director for 20 years, so I know. Directors suggest policy, and the trustees, who really don't have any background or knowledge, generally take the word of their professional, and then they meet again in another month."



AFP/Getty Images/John MacDougall



AFP/Getty Images/Emmanuel Dumand

The e-Reader Revolution

A visitor downloads an e-book from a touch-screen terminal to his BlackBerry at the Frankfurt Book Fair (top). A customer tries the iPad 2 at the Apple store on Fifth Avenue in New York City last March 11 (bottom). In just the past six months, the percentage of U.S. adults who own an e-book reader, such as an Amazon Kindle or the Barnes & Noble Nook, has doubled to 12 percent. Ownership of tablet computers, such as the iPad, grew to 8 percent. "Since the recession began, libraries have grappled with budget cuts and decreased hours, while users wait in lines before doors open, eager to use library computers or access Wi-Fi, get expert assistance for job search and learn how to download e-books," said American Library Association President Roberta Stevens.

Reed says library directors who work for LSSI are not only suggesting policy but also making day-to-day decisions. They must place corporate profits above public interest, she says. "Maybe you hire back a couple of professional librarians, but you beef up the clerical and support staff who are less expensive ... or maybe you reduce outreach services ... for poorer or new Americans."

In February, the city council in Stockton, Calif., and the San Joaquin board of supervisors voted against turning over management of their jointly run library system to LSSI. Officials

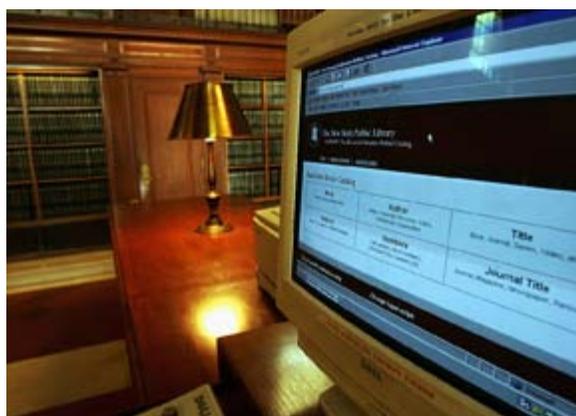
said two primary factors — public opinion and the contract itself — ended negotiations with the company. “The general deprofessionalization of the library staff as a whole, coupled with unrealistic staffing numbers compared to the proposed number of operating hours, led to a belief that the quality of library service under LSSI may have declined,” said Pamela Sloan, director of Stockton's Community Development Department.³⁶

“That is just a difference in professional opinion and about protecting what you have built,” says Dubberly.

LSSI's oldest, and largest, contract is with Riverside County, Calif., whose library system includes 33 libraries and two bookmobiles. “LSSI is a very professional, very well run organization,” says Gary Christmas, retired chief deputy county executive officer and, before that, Riverside County librarian, whose job was to monitor the contract.

Financially strapped and chafing under a contract that had given the city of Riverside management of the county libraries, the county decided to end the contract. And after receiving proposals from a neighboring county library, its own department of education and LSSI, it awarded the new management contract to LSSI. “The money was not the issue; the money was the same,” says Christmas. “We were hoping to get more bang for the buck and more control.” And he says the county did.

In a 2010 assessment of Riverside County's experience with LSSI, Christmas calculated that facilities, hours open per week, staffing, annual visits, program attendance and the book budget have all increased substantially since 1997.³⁷



It's business pretty much as usual at the New York Public Library, which averted most of a planned 25 percent reduction in its city funding. But many other public libraries have been unable to escape the recession's lingering effects. Academic and school libraries also have been hit hard and are reducing hours, cutting back

Christmas says LSSI is able to offer more services per dollar in the county because it provides significant economies of scale by ordering books from a central location and getting discounts for buying in bulk; it pays vendors to

purchases of books and journals and in some cases laying off staff. (Getty Images/Spencer Platt) process new books, saving on library labor costs; and it saves on pension costs because employees contribute to 401K retirement savings accounts rather than participate in the county's traditional pension plan.

In addition, county library staff, who are now corporate employees, are no longer unionized. "The way it works in a local-government situation, you've got these complex negotiations with the union, you've got workplace rules so you can't move this person to that job," says Christmas. "But a private company has much more flexibility."

With the backing of the SEIU, California Assemblyman Das Williams, D-Santa Barbara, introduced a bill restricting the ability of local jurisdictions to outsource the management of libraries to private companies. "Our bill does not stop privatization from taking place, but it requires an audit that is supposed to disclose how the private firm is going to save money," says Williams. The bill also prohibits the displacement of city or library district employees. The state Assembly has passed the bill, which is now in the Senate.

Opposing the bill are LSSI, the California Chamber of Commerce and the California League of Cities, which have argued that its strict provisions would effectively remove outsourcing library management as an option and that some libraries may have to close as a result.

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Background

Members Only

Colonial America's earliest libraries were housed in colleges, such as Harvard in Boston and Yale in New Haven, or in parish churches. They consisted, at least initially, mostly of theology texts. The first "public" libraries in the United States were not established until the early 18th century and were not free. Instead, they were limited to members who paid an annual subscription or bought shares of stock.

In 1727, Benjamin Franklin, a 22-year-old printer and publisher, and a group of his Philadelphia friends formed what Franklin called a "club of mutual improvement." Members met on Friday evenings to discuss politics, morals and natural philosophy and once every three months to hold debates. They needed books to consult, and so, in 1731, 50 founding members established the Library Company of Philadelphia, the country's first subscription

library, with initiation fees and annual dues.

"The idea caught on across the colonies," and by the 1750s a dozen new social libraries had appeared, according to Stuart A.

P. Murray, author of *The Library: An Illustrated History*.³⁸

While mutual enlightenment was their ostensible goal, members were as much interested in companionship. "I was surprised to find that no matters of philosophy were brought upon the carpet. They talked of privateering and building of vessels," wrote one visitor to a library in Rhode Island.³⁹

The Revolutionary War interrupted the formation of social libraries, but not for long. "The 1780's produced more new social libraries than the entire previous half-century," wrote Jesse H. Shera in *Foundations of the Public Library*. And during the next 25 years, "the social library experienced unprecedented growth; literally scores of New England towns ... organized such book clubs."⁴⁰

In the 17 years following the revolution, New York City and Philadelphia each served as the capital of the new United States and their social libraries as the unofficial library for Congress. But in 1800, President John Adams approved legislation transferring the capital to Washington, D.C., and establishing the Library of Congress there. The first Librarian of Congress, John J. Beckley, was named in 1802 and earned \$2 a day.⁴¹

The Library Movement

As American cities grew with an influx of immigrants and rural migrants, a movement developed to educate them. "Democracy, it was asserted, required educated, informed citizens. Public libraries, supported by the government, became an essential institution for the education of the masses," wrote Murray.⁴²

Peterborough, N.H., led the way when it founded the first wholly tax-supported local public library in the country in 1833, open to all free of charge. However, the munificence of town authorities was "definitely limited," according to Hawthorne Daniel, author of *Public Libraries for Everyone*. Their first appropriation, for the purchase of books, "amounted to only \$66.84, and under the circumstances it is remarkable that any beginning was made at all."⁴³

Fifteen years later, the Boston city council applied to the state legislature for power to establish and maintain a public library, and the governor signed the resulting enabling legislation, the "first official recognition by a state governing body of the

⁴⁴

principal of municipal library support," according to Shera. Funding, however, was delayed. Finally, in 1853, Boston officials authorized \$5,000 for library development.

By 1876, 188 tax-supported libraries were operating in the United States.⁴⁵ But no formal standards for library operation or clearinghouse for such information existed. To fill the void, a young and then-unknown librarian at Amherst College, Melvil Dewey, helped to form a committee of the nation's most prominent librarians. They organized a conference of librarians for October 1876 in Philadelphia. A total of 103 individuals attended — 90 men and 13 women — one-third of them from public libraries. On the third day of the meeting, they formed the American Library Association, with the superintendent of the Boston Public Library as president and Dewey as secretary. The aim of the organization was to "to enable librarians to do their present work more easily and at less expense."⁴⁶

To foster the professional development of librarians, Dewey founded the Columbia School of Library Economy in New York City in 1884, the first American library-science school. After the all-male Columbia University objected to the number of females in library classes, Dewey moved the school to Albany, where it was renamed the New York State Library School. "His rigorous curricula and his many library-development innovations (including his Dewey Decimal Classification system) established him as a prominent pioneer in library science," wrote Murray.⁴⁷



Library patrons surf the Web at the Harold

But back in New York City, no public library yet existed, even though the city already had passed Paris in population and was quickly closing in on London. "Fortunately, this burgeoning and somewhat brash metropolis counted among its citizens men who foresaw that if New York was indeed to become one of the world's great centers of urban culture, it must also have a great library," according to

Washington Library in Chicago. Many financially squeezed Americans are turning to the nation's public libraries to hunt for jobs, polish résumés or borrow books and DVDs instead of buying them. (Getty Images/Scott Olson)

the New York City Public Library's website.⁴⁸

One of those men was former New York Gov. Samuel J. Tilden, a corporate lawyer and shrewd investor, who bequeathed \$2.4 million upon his death in 1886 to establish and maintain a free library. Four years later, two of the city's most prominent reference libraries — the Astor Library and the Lenox Library, used mostly by scholars and by appointment — were running into financial difficulties, and their boards agreed to combine their resources with the Tilden Trust to form the foundation of the New York Public Library.

On May 23, 1911, the New York Public Library finally opened in its new home, the largest marble structure in the United States at the time and consisting of an enormous reading room topping seven floors of stacks. The stacks were not open to browsing; instead patrons filled out request slips and librarians retrieved the books. "Between 30,000 and 50,000 visitors streamed through the building the first day it was open. One of the very first items called for was N. I. Grot's *Nravstvennye idealy nashego vremeni (Ethical Ideas of Our Time)*, a study of Friedrich Nietzsche and Leo Tolstoi," according to library history.⁴⁹

Carnegie Libraries

The 25 years from Tilden's initial gift to the opening of the New York Public Library "comprised an era that saw the rise of librarianship and of women as librarians," according to Murray, and were "peak years of American library growth. Crucial to that growth was industrialist and philanthropist Andrew Carnegie."⁵⁰

More than 600 public libraries were operating by 1886, the year that Carnegie, a steel magnate and one of America's wealthiest citizens, began dispersing his personal fortune to fund the construction of public libraries across the United States. Carnegie instituted strict rules for his largesse. Carnegie would give a library to any town with a population of more than 1,000, but in return towns were required to provide the site for the library and tax themselves to pay for maintenance of the buildings, purchase of books and payment of staff salaries. These procedures helped assure Carnegie that "he was helping only those who helped themselves," according to Abigail A. Van Slyck, author of *Free to All: Carnegie Libraries & American Culture 1890-1920*.⁵¹

As Carnegie put it: "I do not think that the community which is

not willing to maintain a library had better possess it. It is only the feeling that the Library belongs to every citizen, richest and poorest alike, that gives it a soul.”⁵²

Not everyone was enamored of Carnegie's library program. Several towns turned down his offer of a library because of the taxing requirements, and several union officials objected to taking the charity of a man whose workers had often fought “bloody pitched battles” against his companies. “Carnegie ought to have distributed his money among his employees while he was making it. No man can accumulate such wealth honorably,” said an official of a railway workers' union when Carnegie offered Detroit a library grant.⁵³

The building of Carnegie libraries coincided with independent changes in the philosophy of library administration, according to Van Slyck. “The traditional understanding of the library as a treasure house, protecting its books from untrustworthy readers, was falling out of currency,” she wrote. The modern library was characterized by “public support, open shelves, work with children, cooperation with schools, branch libraries, traveling libraries and library advertising.”⁵⁴ Carnegie embraced these ideas, and in his libraries readers were free to browse the open stacks holding the collection.

Carnegie continued to fund libraries until his death in 1919. While some of his libraries have been converted to other uses, more than 90 percent of the original 1,412 American buildings are still used as libraries today.⁵⁵

Federal Support

Within a decade of the end of World War II, 7,408 public library systems were operating in the United States, composed of central libraries, branches, sub-branches, stations and bookmobiles, according to a government survey. That works out to a library building or bookmobile for every 8,000 people. “Were one to use these figures as the basis for a superficial guess, it might seem reasonable to assume that ... Americans were well enough served,” wrote Daniel. “But a little closer look soon makes it clear that ... this was far from true.”⁵⁶

According to Daniel, many rural areas had no libraries at all, and conditions varied tremendously from state to state. For instance, Louisiana had library service for 85 percent of its residents in 1953, but Oklahoma provided libraries for only half of the state's residents.⁵⁷

Where libraries existed, some had degenerated “into outmoded

collections of books." These institutions, as well as others with still decent collections, were trying to manage with inadequate budgets by cutting back purchases of new books "almost to the vanishing point" and by reducing operating hours.⁵⁸ While Massachusetts spent \$2.10 per capita on libraries, for instance, West Virginia spent just 19 cents.⁵⁹

To correct these disparities and to extend library service into rural areas, Congress passed the Library Services Act in 1956. Each state was to submit a plan to the Department of Health, Education and Welfare to expand and improve its library services.

This year, federal funding for libraries has shrunk and faces further cuts in fiscal 2012 as Congress and the White House wrestle with one of the largest budget deficits on record and a ballooning federal debt.

Age of Digitization

Today, there are more than 9,000 public library systems in the United States, close to 4,000 academic libraries, roughly 99,000 school libraries, more than 8,000 special libraries, such as medical, corporate and law libraries, and more than 1,000 government libraries.⁶⁰ All are grappling with the impact of digitization and the proliferation of material on the Internet.

For example, Stephen Fletcher, a photographic archivist at the University of North Carolina, Chapel Hill, has spoken with his supervisor about building relationships with local newspapers to share the papers' master files of uncropped digital photographs. Fletcher also would like to develop the ability to find and collect photographs that people put on photo sharing sites such as Flickr and Panoramio. "It is something I would like to do sooner rather than later because there is some really good stuff out there," says Fletcher, who is concerned it could disappear.

But doing these things is not simple. The photographs must be stored on the university's computers, and that takes time and money. "At a university, you just don't go out and buy 10 terabytes of storage. You really need to be talking with your IT department, and it could take 18 months from when you first project your storage needs to getting that approval," says Fletcher. There are also questions about how to catalogue the information and make it searchable for library patrons.

Though challenges persist, libraries are beginning to store the often ephemeral material of the digital realm. A year ago, Twitter announced it is giving its entire archive of public tweets

to the Library of Congress with continuous updates. "Anyone who wants to understand how an ever-broadening public is using social media to engage in an ongoing debate regarding social and cultural issues will have need of this material," said Librarian of Congress James Billington.⁶¹

And the University of Texas at Austin established the Human Rights Documentation Initiative in 2008 to showcase digital audiovisual documentation of human rights violations acquired through partnerships with human rights organizations worldwide. It also is archiving the websites, reports, audio, video and photographs on human rights struggles produced by individuals and small organizations.⁶²

Then there is the mass of analog material — millions of paper books and journals as well as cultural artifacts, including photographs, letters and all sorts of other documents — that is being digitized, a controversial process that has inspired lawsuits and competing visions of how to preserve the world's cultural heritage.

In December 2004, Google embarked on an ambitious project to scan millions of books from the library collections of Harvard, Stanford and Oxford universities, the University of Michigan and the New York Public Library and enter the works into a Google database, shared with the libraries. Columbia, Cornell and Princeton universities, along with the universities of California, Texas at Austin, Virginia and Wisconsin-Madison, later joined the project. Fifteen million books have been scanned so far.

The original plan was to make the full text of books in the public domain accessible online at no cost and to show only snippets of books in copyright. But authors and publishers filed a class action lawsuit against Google in 2005, charging copyright infringement. After years of negotiations, the parties reached a sweeping settlement in 2008 that expanded the entire project. Google would offer authors and publishers of in-copyright, in-print books the option of allowing users of the database to preview and purchase their books. In-copyright but out-of-print books would also be available for preview and purchase unless their authors or publishers chose to turn off that feature.⁶³

In March, a federal judge in New York rejected the settlement, in part because it gave Google a de facto monopoly on the sale of "orphan books" — in-copyright but out-of-print books whose authors and publishers cannot be found. It is not clear what will happen next or how the settlement might be renegotiated.

While Google and its partners expressed disappointment, many

in the library world welcomed the decision. The Open Book Alliance, whose members include Google competitors Microsoft, Amazon and Yahoo! as well as the National Writers Union, the Special Libraries Association and the New York Library Association, opposed the settlement and called for Google to abandon its plan for its digital library and bookstore. Instead, it and others have called for Congress to become involved in establishing a digital public library, administered by a neutral nonprofit like the Library of Congress, to benefit the public, protect reader privacy and uphold the rights of authors and copyright. ⁶⁴

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Current Situation

'Perfect Storm'

With unemployment stubbornly high, home prices depressed and consumer spending slow, it is no surprise that fallout from the recession continues to devastate many libraries' budgets, even as demand for their services is rising. "It's like the perfect storm," says Audra Caplan, the recently retired director of the Harford County Public Library in Maryland and immediate past president of the Public Library Association, a division of the ALA.

A rising number of people are asking librarians for help with job searches, résumé writing and applications for unemployment benefits, Caplan says. People who can no longer afford to buy or rent DVDs or purchase books are now borrowing them from the library. Parents who used to take their kids to the movies are bringing them to free library programs instead. But many politicians, Caplan says, just don't understand how "people depend on us more than ever."

Chris Hoene, director of research at the National League of Cities, which advocates in behalf of municipal leaders, disagrees. "I think it is increasingly recognized that libraries are workforce centers, provide after-school care and are quasi-community centers, but the reality also is that the declines in local revenues are deep," says Hoene, "and it may be another year or two before we see the curve change." Cities rely heavily on revenue from property taxes; a little more than half also have a local sales tax, and about 13 percent of cities have a local income tax, says Hoene. All three sources have been hit hard.

After the 2001 recession, city revenues across the country declined 2 percent, adjusted for inflation. In contrast, coming out of the current recession, city revenues have fallen 2.5 percent in 2009, 3.2 percent in 2010, and probably even more in

2011, Hoene says. "If the housing market doesn't ramp up again, it's likely that 2012 will be another difficult year as well."

The results of a recent survey of libraries nationwide are bleak. Almost two-thirds expect flat or decreased operating budgets in fiscal 2012. That would represent a steady worsening from the 40 percent reporting flat or decreasing budgets in fiscal 2009, in the middle of the recession. The pain is not spread evenly; a greater share of urban libraries report budget woes than rural and suburban institutions.⁶⁵ For instance, the Detroit Public Library's 2012 budget is set to be reduced by \$12 million, or about 35 percent. The Houston Public Library will lose \$7 million, or 18 percent.⁶⁶

Across-the-board service cuts often result from such reductions. When Harford County's library budget was cut 10 percent 2010, Caplan was forced to abandon professional development for library staff, eliminate tuition reimbursement, lay off some employees and end Sunday hours. "People kept saying to me, 'Stop buying new books,'" says Caplan. "But I did not want to cut materials because that's our bread and butter. Why would people come to us then?" Ultimately, Caplan had no choice and reduced her materials budget as well.

So have many other libraries. According to a *Library Journal* survey, budgets for adult books are down 8 percent in 2011, following declines of 4.9 percent in 2010 and 2.3 percent in 2009. For the first time in the survey's 13-year history, "cuts were reported for every region of the country, and every size of population served," *Library Journal* said.⁶⁷

Getting Out the Vote

Still, libraries and their supporters are learning how to advocate by organizing marches, attending city council meetings and using social media to rally support. One year after closing, the three library branches in Hood River County, Ore., reopened on July 1 after voters approved formation of a special library district — an independent unit of local government — to generate tax revenue and run the county's library branches. Before the November 2010 vote, some 500 volunteers had made phone calls and spoken at every civic meeting, said library district board President Sara Duckwall Snyder, who went door to door with her kids.⁶⁸

According to
Library Journal,
voters nationwide
passed 87 percent
of 220 local



Job seekers speak to career counselors at the Back to Work: Jumpstart Your Job Search program at a New York Public Library branch in 2009. At the height of the recession, 40 percent of U.S. library computer users received career help, according to the Bill & Melinda Gates Foundation. (Getty Images/Mario Tama)

referenda to raise operating funds for libraries in 2010, up slightly from the previous year's 84 percent and continuing a 10-year upswing. Libraries from Baldwinsville, N.Y., and North Lake County,

Mont., to Damascus, Ore., saw their funding stabilized. ⁶⁹

A few large library systems also have benefited. After a vigorous campaign by a coalition of librarians, advocates and teachers, voters in Los Angeles overwhelmingly approved a measure in March to secure funding for the city's 72-branch system that mandates that the libraries receive an increasing share of property tax revenue over the next four years. "With this victory, L.A. voters ... reaffirmed the Los Angeles Public Library as a core — and essential — city service," said Martín Gómez, the city librarian. ⁷⁰

Given the hard times, libraries across the country are looking for new ways to generate revenue. "I personally don't believe that we are going to be able to rely on tax dollars the way we did in the past," says Caplan. Harford County has begun charging for the use of library meetings rooms and examining its fine and fee policies. Other libraries have lined up local businesses to sponsor Sunday openings, and many libraries now earn fees by taking passport applications and photos, says Caplan.

Disappearing Librarians

The loss of school librarian positions because of drastic cuts in educational spending is a "pandemic," according to Nancy Everhart, president of the American Association of School Librarians (AASL), also a division of ALA. The trend, she says, is shortsighted. "Studies have repeatedly demonstrated that students in schools with strong school library programs learn more, get better grades and score higher on standardized tests."

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The same budget pressures affecting public libraries are impacting school libraries as well. The Charlotte-Mecklenburg school district in North Carolina laid off 739 teachers, counselors, media specialists and others in May. "At least 20 schools will be left with no trained staff to tend the libraries," according to the *Charlotte Observer*. Teachers and teacher assistants will have to fill in. ⁷²

When the Wichita, Kan., school board had to cut nearly \$28 million from its budget for the 2011-12 school year, high school sports was spared but high school librarians were not. Superintendent John Allison asked high school principals to set priorities, "and librarians weren't in that top tier," said Allison. ⁷³

It was the same story in Lancaster, Pa., which eliminated 15 of 20 librarian positions to save kindergarten. Facing a \$10 million deficit, Superintendent Pedro Rivera asked his senior staff, "What is it that we value the most?" Limiting class size and shielding arts, music and physical education from cuts were at the top of the list. "It was either library or kindergarten," said Rivera. ⁷⁴

Some states, such as Arkansas, Indiana and Kentucky, require each public school to employ a certified librarian. Most states, such as California and Maine, leave the decision to school districts or principals, making librarians an easy target for layoffs.

"I've been doing this for 34 years, and I don't know that I've ever seen cuts this drastic," says Cassandra Barnett, president of the AASL during the 2009-10 school year and school librarian at Fayetteville High School in Arkansas. Nearly half of all large urban school libraries surveyed have suffered budget cuts in the past two years, and nearly 60 percent must manage with annual budgets of less than \$5,000 a year, a figure that would challenge most librarians, according to results of an AASL survey released in January. Only slightly more than a third of respondents have libraries staffed by one or more full-time, professionally credentialed librarian. ⁷⁵

But shrinking or stagnating school library budgets are not new. "In the 1990s, it seemed like money started drying up, and since about 2000 that has really accelerated," says Barnett. She blames, in part, No Child Left Behind, the controversial 2002 federal law that emphasized accountability and testing in math and reading, for pulling money away from other school programs.

"In my school, we haven't had a budget increase in the last seven years," Barnett says. As a result, her library has cut its clerical staff in half and now trains students to pick up the slack in exchange for a credit toward graduation. Other schools rely on parental volunteers.

Barnett says many schools have shifted from buying pricey print reference books that only one student at a time can use to digital databases that many students can access simultaneously. But schools' embrace of digital resources poses a downside for school librarians: Some critics say they are no longer essential because of advances in technology.

"With the pervasive presence of technology in the classroom and at home, there is less need for librarians to teach students how to search the Internet," said Ze'ev Wurman, a technology executive in Silicon Valley and a former senior policy adviser in the U.S. Department of Education from 2007 to 2009. "It is our teachers, not our librarians, who must learn how to install the love of reading in their pupils," said Wurman. ⁷⁶

But librarians strongly disagree. "I spend a significant part of my day, every day, teaching students how to navigate all that information out there online so they can get what they need," says Barnett. It's called digital literacy, and librarians teach it to classroom teachers as well.

Federal Funding

Public libraries typically get about 60 percent of their funding from local jurisdictions, 20 percent from states, 17 percent from fundraising and about 3 percent from the federal government, according to Emily Sheketoff, executive director of ALA's Washington office. Though small, federal funding is important, says Sheketoff, because "it is innovation money." But like every other source of funding, it too is being cut.

For instance, Congress cut funding for the Library Services and Technology Act by 11 percent in fiscal 2011. This program awards grants to states, which use the money for summer reading programs and subscriptions to databases that are then made available to every library in the state, including public, academic and school institutions. These are often databases that help people design a résumé, look for a job, do homework or take practice tests for professional certification for various jobs.

"We have been hearing from states that they are going to have to give up their subscriptions," says Sheketoff. "When people are flocking to the library to look for jobs, this is not the time to make these cuts." ALA would like to see funding returned to

fiscal 2010 levels of \$213 million.

But not all librarians are on board with the ALA position.

"Librarians are acting like typical, selfish, nonthinking Americans ... [who] want to cut government spending, only not on programs that benefit them," said *Library Journal's* controversial and anonymous blogger "The Annoyed Librarian" in a post titled "Sacrifices Must be Made."

"Librarians should ... quit pretending that what's best for libraries is always best for the country," she wrote. ⁷⁷

Congress and President Obama are wrestling with the fiscal 2012 budget, and it remains unclear what will happen to federal support for libraries.

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Outlook

Digital Future

The Colorado State Library conducted a national survey of librarians about the future of the printed book, and about a quarter of respondents predicted its demise in from 21 to 100 years. ⁷⁸ If they are correct, what happens to libraries if publishers and librarians cannot agree on how to lend e-books?

"I begin to wonder that perhaps there will have to be a legislative solution, much like in the past," says Todd of the Los Angeles County library system. "In the late 1800s and early 1900s as public libraries became more of a fixture in the U.S, there were court rulings that established the right of a public library to lend books," she says.

However the wrangling over e-book lending is solved, librarians have long-range concerns about the many implications of the move to digital content. What happens if an e-publisher goes out of business or an e-book disappears, Todd wonders.

"Right now, I own my books," she says. "They're on my shelves. But we only subscribe to this digital knowledge. At some point will that no longer be available to us, and we'll have lost access to that book? That is a deep philosophical discussion that is going on all over the world."

In 2009, Amazon remotely deleted certain digital editions of George Orwell's *1984* and *Animal Farm* from people's Kindle e-reader devices after it discovered a company had added them to the Kindle store without holding the rights to them. ⁷⁹

Woodson of Johns Hopkins shares Todd's concerns about the move from owning to leasing. "In this change from sale to license/lease, somehow copyright has been trumped by contract law. The strengths and nuances of copyright listed in the Constitution^{*} have been made irrelevant," she says.

Stasiewski, the OverDrive marketing associate, says the distributor is aware of librarians' concerns and is "working with both publishers and libraries to ensure that access to content that has been licensed continues regardless of title availability" on OverDrive's digital marketplace.

But others believe that e-book leasing has got to go if authors, publishers and libraries are all to thrive. Brewster Kahle, founder of the San Francisco-based Internet Archive, a nonprofit group that works to extend permanent access to library collections in digital format, has a retro but at the same time radical idea. More than 1,000 libraries are contributing scanned copies of books in their collections for the Internet Archive's online Lending Library. But the Lending Library is also slowly buying e-books directly from publishers. These books are not leased; they are on the Lending Library's server. It owns them the way libraries own printed books — forever — and it lends them like printed books, one subscriber at a time. "We think this is a great way for publishers to make money, which would be by selling things," says Kahle.

A few small publishers have sold their e-books to Lending Library, and Kahle is talking with the big publishers. "But it is going very slowly," Kahle says.

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^{*}Article I, Section 8 of the U.S. Constitution gives Congress the power "to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." The Copyright Act of 1976, as amended a number of times since then, forms the framework for current U.S. copyright law.

Pro/Con

Should libraries filter out Internet pornography?

PRO	CON
 <p>Donna Rice Hughes President and CEO, Enough Is Enough. Written For CQ Researcher, July 2011</p>	 <p>Angela Maycock Assistant Director, Office for Intellectual Freedom, American Library Association. Written For CQ Researcher, July 2011</p>
<p>Let's phrase the question</p>	

this way: Should taxpayers pay for our schools and libraries to be pornography outlets? We don't think so, and neither did Congress or the U.S. Supreme Court when they passed and upheld the Children's Internet Protection Act (CIPA).

CIPA requires that libraries using federal "e-rate" subsidies dedicate a portion of those funds to install software that filters out pornography. Specifically, child pornography, obscenity and soft-core content, legally defined as "harmful to minors," must be filtered for those age 17 or under. For adult library users, both child pornography and online obscenity should be filtered, since neither of these is constitutionally protected under current federal statutes. The common misconception is that the only type of illegal pornography for adults is child pornography. Nothing could be more false. In layman's terms, the First Amendment does not protect obscenity for adults period, whether in the library or anywhere else. Although CIPA was written to be idiot-proof, common misunderstandings emerge from confusion over the legal definitions of pornography, specifically obscenity.

There are three categories of pornography:

Americans are using public libraries in record numbers today. An overwhelming majority are checking out books and videos, attending children's programs, seeking homework help, surfing the Internet and applying for jobs. The moral panic over children viewing pornography in libraries is unjustified and exaggerated and diminishes the vital role libraries play in our communities.

Libraries do not knowingly provide access to illegal content, like obscenity. If a librarian believes that a user is accessing material that might be illegal, the library has policies and local law enforcement to help them deal with this problem.

However, unlike obscenity, "pornography" has no meaning under the law. What one person deems pornographic may be vital information on birth control or sexual identity to another. Internet filters too often block such legitimate content.

In the discourse on Internet filtering, terms like "safety" and "protection" are often euphemisms for blocking access to legal information that some find unpleasant or uncomfortable. Publicly funded libraries have an obligation to provide, not deny, access to constitutionally protected

- child pornography, which is material that visually depicts children under age 18 engaged in actual or simulated sexual activity;
- harmful to minors, which is material representing nudity or sex that has prurient appeal for minors;
- obscenity, which is graphic material focusing on sex and/or sexual violence.

Additionally, individuals should not equate the widespread availability of illegal adult material with community acceptance of its content. In 2009, a national Harris Interactive poll found that 76 percent of individuals surveyed “totally disagreed” that viewing hardcore adult pornography on the Internet was morally acceptable. Likewise, 74 percent “totally disagreed” that viewing hardcore adult pornography on the Internet was generally harmless entertainment.

As the overwhelming majority of Americans understand, the problem with pornography is that it affects more than those who just view it. For some individuals, pornography is progressively addictive in nature. Research shows that pornography affects attitudes, values and

information.

The New York Public Library recently stated its commitment to unfiltered access to the Internet. We applaud its dedication to the library profession's values and ethical principles, even in the face of tremendous pressure to choose a more comfortable response to this highly complex issue.

How do they, and other libraries, arrive at this difficult decision? Libraries must weigh and consider conflicting values. Libraries are committed to providing open access to information while also creating a welcoming environment where all are free to explore ideas. The challenge is to find balance when these values are in conflict.

The use of Internet filters clearly denies access to information. In addition, filtering technology is flawed and only moderately accurate. Filters make mistakes. They block constitutionally protected speech while still allowing “pornography” to be viewed. Filters are therefore impractical for public libraries and offer a false sense of security to library users and parents alike.

Instead, librarians educate people on how to find and evaluate information. We teach skills that help parents, children and others use the Internet effectively.

behaviors, and pornography has been linked, in certain instances, to sex crimes against women and children. Federal legal precedents have also found that pornography was used as a tool in sexual harassment cases.

Public libraries that filter Internet pornography are protecting themselves and their patrons and should be applauded.

Librarians embrace our role as information experts and work tirelessly to help individuals in our communities become more capable, confident and informed users of the technologies and resources they need.

At the library, we believe people should be their own filters – and we help teach them how.

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Chronology

- 1730s- 1840s** **↑ Earliest members-only and public libraries founded.**
- 1731** Benjamin Franklin helps form Library Company of Philadelphia.
- 1800** Library of Congress founded.
- 1815** Thomas Jefferson sells his book collection to the Library of Congress after the British army destroys its collection during the War of 1812.
- 1833** First tax-supported public library is founded in Peterborough, N.H..
- 1848** Boston opens first publicly supported major urban library.
- 1870s- 1910s** **Library construction expands as library science takes hold.**
- 1876** American Library Association (ALA) founded with Melvin Dewey as secretary; Dewey Decimal Classification System simplifies cataloguing.
- 1886** More than 600 public libraries are operating in the United States.
- 1887** Dewey founds School of Library Economy at Columbia College in New York City, the first training school for librarians.
- 1895** A trust to fund the New York Public Library is formed; the library opens in 1911.
- 1905** First “bookmobile” is a horse-drawn wagon designed by the Hagerstown, Md., public library.
- 1917** Two years before his death in 1919,

	industrialist Andrew Carnegie has promised to fund 1,679 public libraries at a cost of more than \$41 million.
1950s	Federal government begins support of libraries.
1953	At the height of McCarthyism, ALA adopts Library Bill of Rights promoting the free expression of ideas and rejecting censorship.
1955	A total of 7,408 public library systems are operating in the United States, but access is uneven across states, and many rural areas lack service.
1956	Congress passes Library Services Act, creating broad federal funding for library projects, including bringing bookmobiles to rural areas.
1960s-Present	Technology reshapes library science.
1966	Initiation of the MARC (machine readable cataloging) project at the Library of Congress allows cataloging information in a machine-readable form.
1967	Online Computing Library Center (OCLC) is formed to merge the catalogs of Ohio libraries through a computer network and database to streamline operations and reduce costs.
1978	OCLC's shared cataloging system is recognized as a national system.
1996	Museum and Library Services Act merges federal programs supporting museums and libraries in recognition that both are social agencies for public education.
2004	Google embarks on ambitious project to scan millions of books from the collections of several major research libraries, including those at Harvard, Stanford and Oxford universities.
2005	Authors and publishers file class action suit against Google over digitization project, charging copyright infringement.
2007	Amazon releases its first e-book reader, Kindle First Generation, which sells out in a few hours.
2008	Google reaches sweeping settlement in class action lawsuit that appears to allow Google to create a digital library and bookstore.
2009	Barnes & Noble introduces the Nook, its competitor to Amazon's Kindle.
2011	In May, a New York federal judge rejects the Google settlement, in part because it would give Google control over "orphan books," in-copyright books whose authors or publishers cannot easily be found.... Amazon

says its sales of e-books exceed sales of print books.

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Short Features

New Breed of Bookworm Needed at the Reference Desk

"We need big servers, and the geeks to take care of them."

If there's any doubt that the staid world of reference librarians is undergoing a tidal shift, just consider two new positions waiting to be filled at the research library of the University of California, Los Angeles:

- The "librarian for digital research and scholarship" will manage a newly renovated area on the library's first floor devoted to collaborative, digital workspaces and digital classrooms. "We want this digital librarian to be in the room when the scholars are talking about applying for grants," helping them figure out such problems as storing research data and addressing copyright and intellectual property issues, says Marta Brunner, the library's head of collections and instructional services. Marketing skills will be important, too, Brunner says, because "faculty are not culturally predisposed to librarians as colleagues."
- The "librarian for advanced research and engagement" will create digital workshops, arrange faculty coffee talks and manage other programs aimed at attracting more people to the research library. "I was starting to hear people, especially graduate students, say, 'Well, I'll come to the library if there is a quiet study space, but I'm really not going to the library besides that,'" says Brunner. "That really made me concerned about whether we are relevant."

Relevance is a bigger and bigger challenge for reference specialists at both public and academic libraries as computers replace bound books, scholars plumb troves of digital data and local-library patrons seek help negotiating an increasingly complex online world.

At the 85 libraries in the Los Angeles County public library system, reference librarians have been replaced by a centralized virtual reference center, where librarians respond to questions via email or phone.

"The reduction of reference work has allowed us to focus on other services," says county librarian Margaret Donnellan Todd. She has converted some reference positions into library jobs working with teens, where demand remains strong. Others, now called adult services librarians, help patrons search online for employment, fill out online job applications and create electronic résumés.

At the Ann Arbor District Library in Michigan, reference positions also are being cut. "Reference is dead," declared Eli Neiburger, associate director of IT and production. He compared reference librarians to travel agents, who became outmoded as customers began doing their own online searches for hotel and plane reservations. "We need big servers, and the geeks to take care of them," Neiburger said. "What are we going to cut to be able to hire a geek? We are going to cut reference staff."¹

The geeks are needed partly because the library made a deal with a digital music distribution company, Magnatune, which, in exchange for a flat annual fee, allows patrons to download music from its catalog residing on the library's computer servers.



Margaret Donnellan Todd, county librarian in Los Angeles County, has replaced reference librarians with a centralized reference center. (Los Angeles County Library)

When Todd lists the traits and abilities she seeks when hiring librarians, being tech savvy, an early adopter and an innovator with a tolerance for change and ambiguity are at the top.

UCLA's Brunner says she looks for experienced digital researchers who can collaborate with faculty and graduate students. Candidates might have a degree in

library science, or they could be post-doctoral students with, for example, a history degree. "It is less about the particular credentials and more about [whether] they understand the position and why we need it," says Brunner.

Both Todd and Brunner say they aren't so sure that all or even most of the nation's master's-degree programs in library and information science are producing the kinds of librarians they need. Bruner says that when she has reviewed applications of recent graduates of library programs, "I haven't seen reflected ... a deep understanding of the research process." She says she

hopes to initiate conversations with UCLA's own library school about courses and curriculum.

Todd says program quality varies. "Over the past 10 years, the best graduate programs have made real progress in adapting curriculum to meet the needs of the 21st century," she says.

Linda Smith, past president of the Chicago-based Association for Library and Information Science Education, says many library schools are updating traditional courses and programs and creating new ones.

At the University of Illinois at Urbana-Champaign's Graduate School of Library and Information Science, where Smith teaches, reference is still taught, but now students volunteer at the web-based Internet Public Library. "Anyone around the world can pose questions, and volunteers, including students, answer those questions and recommend resources," Smith says.

The class in cataloging also has been updated to include digitized photographs and documents. A new course on data curation teaches students how to decide what digital content is worth preserving, describe that content and make it easy for users to find. Another new course, called "e-government," is "especially relevant for public libraries because so much government information and services are now delivered online," says Smith.

Still, says Smith, because of budget cuts and long-range changes in libraries, "there may be fewer professional librarians. I think people in library education have to do a better job of helping our graduates articulate what they can contribute to these workplaces."

— *Barbara Mantel*

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Academic Publishers Seek to Enforce Electronic Copyrights

Librarians worry about "a nightmare for higher education."

University librarians are anxiously awaiting the outcome of a 3-year-old lawsuit that pits several major academic publishers against officials of Georgia State University over professors' electronic distribution of copyrighted material to students.

Oxford University Press, Cambridge University Press and SAGE

Publications — which publishes *CQ Researcher* — allege that GSU engaged in “systematic, widespread, and unauthorized copying and distribution of a vast amount of copyrighted works” when it allowed faculty to place electronic excerpts of published materials on e-reserve in the library or on class websites for student use. ²

The publishers are asking for strict limits on posting of digital copies, and librarians outside GSU are concerned about the implications for their own institutions. These proposed limits “represent a nightmare, a true dystopia, for higher education,” said Kevin Smith, the librarian at Duke University who teaches faculty and students about copyright law. ³

Participants are waiting for U.S. District Court Judge Orinda Evans in Atlanta to make what could be a landmark ruling, possibly by late summer or early fall. All three publishers declined to comment on the case pending Evans' ruling.

GSU claims its practices fall under the fair use doctrine of U.S. copyright law, which allows the use of copyrighted material without the copyright holder's permission after weighing four factors:

- the purpose of the use, including whether it is commercial in nature or for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the excerpt;
- and the effect of the use on the market for or value of the copyrighted work. ⁴

The law, which is meant to be flexible, does not set out specifics and thus can be confusing.

“The question in this case is, did GSU let professors put too much stuff on reserve?” says Brandon Butler, director of public policy for the Association of Research Libraries. “That line-drawing exercise is tricky in the law, but before GSU was sued, it was pretty widely known that it had a fairly liberal practice,” Butler says.

But in 2009, soon after it was sued, GSU tightened its policy, distributing to faculty a description of fair use, including a checklist to use when making e-reserve decisions, and restricting access to e-reserves to students in the class. “Georgia State's new policy is stricter than most,” says Butler. “More people have to look over these requests and approve them than at other

places.”

Yet the three publishers continued their lawsuit. To bolster their case, the publishers argue that e-reserves are really no different from printed course packs that professors contract with shops such as Kinko's to copy, bind and sell to students. These shops pay permission fees to a central clearing house to use the excerpts of copyrighted material, such as a book chapter or a journal article, that comprise the course pack.

“E-reserves serve the same educational purpose, function and use as a written course pack,” says Tom Allen, president and CEO of the Association of American Publishers, the main trade association for U.S. book publishers. “We are simply asking that copyright law as it exists today be applied to materials that are digital.”

But others, including Butler, strongly disagree. First, they say, e-reserves are a nonprofit activity conducted by the university itself. Second, “the role that e-reserves play in the classroom is more auxiliary and less central than a printed course pack. They're bits and pieces,” says Butler. “Course packs are more like custom-made textbooks.”

Instead, those opposed to the publishers' lawsuit say e-reserves resemble old-fashioned course reserves, where libraries put a printed book or article on reserve behind the library desk at the request of a professor. Students check out the material for a short period and even make copies of it. That's allowed under copyright law, says Butler, and libraries rarely pay permission fees.



Oxford University Press, above, is part of a suit challenging professors' electronic distribution of copyrighted material to students at Georgia State University. (world-education.bg)

But Allen sees an important distinction between an e-reserve and a course reserve. “What digital allows is for the distribution of written content of all kinds on a scale really not typically possible with printed material,” he says. Students can much more easily share this digital content with others, including those

outside the classroom and even the university.

University librarians are particularly concerned about the remedy that the three publishers are proposing. They seek an injunction

that would require GSU to pay permission fees for every use of copyrighted material that exceeds the strict amounts contained in a 1976 set of guidelines on fair use, negotiated by publishers and representatives of higher education.

Those guidelines suggest, for instance, that there be no copying without permission of any excerpt longer than 1,000 words or 10 percent of the original, whichever is less. And they suggest limiting a professor to one use of the excerpt.

The proposed injunction would also make GSU legally responsible for policing the use of e-reserves and classroom websites by anyone on campus. In addition, it would require GSU to allow the publishers to periodically examine the university's computers to monitor compliance.

Nancy Sims, copyright program librarian at the University of Michigan, says the 1976 guidelines were never intended to have the force of law. "These guidelines were understood to be the floor of fair use, and what's happening with the proposed injunction is that the publishers are trying to hold them to be the ceiling of fair use," she says.

Butler calls the numbers in the 1976 guidelines "arbitrary" and says the policing requirements are administratively unworkable. "The injunction is an absurd remedy. It would end fair use as we know it."

Allen of the Association of American Publishers declined to comment on the proposed injunction while the judge is deciding the case. But he says GSU could simply pay a central clearinghouse for a blanket license to copy excerpts. Opponents say many universities don't have the money to do that.

— *Barbara Mantel*

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Document Citation

Mantel, B. (2011, July 29). Future of libraries. *CQ Researcher*, 21, 625-652. Retrieved from <http://library.cqpress.com.vlib.interchange.at/cqresearcher/>

Document ID: cqresrre2011072900

Document URL: <http://library.cqpress.com.vlib.interchange.at/cqresearcher/cqresrre2011072900>

The CQ Researcher • July 29, 2011 • Volume 21, Number 27

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