

THE STATE OF AMERICA'S LIBRARIES



A Report from the American Library Association

ALA American Library Association

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*Recession drives more Americans
to libraries in search of employment
resources; but funding lags demand.*

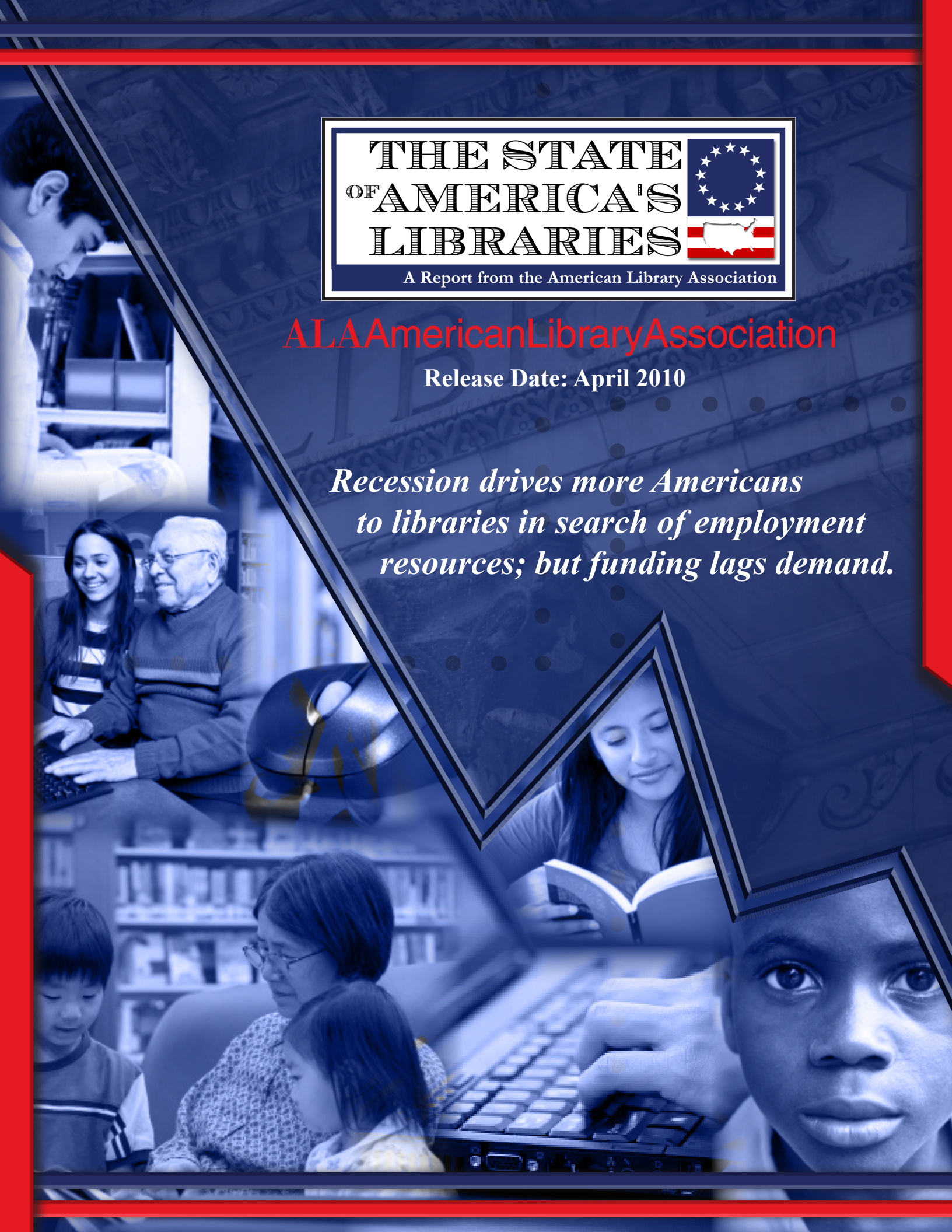


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EXECUTIVE SUMMARY

Hard times bring libraries' value into sharper focus. As the recession that took hold in December 2007 drags on into 2010, Americans are turning to their libraries in ever larger numbers for access to resources for employment, continuing education, and government services. The local library, a traditional source of free access to books, magazines, CDs, and DVDs, has become a lifeline, offering technology training and workshops on topics that ranged from résumé-writing to job-interview skills.

These and other key trends in the library community are detailed in this report on the State of America's Libraries, 2010.

Data from a January 2010 Harris Interactive poll provide compelling evidence that a decade-long trend of increasing library use is continuing—and even accelerating during economic hard times. The national survey indicates that some 219 million Americans feel the public library improves the quality of life in their community, an increase from 209.8 million reported in 2006. Survey data also indicate that more than 223 million Americans feel that because it provides free access to materials and resources, the public library plays an important role in giving everyone a chance to succeed.

And with more businesses and government agencies requiring applicants to apply on line, job-seeking resources are among the most critical and most in demand among the technology resources available in U.S. public libraries. Two-thirds of public libraries help patrons complete online job applications; provide access to job databases and other online resources (88 percent) and civil service exam materials (75 percent); and offer software or other resources (69 percent) to help patrons create resumes and other employment materials.

Funding for libraries did not follow suit. In fact, research conducted in 2009 by the American Library Association (ALA) and the Center for Library and Information Innovation at the University of Maryland suggests a “perfect storm” of growing community demand for library services and shrinking resources to meet that demand. The study found that while library use soared, a majority of states reported cuts in state funding to public libraries and to the state library agencies that support libraries and statewide library programs.

But even after making deep cuts, states continue to face large budget gaps, according to the Center on Budget and Policy Priorities. New shortfalls opened up in the budgets of at least 41 states for fiscal 2010, which in most states began July 1, 2009. And when the ALA surveyed members of the Chief Officers of State Library Agencies in November 2009, the public-library funding landscape continued to look bleak. Of states reporting decreases in local funding to public libraries, the majority were in the 5-10 percent range. Seventeen respondents reported they believed a majority of libraries in their states had sustained cuts in local funding in fiscal 2010, compared with fiscal 2009, while only two reported that a majority of libraries in their state had received funding increases.

State libraries also reported that state funding, usually in the form of state aid packages, had declined. Twenty-four respondents reported cuts in state funding for public libraries from fiscal 2009 to fiscal 2010. Seven states and the District of Columbia do not provide state funding. Furthermore, cuts at the state level frequently were compounded by cuts at the local level and cuts in the state library agency budget, and there was a significant increase in the number of libraries reporting that they are open fewer hours each week.

Meanwhile, the Internet thrives at public libraries, which have seen double-digit growth since 2007 in the on-line services they make available to their patrons. More than 71 percent of public libraries provide their community's only free public access to computers and the Internet, according to an article in the November 2009 issue of American Libraries. The number of libraries offering homework resources in 2009 was almost 80

percent, while 73 percent offered audio content, 62 percent virtual reference, 55 percent e-books, and 51 percent video content. The authors' data are drawn from responses to the Public Library Funding and Technology Access Study and its predecessor Public Libraries and the Internet study.

Wireless access in public libraries continues to grow, increasing from about 54 percent in 2007 to 82.2 percent in 2010, and even libraries in the smallest communities are using this option to increase access for their patrons. Not surprisingly, library staff play a key role in helping people become successful technology users. Thirty-five percent of libraries offer technology training classes, and 53 percent provide point-of-use assistance. Urban libraries are more likely than rural libraries to offer classes (52.5 percent and 24 percent, respectively), while public libraries in smaller communities are more likely to provide informal (point-of-use) and online training.

School libraries also receive good grades in national surveys, which indicate that 96-plus percent of Americans feel they are an essential part of the education experience because they provide resources to students and teachers and because they give every child the opportunity to read and learn. The role of school libraries continued to grow in 2009, with school libraries open, on average, 1½ hours more per week than in 2008, according to a survey conducted by the American Association of School Librarians (AASL), a division of the ALA.

School librarians also play a crucial role in “keeping the digital doors open to help young people think about learning beyond the classroom,” according to danah boyd, an authority on online social networking sites and a keynote speaker at the AASL's 2009 national conference.

But “School Libraries Count! AASL's National Longitudinal Survey of School Library Media Programs” shows that a majority of schools received less funding for information resources in 2009 than they had in 2008. The survey revealed that there was no increase in the average number of teachers who are also school librarians, and that school librarians worked an average of almost an hour a week more in 2009 than in 2008.

Academic libraries are experiencing increased use, both physical and virtual. The National Center for Education Statistics (NCES) reported that during a typical week in fiscal 2008, U.S. academic libraries had more than 20.3 million visits (1.5 million more than in fiscal 2006), answered more than 1.1 million reference questions, and made more than 498,000 presentations to groups. Seventy-two percent of academic libraries reported providing library reference service by e-mail or the Web.

Almost 95 percent of students use their academic library's website at least once a week, according to a study on students and technology by the Educause Center for Applied Research, and the proportion of students who reported using the library's website daily increased from 7.1 percent in 2006 to 16.9 percent in 2009. Project Information Literacy found that nine out of 10 college students surveyed turned to libraries “for online scholarly research databases . . . for conducting course-related research, valuing the resources for credible content, in-depth information, and the ability to meet instructors' expectations.”

Not surprisingly, more and more academic-library resources now start with an ‘e-’. Although in 2008 academic libraries added 24 million books, serial back files, and other paper materials including government documents, 3.4 million current serial subscriptions, and 3.4 million audiovisual materials units, the shift to e-resources continues to accelerate. Academic libraries added 20 million e-books in 2008, bringing the total to about 102.5 million—a breathtaking two-year increase of 59.4 percent from the 64.3 million held in fiscal 2006, according to the NCES. Electronic reference sources and aggregation services also rose sharply . . . as did expenses: Academic libraries' expenditures for electronic serial subscriptions increased to \$1 billion in fiscal 2008 from \$691.6 million in 2006, according to the ALA Office of Research and Statistics.

It has long been a core value of the ALA and of librarians to preserve, protect, and defend the First Amendment and the corollary right to receive and consider ideas, information, and images. Libraries are essential sources of the information that is essential to the functioning of a free and democratic society, and librarians serve as guardians of the public's access to that information, and to ideas more generally.

America's libraries continue their efforts to serve minorities and other underserved or disadvantaged populations. A few examples from the past year or so:

- The ALA's Spectrum Scholarship Program awarded 48 scholarships in 2009 to members of underrepresented groups to help them pursue master's degrees. The Spectrum program also provides access to a network of library professionals, ALA support in finding a position in the field, and free admission to national and local professional development events.
- Library associations and the Library Copyright Alliance continued their efforts in 2009 to ensure that people with visual disabilities will continue to be afforded the same access to copyrighted materials as sighted persons.
- Students with disabilities often wait weeks or months for their textbooks to be specially formatted, but now a new higher-education partnership could make these books more widely available to students by scanning them into an online library. Bookshare, a non-profit company, announced in April that 11 colleges and universities would contribute thousands of books to students who are blind, have low vision, or are unable to turn pages, reducing duplication and proofreading costs.
- Thirty-four libraries got a boost in 2009 in their efforts to develop innovative and exemplary literacy services for adult English-language learners. The American Dream Starts @ your library initiative served urban, rural, and suburban libraries with patron populations ranging in size from 850 to more than a million. (The American Dream Starts @ your library is funded by the Dollar General Foundation and administered by the ALA.)

The library community was tested time and again in the past year and stood up for this most basic freedom; it encountered new challenges as a range of individuals and groups sought to have books or other materials removed from public access, and as the government debated extending the life of intrusive legislation such as the USA PATRIOT Act.

Legislators grappled with extension of that measure into 2010, but the Obama administration decided in May 2009 not to ask the Supreme Court to review a decision that struck down PATRIOT Act provisions that allowed the government to impose unconstitutional gag orders on recipients of national security letters. NSLs issued by the FBI require recipients to turn over sensitive information about their clients and subscribers. A lower court had ruled in 2007 that the gag order provisions were unconstitutional, and the U.S. Court of Appeals for the Second Circuit upheld that ruling in 2008.

The outcome would have been gratifying to Judith Krug, a champion of First Amendment rights who died on April 11, 2009. Krug, director of the ALA's Office for Intellectual Freedom, was admired and respected for her efforts to guarantee the rights of individuals to express ideas and read the ideas of others without governmental interference. As director of the OIF and executive director of the Freedom to Read Foundation for more than 40 years, she advised countless librarians and trustees in dealing with challenges to library material and was involved in multiple First Amendment cases that went to the United States Supreme Court. In addition, she was the founder of Banned Books Week, an annual weeklong event that celebrates the freedom to choose and the freedom to express one's opinion.

Other developments discussed in more detail in the State of America's Libraries, 2010:

- The increase in social networking suggests a set of skills that librarians should possess as social networking–literate information professionals capable of implementing library services and using information at social networking sites. These include skills for interacting with patrons within the sites, understanding and articulating the nature of social networking sites and their potential roles related to library services, creating presences and content, evaluating and applying information, and being able to help patrons acquire and apply these skills.
- Library construction fared better in 2009 than many expected during the recession, especially given the unreliability of funding for programming, materials, and hours. The answer may be that money earmarked years ago was seeing construction through to conclusion; state-level support has helped out in some cases but defaulted in others. Many of the new libraries and renovations show a timely concern for the environment.
- A Feb. 18, 2010, hearing in the Federal District Court for the Southern District of New York was to have been the culmination of the Google's Book Search project case, which had worked its way through courts of law and of public opinion since 2002, when Google conceived its "secret books project." By 2009, seemingly every organization in the world that has anything to do with books had checked in on Google's plan to digitize and make generally available every book—famous or not, in any language, published anywhere on Earth—found in the world's libraries. But the judge announced in February that he would not rule immediately because there was "just too much to digest."

INTRODUCTION

A ‘perfect storm’ of growing demand and shrinking resources

As one of the worst recessions since the Great Depression maintained its steely grip on the economy, Americans have continued to turn to their libraries in increasing numbers in the past year for access to resources for employment, continuing education, and government services. The local library, a traditional source of free access to books, magazines, CDs, and DVDs, also became a lifeline, offering technology training and workshops on a wide range of topics, from résumé-writing to job-searching and interviewing skills.

With more than 16,600 locations serving people of all ages in communities of all sizes, the nation’s public libraries have a wide reach and a vital mission to connect people with the resources they need. As early in the recession as January 2009, KRC Research, a national firm, found that more than 25 million Americans reported using their public library more than 20 times in the past year, an increase of 23 percent from 2006—a trend that persisted through the rest of the year.

Seventy-one percent of the respondents in the 2009-10 Public Library Funding & Technology Access Study report that they’ve also witnessed increased use of the library’s wireless Internet access. More than 82 percent of public libraries currently offer wireless access, up from 76 percent the previous year. Similarly, close to half (45.6 percent) of all public libraries reported increased use of their electronic resources (which encompass a range of Internet-based services, including jobs databases, online test preparation services, investment tools, reference sources, and downloadable books and audio), and more than one-quarter reported increased use of patron technology training classes.

Research conducted by the American Library Association (ALA) and the Center for Library and Information Innovation at the University of Maryland suggest a “perfect storm” of growing community demand for library services and shrinking resources to meet that demand. The study found:

- More people are relying on public libraries for technology use, particularly to find employment and connect to online government services, which are now often available on line.
- Almost all public libraries support job-seeking with specialized electronic resources, software, and assistance from library staff.
- A majority of states report cuts in state funding to public libraries and to the state library agencies that support libraries and statewide library programs.
- The top challenge affecting public libraries’ ability to help job-seekers is a lack of adequate staff.
- Almost 15 percent of public libraries report operating hours decreased from the prior year.

State and local libraries face growing funding challenges

But as demand for critical library services has increased, many state and local libraries are facing growing funding challenges. As part of the Public Library Funding & Technology Access Study, the ALA surveyed the 51 members of the Chief Officers of State Library Agencies (50 states and the District of Columbia) in November 2009. Some results:

- Twenty-four states reported cuts in state funding for public libraries from fiscal 2009 to fiscal 2010. Of these, nearly half indicated that the cuts were greater than 11 percent—almost four times the number that reported this was the case in the previous fiscal year. Also:

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- Seven states and the District of Columbia do not provide state funding.
- Eleven states reported there had been no change from fiscal 2009 to fiscal 2010.
- Three states reported an increase in funding.

For many states, fiscal 2010 cuts come on top of state funding cuts made from fiscal 2008 to fiscal 2009. In January 2009, 41 percent of responding states reported declining state funding for public libraries. Georgia, for instance, has seen state funding reductions of more than 7 percent each year for the past three fiscal years.

Cuts at the state level frequently were compounded by cuts at the local level and cuts in the state library agency budget. When considering current local funding to public libraries, a majority of state libraries reporting decreases noted that they were in the five-to-ten percent range. Seventeen states reported that they believed a majority of libraries in their states had received less funding in fiscal 2010 than in the prior fiscal year.

Case in point: Washoe County (Nev.) Public Library, which has lost nearly 40 percent of its operating budget over the past two fiscal years. The county is reporting declines in property and sales taxes, and the Nevada State Library and Archives reports state funding decreases of more than 11 percent in each of the past two fiscal years. As a result, Washoe County Public Library has cut its operating hours 25 percent, and staffing was cut by 30 percent.

Nor is the Nevada State Library unique: Almost three-fourths of state library agencies reported reductions in their budget.

The 2009 national survey of public libraries also found a significant increase in the number of libraries reporting that they are open fewer hours each week. Nearly one-fourth of urban libraries and 14.5 percent of all libraries (up from 4.5 percent the prior year) reported that operating hours had decreased since the previous fiscal year. Nationally, this translates to lost hours at more than 2,400 public library branches, and the trend will probably continue unless funding is restored or new funds are identified

(See next section, "Libraries and the Recession.")

Americans value libraries of all sorts

Regardless of the recession, the value of libraries to American households is unquestioned. The survey conducted by KRC Research found that:

- More than 217 million Americans agree or strongly agree that the public library improves the quality of life in their community, an increase from 209.8 million reported in 2006. The number continued to rise: In a January 2010 Harris Poll survey, 219 million reported they agree.
- More than 222 million Americans agree or strongly agree that because it provides free access to materials and resources, the public library plays an important role in giving everyone a chance to succeed. This was an increase from 216.6 million reported in 2006 and was, once again, confirmed in the January 2010 Harris Poll survey, when 223.7 million Americans reported they agree.

For their part, school libraries received a solid "A" in these categories, according to the study:

- School library programs are an essential part of the education experience because they provide resources to students and teachers—97 percent of Americans (224.5 million people) agreed.

- School libraries are important because they give every child the opportunity to read and learn—96 percent of Americans (222 million people) agreed.
- School library programs are a good value for the tax dollar—92 percent of Americans (213 million people) agreed.

When asked about academic libraries, 95 percent of Americans (220 million people) agreed that college and research libraries are an essential part of the learning community, and 97 percent (224.5 million people) agreed that college and research libraries connect users with a world of knowledge.

Job-seeking takes center stage—and is often done on line

With more businesses—including most of America’s leading retailers—requiring applicants to apply on line, job-seeking resources are among the most critical and most in demand among the technology resources available in U.S. public libraries. Two-thirds of public libraries help patrons complete online job applications; provide access to job databases and other online resources (88 percent) and civil service exam materials (75 percent); and offer software or other resources (69 percent) to help patrons create resumes and other employment materials. Forty-two percent of urban libraries report offering classes related to job-seeking, and about 27 percent collaborate with outside agencies or individuals to help patrons complete online job applications

As with business, so with government. Many government agencies are eliminating print forms and even closing satellite offices, and public libraries find themselves connecting more and more people with essential government resources. Continuing a trend begun with the 2006-2007 Public Library Funding & Technology Access Study, libraries report providing an increased range of e-government services for patrons. Almost 79 percent of public libraries report providing assistance to patrons applying for or accessing e-government services, a 23 percent increase from the prior year. Two-thirds of public libraries provide assistance to patrons completing government forms; and one in five is partnering with other agencies to provide e-government services, half again as many as a year before.

Help for both the workforce and small businesses

Libraries continue to support workforce development, small business creation, life-long education, and access to government resources. The ALA filed comments with the Federal Communications Commission in December 2009 on the importance of public-access computers and broadband access in libraries; the filing was in response to an FCC call for comments regarding the relationship between economic development and broadband.

A few of the major points in the ALA comments:

- Public libraries serve as community hubs, playing a key role in creating and supporting economic opportunity. Library services commonly include job training and continuing education, résumé-writing, career counseling, and basic information literacy training, including digital literacy; these services usually require access to robust broadband.
- While libraries serve the information needs of the public, many in effect also operate as small businesses—and as such have broadband needs that are unique when compared with those of other types of small businesses.

- Libraries are critical institutions in supporting regional economic development. Libraries that partner with local or state economic development agencies greatly increase the reach and impact of these agencies' efforts. At the same time, libraries are reducing the operation costs and broadening the outreach of other local workforce development agencies, contributing to a stronger community network for job readiness and worker "retooling."
- Information literacy skills are critical to navigating online social benefit forms. Many libraries report that the official websites and the forms required for government services are often so complex that many patrons cannot successfully complete an application. This problem is probably exacerbated in vulnerable populations that may be accessing the Internet for the first time when filing for social services.
- Librarians are experts in search technique and know that with the move to online resources, individuals seeking employment, business information, and skills training may need added assistance. Specific populations, such as people recently laid off from long-term employment, non-native English speakers, the older workforce, and new graduates often need targeted support. Libraries not only provide access to federally supported job training and placement programs, they are also creating locally relevant employment services, often in conjunction with local or regional employment and workforce development agencies.

LIBRARIES AND THE RECESSION

Tax revenues plunge, and libraries feel the pain

The worst recession since the 1930s has caused the steepest decline in state tax receipts on record, with obvious implications for public, school, and academic libraries.

Even after making deep cuts, states continue to face large budget gaps, according to the Center on Budget and Policy Priorities. New shortfalls have opened up in the budgets of at least 41 states for fiscal 2010, which began July 1, 2009, in most states. Initial indications are that states will face shortfalls as big as or bigger than they faced this year in fiscal 2011, according to the center, and states will continue to struggle to find the revenue needed to support critical public services for a number of years.

In fact, when the ALA surveyed members of the Chief Officers of State Library Agencies in November 2009, the public-library funding landscape continued to look bleak. Of states reporting decreases in local funding to public libraries, the majority were in the 5-10 percent range. Seventeen respondents reported they believed a majority of libraries in their states had sustained cuts in local funding in fiscal 2010, compared with fiscal 2009, while only two reported that a majority of libraries in their state had received funding increases.

State libraries also reported that state funding, usually in the form of state aid packages, had also declined. Twenty-four respondents reported cuts in state funding for public libraries from fiscal 2009 to fiscal 2010, 11 states reported that there had been no change, and three reported an increase in funding. Seven states and the District of Columbia do not provide state funding.

“As the economy has worsened . . . people are coming to libraries to look for jobs, they’re coming to libraries to access government services and government assistance, and they’re coming to libraries because libraries are a great deal for people that are trying to stretch a dollar,” ALA Executive Director Keith Michael Fiels said in AL Focus in May. “So we have a situation nationally where we’re seeing library usage increasing 10 percent, 20 percent, in some instances almost 30 percent, while at the same time, library budgets are threatened and library budgets in some instances are being reduced.

“At this point, this is the dilemma we face—libraries are being more heavily used than ever,” Fiels said. “At the same time, library budgets are more threatened than ever.”

The 2009 national survey of public libraries (Public Library Funding & Technology Access Study) also found a significant increase in the number of libraries reporting a decrease in the hours they are available to serve their communities. Nearly one-quarter of urban libraries and 14.5 percent of all libraries (up from 4.5 percent the previous year) reported that their operating hours had decreased since the previous fiscal year. Nationally, this translates to lost hours at more than 2,400 public library branches.

As one South Florida man discovered, canceling his home Internet access and taking advantage of the free Internet service offered at his local public library could save his family over \$700 a year, according to an article in the Huffington Post.

School literacy grant program eliminated in new federal budget

In what one writer called “a slap in the face to school librarians,” the Obama administration, in its fiscal 2011 budget proposal, eliminated the Improving Literacy for School Libraries grant program, which was designed to boost academic achievement by providing students with access to up-to-date school library materials.

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Although the budget includes \$400 billion for education, it makes no mention of federal funds specifically geared toward school libraries.

The president “is proposing to take away the last access to literacy for these kids in high-poverty areas,” Cassandra Barnett, president of the American Association of School Librarians, said. The program, which the AASL says has been shown to be effective in raising literacy levels in poorer schools, was funded at \$19.1 million in fiscal 2009 and fiscal 2008, and \$19.5 million in fiscal 2006 and fiscal 2007.

Public library budgets squeezed at state and local levels

The financial woes that are constricting state budgets nationwide loom large over local library systems as they face the threat of devastating reductions in services, according to a September roundup in *American Libraries* magazine. While in most cases the cuts, which would include closures and mass layoffs, have yet to be implemented, the final resolutions of the budgeting processes are likely to unfold in unexpected ways as fiscal 2010 wears on. Ohio, for example, was facing a reduction in library funding of as much as 25–30 percent compared with the previous year.

Libraries as sources of information and help

At least 90 percent of public libraries now offer formal training or information-technology assistance in using computers and online resources, a service that has gained prominence as the media have reported on the surge of job-seekers and others who are turning to libraries for help. In fact, 22 percent more public libraries reported that providing services for job-seekers is critical to their role (65.9 percent in 2008-09, compared with 44 percent in 2006-07). Despite American Recovery and Reinvestment Act funding, particularly around public access computing centers, lost tax revenue and subsequent cuts in government services are translating into staff layoffs and reduced hours of service, just when libraries are needed most.

In an indication of the extent to which libraries became involved in helping the public through the recession, ALA Editions in late summer 2009 released *Crisis in Employment: A Librarian's Guide to Helping Job Seekers*, by Jane Jerrard, which offers advice and methods for providing appropriate training and education to job-seekers.

Top three worries at academic libraries all center on budget

According to more than 2,400 academic and research librarians surveyed by the Association of College and Research Libraries, a division of the ALA, in May 2009, managing funding constraints and budget cuts and demonstrating return on investment are the leading issues facing academic and research librarians. Respondents indicated that shrinking budgets affect everything—from staff to collections, equipment, and facilities. One respondent indicated that “budget cuts have created a culture of fear at my institution,” while another commented that “budget cuts/hiring freezes have resulted in an inability to pursue desired projects/materials due to lack of funds, and more work for us as vacancies are not filled.”

According to National Center for Education Statistics (NCES) studies, academic library expenditures increased 26 percent from 2000 to 2008, and salaries and collections expenditures represented 87 percent of total library expenditures during this period.

“Acquisitions budgets are taking a big hit this year, too, along with staff and operations,” Charles Lowry, executive director of the Association of Research Libraries, told the *Chronicle of Higher Education* in November.

In an effort to cut costs and consolidate services, many research universities closed small special branch libraries. The University of Washington closed several libraries early in the year. The Massachusetts Institute of Technology closed two special science branches. The University of Iowa announced that closing its mathematics, psychology, geoscience, and physics libraries would save about \$1 million a year. And the University of California at Los Angeles was considering closing its art library

As ALA Executive Director Fiels commented on AL Focus: “Libraries provide essential services but they don’t always receive the recognition for the essential services that they provide. We’re an essential part of education, we’re an important part of our democracy, and a driving force in the economy. Unfortunately, when it comes time to cut budgets, often libraries are first to be cut.”

Research universities have responded to budget pressure with resourcefulness and imagination. More than 40 percent of academic libraries are willing to consider offering print-on-demand services for their digital titles to generate non-traditional sources of revenue, according to a recent survey. At the same time, academic libraries continue to tackle the challenges of e-books, including multiple platforms, rights restrictions, delays in publication, and high costs. Thirty-five percent of academic libraries have active digitization projects, according to the National Center for Education Statistics. George Washington University has begun experimenting with robotic book digitization.

The Mellon Foundation awarded a planning grant to a West Coast academic library consortium to explore the idea of a “shared print repository infrastructure” serving the Western region of the country, the Chronicle of Higher Education reported in November 2009. Cornell University and Columbia University also received a Mellon Foundation grant for “2CUL” (pronounced, “too cool”), a partnership in collaborative collection development, acquisitions, and processing designed to improve quality and eliminate redundancies.

The ALA Office for Library Advocacy released a Web-based toolkit, “Advocating in a Tough Economy,” designed to help library advocates make the case for libraries during times of economic downturn. The ALA and its divisions also released toolkits specific to public libraries, school libraries, academic libraries, and youth services.

The president “is proposing to take away the last access to literacy for these kids in high-poverty areas,”

—Cassandra Barnett, AASL

The year in headlines

The following headlines from 2009—chosen from among hundreds of possibilities—bear witness to the slumping economy and the effect it had on libraries, large and small:

- “Recession has many running for the library” (CNN/KCAL-TV, Los Angeles, Feb. 11, 2009);
- “Gov. Perdue Announces Library-Based ‘JobSearch Help Desk’” (Office of [North Carolina] Gov. Bev Perdue, Press Release, Feb. 13, 2009);
- “Downturn puts new stresses on libraries” (New York Times, April 1, 2009);
- “Economy pits Clearwater budget vs. library fans” (St. Petersburg [Fla.] Times, Sunday, April 19, 2009);
- “Libraries, municipal arts agencies are hit in L.A. budget proposals” (Los Angeles Times, April 20, 2009);
- “Job seekers without Internet access stretch libraries’ computers” (The Oregonian, May 21, 2009);

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- “Budget cuts put brakes on Medina Library’s Bookmobile.” (Cleveland.com, posted Aug. 23, 2009);
- “Lexington Public Library to cut budget” (Lexington [Ky.] Herald-Leader, Sept. 10, 2009);
- “Library to close for 10 days after holidays; Declining property tax revenue prompts Sonoma County [Calif.] to shut all 13 library branches from 2 p.m. Dec. 24 until Jan. 4” (The Press Democrat, Nov. 4, 2009);
- “State slashes library funds. MIDYEAR BUDGET CUTS: North country facilities likely to lose \$40,000” (Watertown Daily Times, Dec. 6, 2009);

On the other hand . . .

- “Library funding saved” (St. Augustine [Fla.] Record, May 4, 2009);
- “City to [use federal stimulus funds to] cool down library” (Galveston (Tex.) Daily News, June 27, 2009);
- “Calcasieu Parish (La.) overwhelmingly renews library tax” (American Libraries Online, posted May 4, 2009);
- “Brooklyn public libraries to open on Sundays, return to a seven-day schedule” (New York Daily News, Sept. 16, 2009);
- “Speaker Quinn and Mayor Bloomberg Announce Budget Agreement [maintaining city-wide, six-day library service]” (Office of Communications, Council of the City of New York, June 15, 2009);

Even in dark days, humor shines through

Jeremy Aldrich reported from the Shenandoah Valley that budget cuts meant that the Massanutten Regional Library in Harrisonburg, Va., would only be open for “five frenzied minutes” a week. Library director Susan Stimley is reported to have said that the library board had to choose between being open for five minutes a week or for one hour every 12 weeks, and that since books are only checked out for two weeks at a time, the choice was obvious. Furthermore, use of the library’s computers would be limited to one minute per patron per visit, and Children’s Story Hour would be replaced with a hastily recited nursery rhyme.

PUBLIC LIBRARIES

Increasing number of Americans turn to their library for reading and resources

Sixty-five percent of the respondents in a Harris Interactive nationwide poll conducted in January 2010 said they had used their public library either in person or by telephone or computer in the past year. That represents an astonishing 151.4 million Americans.

Sixty-eight percent of the employed adults surveyed reported using their library in 2009, as did 62 percent of the unemployed adults and 53 percent of the retired adults. Eighty percent of people 18-24 years old, 73 percent of those 35-44, and 70 percent of those 25-34 years old used their library in the past year. Thirty percent of the households surveyed, representing about 45.4 million adults, reported increased use of their library in the second half of the year.

The ALA participated in the survey, the Harris Poll National Quorum, a wide-ranging telephone survey that posed 18 library-related questions to 1,025 people age 18 and older.

Library use was highest among young adults: 80 percent of respondents 18-24 years old reported using their library in 2009. Also among the top library users were 35-44-year-olds (73 percent) and 25-34-year-olds (70 percent).

Forty-three percent of respondents 18-24 years old and 32 percent of those ages 35-44 increased their use of the public library in the second half of 2009. Furthermore, 34 percent of those who were employed and 24 percent of the unemployed reported increasing overall use of the public library, according to the survey.

Among those who visited the library by computer, 35 percent reported increasing their public library access by computer over the past six months.

(However, funding for public libraries did not keep pace with increasing use—see “Financial trends, fiscal 2008 to fiscal 2009,” below.)

Almost everyone sees libraries as a plus for individuals, communities

Asked how they feel about the services their library provides, 96 percent of respondents (representing almost 224 million people) agreed that because it provides free access to materials and resources, the public library plays an important role in giving everyone a chance to succeed, and 94 percent agreed that the library improves the quality of life in their community.

When asked about services used at the public library in the past year, 77 percent of households reported taking out books (e-book, paper book, or book on tape) as the number one use. Second was consulting a librarian (67 percent), followed by connecting to the Internet (41 percent) and checking email (25 percent). Twenty-five percent of households reported using library computers to check email. (Anecdotal evidence indicates that many families use library computers to stay in email contact with soldiers overseas.)

Among those who reported using the public library by phone or computer in the past year, 60 percent said they renewed library materials on line or by telephone, up sharply from 41 percent in 2006, when the ALA last asked households this question. Checking the library catalog on line or by phone was reported by 57 percent of households that reported “visiting” the public library by phone or computer, up from 45 percent in 2006; 42 percent used the library Web page, up from 32 percent in 2006.

When asked what they most used the public library for over the last year:

- Forty-one percent of respondents, representing more than 62 million Americans, cited education (homework or to take a class) as the number one purpose.
- Seventeen percent of respondents (representing about 26 million Americans) visited their public library to use a computer, and 11 percent (representing almost 17 million people) to write a paper or prepare a résumé.
- Eleven percent (representing almost 16 million Americans) visited the library to conduct a job search or write a résumé.

Other top uses included entertainment (35 percent) and to obtain national or local news or information (11 percent).

Respondents in the West (27 percent) were more likely to have used library computers to write a paper or prepare a résumé than those in the Northeast (seven percent) or the South (15 percent); but library users in the South (50 percent) and the Northeast (48 percent) were much more likely to have visited the library for educational purposes than library users in the West (37 percent) or Midwest (28 percent).

Making the case for including dedicated young-adult librarians on staff

The Young Adult Library Services Association, in a white paper issued in January 2009, made a strong case that every public and secondary school library should have a young-adult librarian on staff. Among the key conclusions:

- Adolescents comprise a significant proportion of the American population, and many of them are library users. There are more than 30 million teenagers in the United States, and according to a 2007 survey of young people conducted by a Harris Poll for YALSA, 78 percent of teen respondents have library cards. Participation in library programs by youth under age 18 has been rising steadily, and three-quarters of Americans believe it is a high priority for public libraries to offer a safe place where teenagers can study and congregate.
- Generalist library staff cannot serve the teen population as well as specially trained young-adult librarians, who understand that teens have unique needs and who have been trained especially to work with them. As books like Barbara Strauch's *The Primal Teen: What New Discoveries about the Teenage Brain Tell Us about Our Kids* have shown, teens' brains and bodies are different from a child's or an adult's. As a result, their behavior, interests and informational and social needs are not the same as those of children or adults.
- Dedicated library services for teens improve the library as a whole. Armed with knowledge and understanding of adolescent behavior, interests and needs, young-adult librarians create programming and build collections appropriate to the concerns of young adults and develop services based on knowledge of adolescent development. There are benefits for the other library staff as well: Young-adult librarians build relationships with teens and help other staff break down prejudice in relation to teens and feel comfortable with them.

YALSA also continues to take specific steps toward improving library service to young adults. For example, it updated its social networking toolkit ("Teens and Social Networking in School and Public Libraries: A Toolkit for Librarians & Library Workers") in June 2009, including new information on how online social networking facilitates learning in schools and libraries, tips for speaking to legislators about social networking, and educating the community (especially parents and administrators) and teens about social networking.

And thousands of school and public libraries nationwide joined YALSA in celebrating the annual Teen Tech Week in March 2009, encouraging teens to take advantage of the many technologies available to them at their libraries.. More than 1,700 libraries embraced the 2009 theme, Press Play @ your library, by hosting an array of events and programs that encouraged teens to get connected with gaming, video, and music at the library.

Kids get in on the library action, too

Eighty-six percent of households with school-age children reported that checking out books, movies, and music free was the most important reason they took their children to the library, while 61 percent reported that going to the library gave them something to do together and 45 percent said they went to the library for its “great programs and services.”

When asked what their children did at the library, 86 percent reported checking out books, 73 percent reading for fun, 46 percent checking out movies, 43 percent doing research for school or to get homework help, and 41 percent said to attend Story Hour or other kids’ programs.

When asked which two programs and services they would most like their public library to offer for children, most adults found it difficult to choose only two. In fact, most felt all of the following were important:

- Summer reading programs (35 percent).
- Homework help (34 percent).
- After-school activities (32 percent).
- Story Hour (28 percent).
- Computer classes (23 percent).
- Teen programs (14 percent).

Latest findings show acceleration in a decade-long trend

The data from the 2010 Harris Interactive poll are powerful evidence for what has already been recognized as a decade-long trend in library use, for public libraries have seen a steady increase in use over the past 10 years, with patrons accessing “an incredible range of information resources and programs across the country,” according to the Institute of Museum and Library Services (IMLS) Public Libraries Survey report for fiscal 2007, issued in June 2009. Not surprisingly, news reports suggested that public library use was even more pronounced in the first half of 2009 because of the recession, the IMLS said in a press release.

This long-standing annual survey reports information on population of service areas, service outlets, library collections and services, library staff, operating revenue and expenditures, and—for the first time—trend data (7-10 years) with graphs and maps on selected items. The IMLS collected data from more than 9,000 libraries in the 50 states, the District of Columbia and U.S. territories (Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands), with a response rate of 97.6 percent.

The growth in per capita circulation from fiscal 2006 to fiscal 2007 was a continuation of the steady growth that has occurred since fiscal 2000, the IMLS said. Per capita circulation grew from 6.4 materials per person to 7.4 materials per person from fiscal 2000 to fiscal 2007, an increase of 16 percent.

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Nationwide, visits to public libraries totaled 1.4 billion, or 4.9 library visits per capita, a slight increase from fiscal 2006 but still a continuation of a larger, longer upward trend. Per capita visitation increased from 4.2 to 4.9 from fiscal 1998 to fiscal 2007, an overall increase of 17 percent.

In fiscal 2007, total nationwide circulation of public-library materials was 2.2 billion, or 7.4 materials circulated per capita; these were slight increases from fiscal 2006. Internet terminals available for public use in public libraries nationwide numbered 208,000, or 3.6 per 5,000 people, up from 196,000 terminals and 3.4 terminals per 5,000 people the previous year.

Nationwide circulation of children's materials was 739.7 million, or 34 percent of total circulation during fiscal 2007. Attendance at children's programs was 59.0 million in fiscal 2007, up from 57.6 million the prior year.

The fiscal 2007 survey is the 20th in the series and the second since responsibility for the survey was transferred to the IMLS from the National Center for Education Statistics. The U.S. Census Bureau collects the data under a contract with IMLS.

The findings of both the ALA and the IMLS surveys were essentially reinforced by an IMLS research brief issued in December, "Service Trends in U.S. Public Libraries, 1997-2007." The brief identifies changes public libraries have made to address patron needs in an increasingly Internet-centric environment and explores service differences in urban and rural communities. Some of its key findings:

- The availability of Internet terminals in public libraries increased by 90 percent on a per capita basis from 2000 to 2007.
- From 1997 to 2007, per capita visits to public libraries increased nationwide by 19 percent, and per capita circulation increased by 12 percent, even as people increasingly turned to the Internet to meet other information needs.
- Very different trajectories were identified for urban and rural communities for select service trends, highlighting the importance of local context for identifying patron needs and improving services.

Financial trends, fiscal 2008 to fiscal 2009

As part of the Public Library Funding & Technology Access Study (PLFTAS), published as Libraries Connect Communities 3 (www.ala.org/plinternetfunding), public libraries are asked about the stability of the public library operating budget from year to year. The predominant response has been "no change," but fiscal 2009 was different.

Across the board, public libraries that managed to get "a raise" in fiscal 2009 reported that it was smaller than in fiscal 2008, and those that received less funding took a larger hit than in the previous year. Also, the proportion of public libraries that received level funding from fiscal 2008 to fiscal 2009 increased. (Table 1, below)

The budget picture is further complicated by the fact that salaries, health care costs, and utility costs are increasing faster than inflation.

Table 1: Overall Public Library System Operating Budget Stability, Fiscal 2008 and 2009

Operating budget . . .	Fiscal 2008	Fiscal 2009	Year-to-year change
Increased more than 6%	12.50% of libraries	9.40% of libraries	25% fewer
Increased 4.1-6%	8.70%	8.60%	1% fewer

Operating budget . . .	Fiscal 2008	Fiscal 2009	Year-to-year change
Increased 2.1-4%	22.50%	20.10%	8% fewer
Increased up to 2%	23.80%	21.80%	8% fewer
<i>Stayed the same</i>	22.90%	25.90%	13% more
Decreased up to 2%	3.60%	4.50%	25% more
Decreased 2.1-4%	2.20%	3.90%	77% more
Decreased 4.1-6%	1.40%	2.20%	57% more
Decreased more than 6%	2.40%	3.70%	54% more

Source: Compiled from Figures C38-C39, Libraries Connect Communities 3 (2009).

http://www.ala.org/ala/research/initiatives/plftas/2008_2009/index.cfm

When the data are viewed by poverty ranges, the increase in the number of high-poverty libraries reporting decreases in operating budgets in fiscal 2009 is significant—twice as many libraries as in fiscal 2008, in some cases. Fewer libraries reported increases in almost every metropolitan status category and poverty level—the most striking example being the 15.8 percent decline in budget increases of more than 6 percent reported by libraries in high-poverty areas. (Table 2)

Table 2: Average percentage change in public library system operating budgets from fiscal 2008 to fiscal 2009, by poverty level of population served.

Operating budget . . .	Poverty Level			
	Low	Medium	High	Overall
Increased more than 6%	3.0% fewer	4.1% fewer	15.8% fewer	3.1% fewer
Increased 4.1-6%	0.5% fewer	2.6% more	0.4% more	0.1% fewer
Increased 2.1-4%	2.3% fewer	4.4% fewer	4.2% more	2.4% fewer
Increased up to 2%	2.0% fewer	1.5% fewer	4.3% fewer	2.0% fewer
<i>Stayed the same</i>	3.5% more	1.0% fewer	0.7% more	3.0% more
Decreased up to 2%	0.5% more	3.2% more	7.0% more	0.9% more
Decreased 2.1-4%	1.8% more	1.3% more	no data	1.7% more
Decreased 4.1-6%	0.8% more	1.1% more	3.6% more	0.8% more
Decreased more than 6%	1.0% more	3.0% more	no data	1.3% more

Source: Compiled from Figures C38-C39, Libraries Connect Communities 3 (2009).

http://www.ala.org/ala/research/initiatives/plftas/2008_2009/index.cfm

Table 3 provides data concerning operating expenditures at the close of fiscal 2008 and fiscal 2009. Among funding sources, the most significant year-to-year variations were in donations/local fund raising and private foundation grants; the 43 percent increase in use of foundation grants for staff salaries/benefits reported by public libraries is particularly striking. One should note that the total operating expenditure amounts from donations/local fund raising are modest compared with tax-derived revenue and that those dollars are probably compensating for the loss in local and state revenue. Also, private foundation grants are typically restricted to specific uses and are of limited duration.

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Table 3: Fiscal 2008 and fiscal 2009 public library systems average total operating expenditures, by type and funding source.

Sources of Funding	Salaries (including benefits)	Collections	Other Expenditures
Local/county	FY 08: \$1,019,810 FY 09: \$1,017,687	FY 08: \$206,036 FY 09: \$205,012	FY 08: \$387,445 FY 09: \$383,614
State (incl. state aid to public libraries, or state-supported tax programs)	FY 08: \$139,391 FY 09: \$131,707	FY 08: \$56,476 FY 09: \$58,551	FY 08: \$60,297 FY 09: \$59,674
Federal	FY 08: \$10,318 FY 09: \$14,926	FY 08: \$56,476 FY 09: \$58,551	FY 08: \$60,297 FY 09: \$59,674
Fees/fines	FY 08: \$28,028 FY 09: \$29,059	FY 08: \$19,598 FY 09: \$20,277	FY 08: \$39,573 FY 09: \$37,922
Donations/local fundraising	FY 08: \$165,614 FY 09: \$196,880	FY 08: \$28,397 FY 09: \$32,923	FY 08: \$67,111 FY 09: \$72,264
Government grants (local, state or national level)	FY 08: \$65,760 FY 09: \$67,370	FY 08: \$13,464 FY 09: \$12,810	FY 08: \$28,692 FY 09: \$28,425
National level			
Private foundation grants	FY 08: \$253,864 FY 09: \$363,068	FY 08: \$38,497 FY 09: \$42,610	FY 08: \$36,211 FY 09: \$35,582
Reported average total	FY 08: \$1,682,785 FY 09: \$1,805,771	FY 08: \$369,214 FY 09: \$380,325	FY 08: \$640,015 FY 09: \$641,569
Reported average percent	FY 08: 62.5% FY 09: 63.9%	FY 08: 13.7% FY 09: 13.5%	FY 08: 23.8% FY 09: 22.7%

Source: http://www.ala.org/ala/research/initiatives/plftas/2008_2009/section1system.pdf

Public libraries and e-government services

A report issued in June reaffirmed a trend that had become apparent in recent years and was highlighted in 2009—that public-library technology supports public access and use of e-government information and resources.

“U.S. Public Libraries and E-Government Services,” an issues brief prepared by the ALA Office for Research & Statistics (ORS) and the Center for Library and Information Innovation at the University of Maryland, describes the increased use of online government information and services, the role of public libraries in helping provide access and assistance using these resources, and the challenges that must be addressed to improve e-government at the local, state, and federal levels. The report, the fourth in a series on technology access in U.S. public libraries, draws from national data published in the Public Library Funding & Technology Access Study.

Among the findings:

- 71 percent of libraries report that they are the only source of free access to computers and the Internet in their community.
- 80 percent of libraries report providing as-needed assistance with e-government services.
- 61 percent of libraries report that providing access to government information is one of the most critical Internet services they provide.

- Public libraries offer training classes and/or as-needed assistance on a range of topics, particularly Internet use (93 percent), general computer skills (91 percent) and online Web searching (77 percent).

“Public libraries often are the only organizations within a community that can help individuals interact with government agencies and access e-government services,” ALA Executive Director Keith Michael Fiels said in an ALA press release in June 2009. “As more and more government information and services are becoming only available on line, there is an urgent need for governments to collaborate with public libraries to provide e-government services that best meet community needs.”

The technology access reports share findings from the largest and longest-running (since 1994) study of Internet connectivity in libraries, “The Public Library Funding & Technology Access Study,” funded by the Bill & Melinda Gates Foundation and the ALA. “U.S. Public Libraries and E-Government Services” was jointly authored by John Carlo Bertot, Shannon N. Simmons and Dawn Borgardt at the University of Maryland Center for Library & Information Innovation; Jessica McGilvray in the ALA Office of Government Relations; and Larra Clark in the ALA’s ORS.

SCHOOL LIBRARIES

Use increases; workload as well

The role of school libraries continued to grow in 2009, with school libraries open, on average, 1½ hours more per week than in 2008, according to a survey conducted by the American Association of School Librarians (AASL), a division of the ALA. The down side is that there was no increase in the average number of teachers who are also school librarians, and the survey showed that a majority of schools received less funding for information resources in 2009, compared to 2008. In addition, school librarians worked an average of almost an hour a week more in 2009 than in 2008.

These are among the findings in “School Libraries Count! AASL’s National Longitudinal Survey of School Library Media Programs,” published by the AASL. Other key findings:

- School library collections continued to grow modestly, though in the periodical subscription area there was a large increase (29 percent), or nearly seven subscriptions per library.
- Investment in networked computers with library access slowed in the last year; schools increased the number of computers that could connect to the library by 7 percent on average, compared with a 20 percent increase the previous year. The pace at which school libraries added remote access also slowed.
- The average number of hours spent each week on planning showed a slight, though statistically significant, increase, to 2.4 hours per week in 2009 from 2.3 hours per week the year before. Significant increases were recorded among regular public schools, schools in metropolitan areas, and schools in the Midwest.
- The average number of hours spent each week on instruction increased to 14.5 from 13.8, with significant increases observed in time spent instructing students in elementary schools, public schools, schools in the Northeast, and schools with low poverty levels.
- The average number of hours per week that school library centers are staffed each week increased to 34.0, more than 1½ hours more than the previous year (32.4 hours).

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- The average size of school library collections grew in the number of books, video and audio materials, and, most notably, in the average number of periodical subscriptions, which increased 29 percent from the previous year (to 30.6 subscriptions from 23.7). The significant increases were in elementary schools, high schools, public schools, Midwestern schools, and low-poverty schools.

Table 1: Changes in school library holdings, 2007-2009

Average number of...	2007	2008	2009	2009 increased
Books	12,889	12,672	13,086	+412 (3.2%)
Periodical subscriptions	22.8	23.7	30.6	+6.9 (29.1%)
Video materials	445.9	471.7	495.6	+23.9 (5%)
Audio materials	86.3	89.9	98.4	+8.5 (9.5%)

Overall there was a three percent increase in the average number of books per school, to 13,086 from 12,673 in 2008. On average, there were statistically significant increases in libraries in elementary schools, in metropolitan areas, and in the Western region.

In the technology arena in 2009, according to the “School Libraries Count!” survey,

the number of computers in schools that are connected to the library increased slightly. Overall the average number of computers in libraries increased seven percent (to 25.6 from 23.9), and the number of school computers outside the library that can connect to the library increased by six percent (to 178.4 from 168.4).

Overall there was a slight (two percent) increase in the number of schools that offer remote access to their school library’s licensed database. The increase was statistically significant among high schools, where there was a four-point increase, to 88 percent from 84 percent.

As seen in Table 2, there was a significant increase (19 percent) in the overall average of expenditures per school, from \$11,390 last year to \$13,525 this year. However, at the 50th percentile, 75th percentile, and 95th percentile levels, there are only decreases compared with last year. In other words, almost all schools experienced a decrease in funding for information resources, and the averages in Table 2 may be deceiving in that they are affected by the very small percentage of schools that had significant increases.

Table 2: Average school library budgeting, 2007-2009.

	2007	2008	2009	2009 increase
All schools	\$11,169	\$11,390	\$13,525	+2,135 (19%)
All elementary schools	\$7,032	\$6,720	\$7,772	+1,052 (15.6%)
All middle schools	\$10,563	\$11,173	\$11,892	+719 (6.4%)
All high schools	\$16,473	\$18,550	\$23,679	+5,129 (27.6%)

Recognizing English language learners

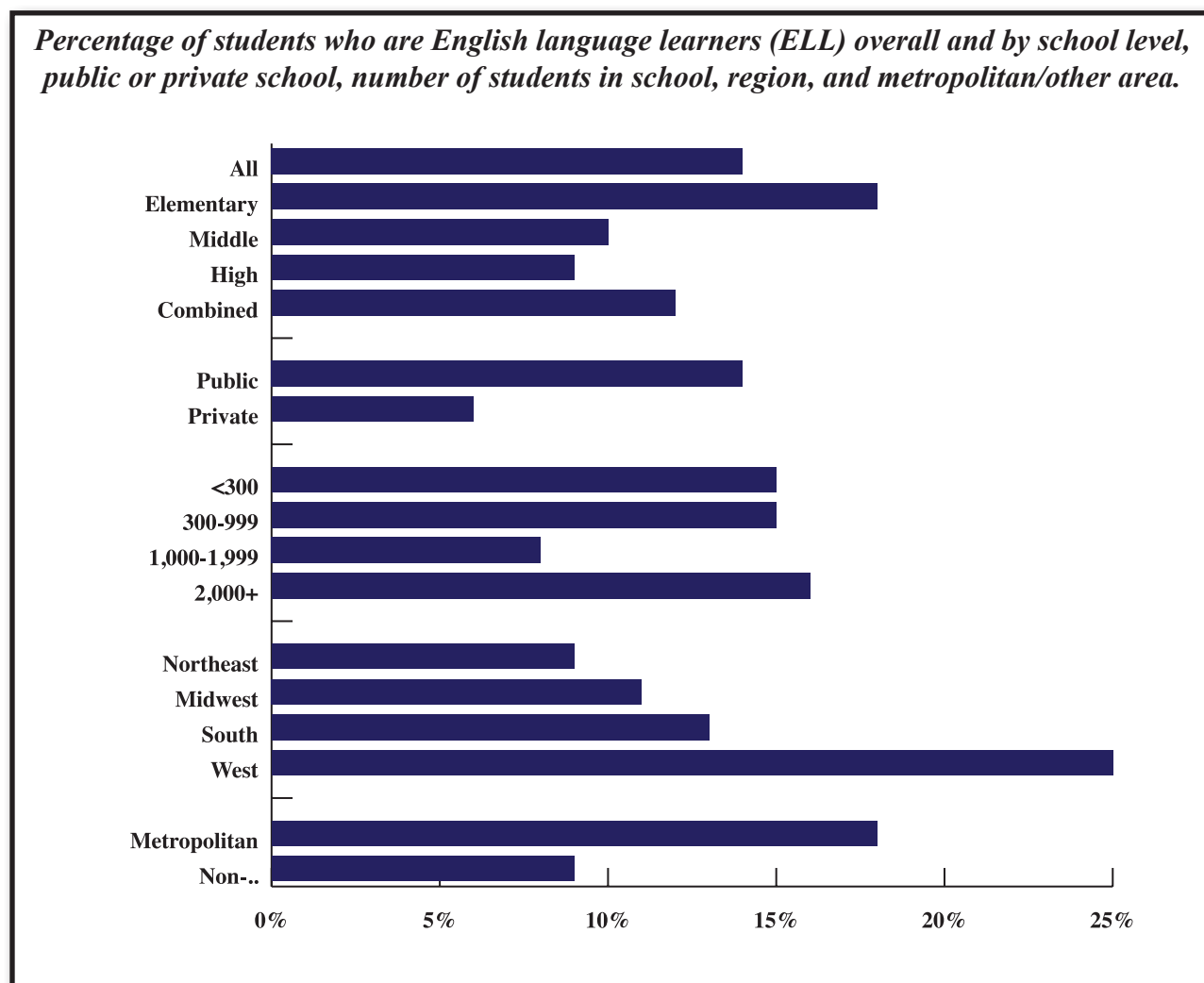
English language learners (ELL) are a sizable segment of the current U.S. student population—14 percent of schools that responded to “School Libraries Count!” survey reported having a student body with 25 percent or more ELL. The highest concentration was reported in elementary schools, where nearly one in five (19 percent) have 25 percent or more ELL students. The proportion of ELL was also 25 percent in the Western United States, and in metropolitan areas it was 18 percent.

One-fourth of respondents rated free-choice reading as the most effective ELL initiative. However, 91 percent of survey respondents reported that less than 5 percent of their collection is in a language other than English. For 16 percent of respondents, the only language available in the school's library is English.

Responding to significant proportions of ELL, schools adopted a range of collaboration strategies, such as promoting reading by allowing students to choose their own reading materials from a collection (51 percent) or designing lessons that are rich in content without being too dependent on language (24 percent). However, 36 percent of respondents reported they don't use either of these strategies. (See also Figure 1, below)

Florida State explores digital content for school libraries

A research study at Florida State University, "Digital Libraries to School Libraries (DL2SL): A Strategy for Lasting K–12 Open Content Implementation," will explore how school libraries can successfully integrate digital library "open content" in science, technology, engineering, and mathematics into their collections and services, according to a July 2009 press release from FSU. The project is headed by AASL member Marcia Mardis, an assistant professor at Florida State's SLIS. Open content refers to digital materials that can be downloaded, edited, and combined.



BIE-funded schools lead in some categories, lag in others

A National Center for Education Statistics report issued in June 2009 showed mixed results for the three types of school surveyed (traditional public schools, public charter schools, and Bureau of Indian Education [BIE]–funded schools), with the BIE-funded school outscoring the others in spending on books and supporting family literacy activities.

The report was based on the NCES's 2007–2008 survey of public elementary- and secondary-school libraries in the United States. This was the first comprehensive report on school libraries issued by the NCES since 1999–2000 (the 2003–2004 survey results were never issued in report form).

Highlights from the report, *Characteristics of Public and Bureau of Indian Education Elementary and Secondary School Library Media Centers in the United States: Results From the 2007–08 Schools and Staffing Survey*, include:

- During the 2006–07 school year, BIE-funded library centers spent an average of \$7,800 on books, traditional public-school library centers spent an average of \$6,630, and public charter school library centers an average of \$6,210.
- BIE-funded schools did not fare so well in terms of technology to assist students and staff with disabilities. Such technology existed in 24 percent of traditional public school library centers and in 21 percent of public charter school library centers, but in only about 18 percent of BIE-funded school library centers.
- But family literacy activities were supported by 53 percent of BIE-funded school library centers, as opposed to 42 percent of traditional public school centers and 33 percent of public charter school centers.
- In the 2007–08 school year, 80,100 (92 percent) of the 87,190 traditional public schools had a library center, and 1,820 (51 percent) of the 3,560 public charter schools had one. Of the 180 Bureau of Indian Education (BIE)–funded schools, 160 (89 percent) had a library center.
- Sixty-two percent of all public school library centers had at least one full-time, paid, state-certified library center specialist, and 11 percent had no full-time but at least one part-time such specialist. The remaining 27 percent had none.
- In traditional public schools, 57 percent of paid professional library center staff had a master's degree in a library-related major, a higher proportion than in public charter schools (29 percent) and BIE-funded schools (27 percent).
- About 97 percent of library centers in traditional public schools, 88 percent in public charter schools, and 92 percent in BIE-funded schools had computer workstations.

ACADEMIC LIBRARIES

Thriving in the Age of Google

Even in the age of Google, academic libraries are being used more than ever. During a typical week in fiscal 2008, academic libraries in the United States had more than 20.3 million visits, answered more than 1.1 million reference questions, and made more than 498,000 presentations to groups attended by more than 8.9 million students and faculty, according to the National Center for Education Statistics (NCES). Faculty, students, and researchers made 1.5 million more visits to academic libraries in fiscal 2008 than in fiscal 2006, and the number of presentations to groups increased by about 27,000. The number of instructional presentations increased 10.2 percent from 2002, and 72 percent of academic libraries reported providing library reference service by e-mail or the Web.

A new study on students and technology by the Educause Center for Applied Research found that 94.6 percent of students use the library's website at least once a week. The percentage of students who reported using the library's website daily increased from 7.1 percent in 2006 to 16.9 percent in 2009. Project Information Literacy found that nine out of 10 college students surveyed turned to libraries "for online scholarly research databases . . . for conducting course-related research, valuing the resources for credible content, in-depth information, and the ability to meet instructors' expectations."

Embedding information literacy across the postsecondary curriculum continues to receive support from granting agencies. This year, for example, the Council of Independent Colleges received funding to provide workshops for librarians and faculty to develop information fluency in humanities majors. Deborah Jakubs, Duke University librarian, commented in a letter to alumni in May 2009 that that students found the "collaborative energy" of the university "more visible in the Libraries than anywhere else on campus."

More and more resources start with an 'e-'

Although in 2008 academic libraries added 24 million books, serial back files, and other paper materials including government documents, 3.4 million current serial subscriptions, and 3.4 million audiovisual materials units, the shift to e-resources continues to accelerate. Academic libraries added 20 million e-books in 2008, bringing the total to about 102.5 million—a breathtaking two-year increase of 59.4 percent from the 64.3 million held in fiscal 2006, according to the NCES. Electronic reference sources and aggregation services also rose sharply . . . as did expenses: Academic libraries' expenditures for electronic current serial subscriptions increased to \$1 billion in fiscal 2008 from \$691.6 million in fiscal 2006, according to a report by the ALA Office of Research and Statistics (ORS).

Staffing trends

Academic libraries reported 93,438 full-time equivalent (FTE) staff working in 3,827 academic libraries during the fall of 2008, according to the NCES's Academic Libraries: 2008 First Look. The number of academic librarians increased 5.4 percent from the 2002 level, for a total of 27,030 FTE positions—but during the same period, FTE student enrollments increased by 66 percent, to 18.7 million, according to a report by the ALA's ORS.

Academic libraries provided 29.3 percent of all jobs for new library school graduates in 2009, an increase of 13.4 percent from fiscal 2007, according to an October 2009 article in *Library Journal*. During fiscal 2008, academic libraries spent about \$3.3 billion on salaries and wages, representing about 49 percent of total library expenditures, according to the NCES. Staff expenditures increased 7.2 percent from 2006 and 37 percent from 2002, according to "Overview of Library Trends, 1999-2009," an unpublished report by the ALA's ORS.

In the face of budget reductions, academic libraries have reduced spending on resources to protect staff, operations, and services, according to the Library Journal, and many libraries have frozen recruitment and are leaving vacancies unfilled.

Advocacy matters . . .

Academic libraries continued to monitor potential legislation that would either enhance or hinder their ability to provide access to information (see also the “Federal legislation” section of this report). Issues of critical interest in 2009 included:

- Community college libraries as potential grant recipients. An amendment to include community college libraries was added to the text of the Student Aid and Fiscal Responsibility Act of 2009, passed by the House of Representatives in September. The bill, H.R. 3221, would establish two new competitive grant programs providing states and junior and community colleges the opportunity to apply for funds to launch initiatives to improve graduation and employment-related outcomes. The original bill language did not explicitly include community college libraries as potential recipients of the grants, and the added language highlights the role libraries play in preparing students to obtain and retain employment and encourages community colleges pursuing the grants to invest in their libraries and the services and resources they offer. The bill was referred to the Senate Committee on Health, Education, Labor, and Pensions.
- Public access to archived publications. The White House Office of Science and Technology Policy issued a Request for Information on Dec. 10, 2009, inviting input on “enhancing public access to archived publications resulting from research funded by federal science and technology agencies.” An executive order, if issued, could extend public access policies, like the NIH, to other federal agencies. This would, in effect, accomplish what S. 1373 the Federal Research Public Access act proposes to do through legislation. The Association of College & Research Libraries submitted comments by the Jan. 21, 2010, deadline and encouraged academic libraries to submit their own comments.
- Google book search settlement. Members of the academic library community closely watched progress on a Google book search settlement. Under the proposed settlement agreement, Google and the American Association of Publishers and Authors Guild would resolve their legal dispute over the scanning of millions of books provided by research libraries. Many librarians have raised questions about the settlement’s impact because of the complexity of the agreement, its potential long-term impact on libraries and users, and the enormity of the book collection involved. (For more on this issue, see the “Copyright and licensing” section of this report).

LIBRARIES AND TECHNOLOGY

Technology plays an ever larger role in the modern library

Technology is a major component in the modern public library that has become almost indispensable in numerous aspects (see Table, left), according to the Public Library Data Service 2009 Report.

Surprisingly, fewer libraries reported having a website in 2009 (92.4 percent) than in last year’s report (98.2 percent). There was also a slight decrease in the number of those reporting “yes” to the presence of particular features on their websites including online catalogues, online reference services, online databases, and personalized patron accounts, although all were present the majority of the time. The most common website content included programming information, events calendars, and basic library information such as hours of

operation and location. Other website content such as children/young adult pages, community links, library staff-created content, and library Friends' pages were also present the majority of the time.

When Internet access was filtered, the filtering was generally performed by the library staff. For 57.8 percent of reporting libraries, Internet access was filtered by staff, while only 10.3 percent of libraries allowed patron control of Internet filtering. These numbers are not exclusive in that a library may allow filter control by both staff and patrons.

Libraries continue to recognize the importance of expanding technology services in some areas. While wireless

Internet access remained about the same at 88.22 percent, libraries with wireless Internet access extending outside the library increased to 46.03 percent. To meet the needs of an increasingly online society, libraries continue to increase reference services in virtual modalities. Chat services remained about the same at 31.4 percent, but instant messaging at 19.5 percent and email/Web forms at 62.1 percent both saw increases in usage over last year for providing virtual reference services to patrons.

Access to locally produced digitized content remained essentially the same at 43.6 percent.

(The Public Library Data Service (PLDS) is an annual survey conducted on behalf of the Public Library Association (PLA) in which public libraries from the United States and Canada have provided information on finances, library resources, annual use figures, technology, and additional yearly special categories. The results of this survey are published by the PLA and available as both an online subscription database and yearly print report.)

Libraries, the Internet and how they use it

	#	%
Total number of libraries	832	100%
Libraries that have website	769	92.4%
Website features		
OPAC/on-line catalogue	753	90.5%
On-line reference services	573	68.9%
Library purchased on-line database	702	84.3%
Personalized patron account	596	71.7%
Website content		
Programming information/ events calendar	754	90.6%
Children/young adult pages	664	79.8%
Community links	663	79.7%
Library friends' page(s)	520	62.5%
Basic library information (hours, etc.)	765	92.0%
Library staff created content (booklists, etc.)	598	71.9%
Wireless Internet access	734	88.2%
Wireless extending outside the library	383	46.0%
Filtered Internet access	543	65.3%
Filtered by staff	481	57.8%
Filtered by patron	86	10.3%
Access to locally produced digitized collections	363	43.6%
Virtual reference services by		
E-mail/Web form	517	62.1%
Chat	261	31.4%
Instant messaging	162	19.5%

Source: Public Library Data Service 2009 Report. Chicago, Public Library Association, 2009.

Public libraries see huge growth in Internet services

Public libraries have seen double-digit growth since 2007 in the Internet services they make available to their patrons, and more than 71 percent provide their community's only free public access to computers and the Internet, Denise M. Davis, Norman Rose, and Larra Clark wrote in the November 2009 issue of *American Libraries*. The number of libraries offering homework resources in 2009 was almost 80 percent, while 73 percent offered audio content, 62 percent virtual reference, 55 percent e-books, and 51 percent video content.

The authors' data are drawn from responses to the Public Library Funding and Technology Access Study and its predecessor Public Libraries and the Internet.

Wireless access in public libraries continues to grow, increasing from about 54 percent in 2007 to 82.2 percent in 2010, and even libraries in the smallest communities are using this option to increase access for their patrons. However, almost two-thirds of rural libraries report supporting wireless and dedicated Internet access on the same telecommunications network rather than separating them or using bandwidth-management techniques. Thus, increased capacity to serve those with wireless devices may also lead to increased congestion on the library's Internet thoroughfare. Connection speeds also tend to be much lower at rural libraries than at their urban counterparts.

Not surprisingly, library staff play a key role in helping people become successful technology users. Thirty-five percent of libraries offer formal technology training classes, and 53 percent provide point-of-use assistance. Urban libraries are more likely than rural libraries to offer classes (52.5 percent and 24 percent, respectively), while public libraries in smaller communities are more likely to provide informal (point-of-use) and online training.

Foundations and federal government support increased digital access

A \$3.3-million initiative by the John S. and James L. Knight Foundation will expand digital access and training through local libraries in 12 U.S. communities. The grants will include funding for mobile computer labs, multilingual technology teachers, a job center, and wireless access nodes. The effort comes on the heels of sweeping recommendations by the Knight Commission on the Information Needs of Communities in a Democracy.

Libraries are vital actors on this stage [of public access to information]," according to the commission, which was funded by the Aspen Institute Communications and Society Program and the Knight Foundation. ". . . Public libraries increasingly emphasize civic and media training and serve as key centers for community dialogue. Yet, public libraries are typically strapped for resources. . . . As tax revenues dwindle, many libraries are having to cut hours and programs just when they are most needed."

Gates Foundation support—The ALA in June received a \$2 million, three-year grant renewal from the Bill & Melinda Gates Foundation to continue its Public Library Funding and Technology Access Study. Denise Davis, director of the ALA Office for Research and Statistics, will remain as project director, and John Carlo Bertot, director of the University of Maryland Center for Library and Information Innovation, will continue to manage the Public Libraries and the Internet survey as part of the study.

The Gates Foundation also committed nearly \$3.4 million in grants Dec. 1 to bolster Internet connections for libraries in Arkansas, Kansas, Massachusetts, New York, and Virginia and announced partnerships with 14 other states to help public libraries compete for federal broadband stimulus funds. Nationally, libraries report that patron demand for high-speed Internet access is growing faster than their ability to provide increased bandwidth. The ALA study *Libraries Connect Communities*:

Public Library Funding & Technology Access Study 2008–2009 reports that 60 percent of all libraries say their current Internet speed is insufficient.

Federal stimulus grants—Libraries in six states (Arizona, New Mexico, New York, Massachusetts, Pennsylvania, and Vermont) were among the beneficiaries of the first round of awards from the \$7.2-billion American Recovery and Reinvestment Act broadband grant and loan programs, according to American Libraries Online (Dec. 21, 2009). The awards comprise \$121.6 million for projects that connect communities to broadband services; \$51.4 million for projects that connect end users such as homes, schools, libraries, or businesses to the community broadband services; \$7.3 million for public computing; and \$2.4 million for sustainable adoption of broadband services.

“Libraries promote demand for broadband by providing the training on information literacy and introducing people to the multitude of services and opportunities available through broadband connectivity. Libraries also promote adoption of broadband services as the public learns that broadband is a means to an end—full participation in our information economy.”

—Lynne Bradley, ALA

Organizations form a broad-based broadband coalition

Representatives of schools, libraries, schools, health care providers, and other organizations in June launched the Schools, Health and Libraries Broadband (SHLB) Coalition to highlight their need for high-capacity and affordable broadband connections. A key goal is enhancement of the quality and availability of essential services to the public and to underserved populations. The ALA is a member organization.

“The Internet has become a fundamental cornerstone of modern education, learning, health care delivery, economic growth, social interaction, job training, government services, and the dissemination of information and free speech,” John Windhausen, Jr., an education consultant and coordinator of the coalition, said.

Lynne Bradley, director of the ALA Office of Government Relations, said, “Libraries promote demand for broadband by providing the training on information literacy and introducing people to the multitude of services and opportunities available through broadband connectivity. Libraries also promote adoption of broadband services as the public learns that broadband is a means to an end—full participation in our information economy.”

Electronic materials replacing print on campus—At college and research libraries, the trend from print materials to electronic materials continues apace, especially at institutions that offer graduate degrees, Thane Kerner, president and chief operating officer of Silverchair, an information consulting firm, wrote on a company blog in October 2009

And a new ECAR study on students and technology found that nearly 90 percent of students come to college with a laptop now, and an even higher percentage (94.6 percent) use the library’s website at least once a week. The percentage of students who reported using the library’s website daily increased from 7.1 percent in 2006 to 16.9 percent in 2009.

Books on demand (and other digital developments)

Based on preliminary figures from U.S. publishers, Bowker is projecting that traditional book publishing decreased in 2008 by 3.2 percent, with 275,232 new titles and editions, down from the 284,370 that were published in 2007. But despite this decline, Bowker projects that 285,394 on-demand books were produced in 2008, a staggering 132 percent increase over last year's final total of 123,276 titles.

E-book circulation expanding—About 5,400 public libraries now offer e-books, as well as digitally downloadable audiobooks. But circulation is expanding quickly. The number of checkouts had grown to more than 1 million by October 2009 from 607,275 in all of 2007, according to OverDrive. NetLibrary has seen circulation of e-books and digital audiobooks rise 21 percent over the past year. But some publishers, such as Macmillan and Simon & Schuster, refrain from distributing their e-books to public libraries, the New York Times reported in October 2009.

Largest digital collection?—The Library of Congress is on the way to hosting the largest digital collection in the world. So far, the LOC has more than 50 million individual files—a total of 700 terabytes (700,000,000,000,000 bytes) of data. But because of copyright issues, only 200 terabytes are available on the Web, according to the Voice of America News.

No more CATNYP in New York—The New York Public Library's new public catalog debuted July 6, 2009, capping three years of development. Representing for the first time the library's combined circulating, reference, and research holdings, the new system—called The Catalog and using modules of the Innovative Interfaces Millennium system—unites the previously separate collections of the Branch Libraries, formerly found in LEO, and the Research Libraries, formerly found in CATNYP, into a single search interface.

SOCIAL NETWORKING AND LIBRARIES

Table 1: Proportion of U.S. libraries with a presence on selected social networking sites, by size of library population served.

	<10,000	10,000-24,999	25,000-99,999	100,000-499,999	>499,999
Flickr	2%	6%	8%	23%	30%
MySpace	2%	5%	16%	13%	30%
Facebook	1%	3%	1%	5%	11%

Adapted from Lietzau, Zeth, U.S. Public Libraries and the Use of Web Technologies. Denver,

Library Research Service, 2009, p. 9.

In the world of online "friends," many libraries are still loners

Have libraries been successful in using social networking sites? Not if success is to be measured by the number of "friends" libraries have acquired, says Richard W. Boss in "Social Networking Sites and Libraries," a paper prepared in October 2009 for the Public Library Association. Most libraries have only a few hundred friends, Boss says, and none has more than 10,000. On average, fewer than one percent of the population served by a library have identified themselves as "friends" of their library on a social networking site.

"While a large number of friends is not the only measure of success, it is the only measure that is readily available," Boss says. "To the extent that libraries have been able to attract people who are not regular users of

libraries, even a small response could be considered success. Unfortunately, there appear to be no studies of the demographics of persons who have accessed libraries on social library network services.”

Many of the libraries that “do” social networking focus on one-way communication; those that encourage feedback appear to have more “friends” in relation to population served. Also, some public libraries maintain separate presences on a social networking service for teens and for adults; this seems to increase the number of teens who identify themselves as “friends.”

“Facebook and MySpace appear to be more successful reaching teens than the other social networking sites,” Boss writes, “not only because they have a very high percentage of teen members, but also because feedback is much easier than for the other major sites.” Flickr and YouTube appear to be more successful for posting a lot of content, and Twitter specializes in “tweeting”—sending and receiving brief messages.

Here are thumbnail sketches of the five social networking sites that were most visited and, as of the third quarter of 2009, most widely used by public libraries:

1. **Facebook** was launched in 2004 as a social networking site at Harvard University but quickly expanded to other universities and, within a couple of years, to anyone at least 13 years old. A user can join and create as many as 200 groups according to his/her interests. In the fourth quarter of 2009, Facebook had five times as many visitors each month in the United States as MySpace, despite the fact that the latter had more U.S. members. Worldwide, Facebook membership was almost 300 million, many of them people of high school and college age.
2. **YouTube** (2005) allows registered users to upload unlimited videos; unregistered users can watch them. YouTube has more than four times as many visitors each month as MySpace and almost as many as Facebook. Its age distribution is the broadest of any of the social networking sites: 15-55 years.
3. **Twitter** (2006) is a free social networking and micro-blogging service that enables its users to send and read “tweets,” text-based posts of up to 140 characters displayed on the author’s profile page and delivered to the author’s “followers.” A tweet can include a link to a URL. As of late 2009, Twitter had 44 million members and almost as many visitors each month as YouTube. The age range was 18-45. Twitter does not appear to be much used by libraries, except, possibly, for announcing library events. (This paragraph is way too long for a “tweet.”)
4. **Flickr** was also launched in 2004 as a website for sharing images and videos. It has both free and fee-based accounts, the latter with unlimited uploads, bandwidth, and storage. As of late 2009, the site had 32 million members and was fourth most popular in terms of number of visitors. The Library of Congress and many public libraries, museums, and archives post images on Flickr.
5. **MySpace**, launched in 2003, was the most popular social networking site in the United States until 2007 but by late 2009 ranked fifth. It saw a 20 percent drop in number of visitors in the first half of 2009, but still had more than 100 million members worldwide. In late 2009, MySpace shifted its focus to the delivery of music and entertainment. Membership consists primarily of people ages 13-24.

Number of social networking users doubles in two years

With Facebook, Twitter, LinkedIn, and other social networking sites growing rapidly, it’s not surprising that the number of social networking users has doubled since 2007. Specifically, 55.6 million adults in the United States—or slightly fewer one-third of the population—visited social networks at least monthly in 2009, according to a report from Forrester Research. That’s up from just 15 percent of adults in 2007, and around 18 percent in 2008.

“It’s the job you have. And the job is changing.”

A panel of “techie librarians” convened at the ALA’s 2009 Annual Conference to address the question of whether Library 2.0 has lived up to its promise—and began by admitting that they couldn’t agree on exactly what Library 2.0 is. They did, however, agree that traditional ways of thinking might not be sufficient to judge Lib2.0 effectiveness. The session was sponsored by the Library and Information Technology Association and the ALA’s Internet Resources Services Interest Group.

“The Library 1.0 Committee is still out on what the Library 2.0 promise is,” joked one panelist, noting that using Lib1.0 criteria to discuss Lib2.0 values misses the point.

The panel did agree that Lib2.0 tools—blogs, wikis, widgets, social networking, etc.—are usually free or very inexpensive but still take a lot of staff time implement effectively.

Meredith Farkas, head of instructional initiatives at Norwich University in Northfield, Vermont, and technology columnist for American Libraries, noted that 2.0 librarians are still doing the same things they’ve always done at their jobs—and more; panelist David Lee King suggested that librarians who say they have no time for Lib2.0 initiatives have bad time management. Panelist Michael Porter added: “You may not have signed up for this job, but it’s the job you have. And the job is changing.”

School librarians “need to keep the digital doors open on line”

School librarians can play a crucial role in “keeping the digital doors open to help young people think about learning beyond the classroom,” according to danah boyd, an authority on online social networking sites and a keynote speaker at the 2009 national conference of the American Association of School Librarians.

boyd has unique and often controversial perspectives on how America’s youth are engaging in sites such as MySpace, Facebook, and YouTube. “A lot of social learning . . . goes on in schools that we need to figure out how to support,” boyd said, and school librarians “need to be as public and transparent as possible in every way” when dealing with children and social networking, “In the same way that you keep the doors open in schools, you need to keep the digital doors open on line.”

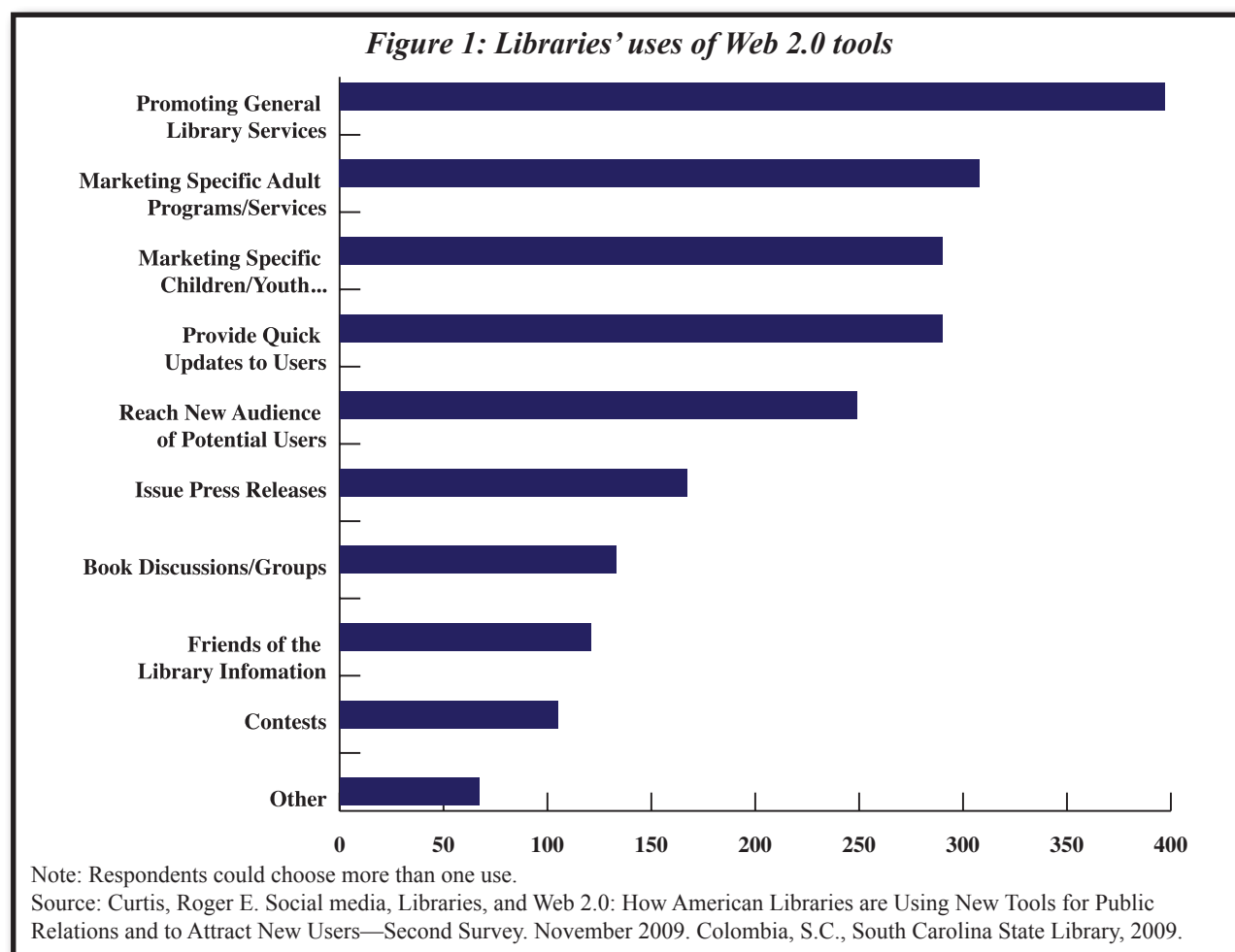
“Digital media [make] visible what is going on in the everyday lives of children, and that’s not always pretty,” boyd said, “Social media [help] kids make sense of things. Young people are getting access to more information than ever before, often unstructured and with no easy way to make sense of it.”

“Top 10 Social Networking in Libraries Trends for 2010”

Blogger AnnaLaura Brown’s list:

1. An increase in the use of mobile applications for library services. This includes things such as text messaging but also the development of library Web pages on .mobi domains for use on mobile devices and maybe even libraries creating iphone applications for their libraries.
2. Even more ebook readers and the popularity of the ones that already exist. New and existing ebook publishers and device manufacturers will find ways for patrons to download and read a higher number of ebooks from popular collections such as ebrary and netlibrary on ebook readers. This is still a challenge and it will be easier by the end of 2010.
3. The usage of more niche social networking sites for the public at large and this will spill over into libraries.
4. An increase in the amount and usage of Google Applications such as Google Wave and other similar applications.

5. The Google Books controversy will more or less be resolved and patrons will begin to use it more.
6. Library websites will become more socialized and customized. Patrons will be able to interact more directly with the library's website.
7. College libraries will use more open source software and more social networking sites to educate their patrons and for library literacy in order to save money.
8. More libraries will use podcasting and iTunes U to communicate with patrons and to offer value.
9. More libraries will offer social networking classes to their patrons.
10. Social networking in libraries will be viewed more as a must and as a way to save money than as a fun thing to play with or to use to market the library."



Among administrators, enthusiasm for Web 2.0 . . . but some hesitation, too

Results of a survey conducted in November 2009 indicate that while more than 90 percent of library administrators are enthusiastic about the use of Web 2.0 tools and social media for marketing library services, many remain divided on the benefits of using them for other purposes.

The survey of 768 individuals was conducted by Roger E. Curtis, communications director at the South Carolina State Library. A majority (56.3 percent) of the respondents represented public libraries, and 25.3 percent were at academic libraries. Most respondents reported that their main responsibility was in library administration or management.

An overwhelming number of respondents (92.7 percent) said they considered Web 2.0 tools “important for marketing and promoting library services.”

In response to a question concerning which types of Web 2.0 applications the library uses “to promote and market library services,” social networks (374) and blogs (322) were the highest on the list. Virtual worlds were used the least, possibly because of the level of sophistication and the time needed to create and navigate through tools such as Second Life.

Social networks also received the highest rating among respondents in terms of achieving marketing campaign and/or promotion goals; second highest was online video.

Respondents from libraries that have already implemented Web 2.0 tools indicated that they mostly use them for promoting general library services (77.7 percent). Other highly ranked uses were marketing specific adult programs and/or services (60.3 percent), marketing specific children's and/or youth services programs (56.8), providing quick updates to users (56.8 percent), and reaching a new audience of potential users (48.7 percent). Respondents also cited a wide range of other uses.

The survey results indicated that people 18-25 years old were mostly likely to be influenced by the library's use of Web 2.0 tools, with those age 26-35 and under age 18 ranking second and third.

When respondents were asked to choose from a list of 26 Web 2.0 and social media tools their library uses, Facebook “finished first” with 74.7 percent, follow by blogging tools (53.1 percent) and Twitter (50.0 percent).

New challenges—and opportunities—for librarians

The increase in social networking suggests a set of skills that librarians should possess as social networking—literate information professionals capable of implementing library services and using information at social networking sites, Joe Murphy, science librarian at Yale University, and Heather Moulaison, a doctoral student at Rutgers University, said in a presentation in 2009. These include skills for interacting with patrons within the sites, understanding and articulating the nature of social networking sites and their potential roles related to library services, creating presences and content, evaluating and applying information, and being able to help patrons acquire and apply these skills. The next step should be to pass these skills on to library patrons by applying them to library instruction activities.

Where to begin? asks Stephen Abram, of Stephen's Lighthouse. Just start anywhere and make incremental progress, he says, citing a post at the Lowrider Librarian blog. Committees are the enemy of progress, iterative play is its friend.

- Start a blog.
- Start a Twitter feed.
- Share your best practices on a Wiki.
- Start an organizational discussion board.
- Start a Facebook organizational page.

- Start a YouTube or Vimeo channel.
- Scrap that old print newsletter.
- Incorporate social software into your organization.
- Create a Flickr account to share organizational photos.
- Begin or maintain an organizational culture that is free and open.

LIBRARY CONSTRUCTION AND RENOVATION

New structures built largely on years-old financial foundations

Library construction fared better in 2009 than many expected during the recession, especially given the unreliability of funding for programming, materials, and hours. The answer may be that money earmarked years ago was seeing construction through to conclusion, Bette-Lee Fox says in a December 2009 article in *Library Journal*; state support has helped out in some cases, defaulted in others. Many of the new libraries and renovations show a timely concern for the environment.

The new main branch of the Yuma County (Ariz.) Library District illustrates a couple of these trends. The library, which had its grand opening in May 2009, has so much natural illumination that some staff didn't have to use the lights in their offices for some time. And the new building, which cost about \$28 million, was paid for with a \$53.7 million bond—approved by voters in way-before-recession 2005.

All told, 80 new public libraries were built in the United States in fiscal 2009, along with 90 additions, renovations, or remodelings. Costs for the new public libraries totaled \$656,020,880, and addition/renovation/remodeling costs were \$482,214,848, for a total of \$1,138,235,728.

Academic libraries continue to transition from spaces to places to collaborate, connect, and learn as demonstrated by the 40 new, renovated, or expanded building projects that were completed between July 1, 2008 and June 30, 2009. Fox notes that these new and improved spaces illustrate how academic libraries provide holistic learning environments, “bringing individuals—readers, students, researchers, gamers, dreamers—together in a space created just for them, the heart of a community, a campus, a landscape.”

Success stories from 2009

Here, culled from various sources, are other success stories from the 2009 roster of new libraries and renovations.

- The Henry Madden Library, the largest library in the 23-campus California State University system, opened for students and faculty at California State University, Fresno, in February 2009. State budget difficulties delayed the library's availability to the community, purchases of some of the building's furniture and the opening of one floor for university administrative offices, Fresno State said. The \$105-million project included construction of a five-story north wing (one level is below ground) and renovation of the south wing.
- After nearly 15 years of planning and more than four years of construction, a new Church of Jesus Christ of Latter-day Saints church history library opened for public use in Salt Lake City in June. The new library holds more than 3.5 million manuscripts, 210,000 publications, 100,000 photographs, some 50,000 audiovisual records, and other items spanning the 179 years since the church's founding by Joseph Smith in western New York.

The State of America's Libraries - 2010

- Ohio State University's William Oxley Thompson Memorial Library reopened in August after a three-year, \$108.7-million renovation. The project focused on restoration of the historic library, which opened in 1913, and added technological and other upgrades to meet the 21st-century needs of students and scholars.
- Thanks to solar panels, a geothermal heating and cooling system, and a gift of carbon-offset credits from the general contractor, Rangeview Library District's new Anythink Brighton (Colo.) branch is believed to be the first carbon-positive library in the United States. The building, which opened in September, offsets 167,620 pounds of carbon dioxide—16 percent more than it is anticipated to use annually. The \$7.2-million branch is part of a \$40-million project to build four new libraries and renovate three more.
- Two expensive globes that made an overland wagon trip to the new Utah territory in 1852 stood as a metaphor for the \$79-million renovation of the University of Utah's Marriott Library at its Oct. 26 rededication. While the globe restoration returned them to their condition in 1850, the library renovation profoundly transformed the 1968 building, changing its appearance, internal flow, seismic resilience, and how students use it.
- A \$20.4 million, 50,000-square foot renovation of the Medina (Ohio) Library included environmentally sensitive features such as low-VOC (volatile organic compounds) carpet and paints, recycled upholstery, recycled-resin paneling, and large, low-e glass windows that reflect heat outside while reducing the amount of artificial light needed. There are fireplaces in the fiction area and the quiet reading room, and a window in the children's department looks into a working beehive.
- The 10,000-square-foot expansion of the Hockessin branch of the New Castle County (Del.) Public Library took the form of a glass pavilion, cantilevered so that it floats over a neighboring flood plain. The addition, which houses the children's library, overlooks a densely vegetated county park on one side and wetlands on another. Cost was \$8.5 million.
- A \$19.3 million renovation of the Houston Public Library—the largest in its history—converted 12,600 square feet of administrative space for public use, doubled the size of the Kids Area, added a Teen Room, updated the IT infrastructure, and replaced old escalators with a Grand Staircase and upgraded elevators. Much of the furniture came from the original building; other sustainable features included recycled-rubber flooring and motion-sensor light switches.
- Jefferson Hall Library and Learning Center is the first new academic building at the United States Military Academy at West Point, New York, in more than 35 years. Its design was intended to advance the campus's 19th-century Military Gothic style to modern times, with more than 1,500 tons of granite cladding the building, sandstone window surrounds, a three-dimensional West Point arch at the main entry, and double-height windows that echo similar features in neighboring buildings. The 141,000-square foot building cost \$74.5 million.
- Utah Valley University's new library was built in anticipation of major growth in the student population in the next decade—from 24,000 to 40,000 students. The \$48 million, 190,000-square foot building has the capacity for a 33 percent expansion of its existing 221,000-volume print collection, as well as built-in physical and technological adaptability. Featured spaces include social and family study areas near major entries; reading rooms occupying the fourth and fifth floors that provide views of desert, lake, and mountains; teaching labs; and a 150-seat lecture hall.
- The \$28.7 million new archive building of the Arizona State Library, Phoenix, was designed with colors and shapes reminiscent of a desert cliff face. Built primarily from six-inch precast concrete, the building—formally, the Polly Rosenbaum State Archives and History Building—includes two layers of roofing to prevent water penetration, a fan wall system to control the temperature throughout storage spaces, a humidity room used for document restoration, and a cold room and blast freezer to provide protection from insects. In a sign of the times, financial shortfalls forced the library to make access by appointment only through the end of its fiscal year.

Presidential libraries, present, past . . . and future?

The George W. Bush Presidential Library in Dallas could be one of the last brick-and-mortar institutions of its kind, according to the Dallas Morning News, which said Congress is looking for ways to cut the expense of overseeing such buildings. Some researchers say the traditional library setup for keeping presidential documents is outdated in a digital world, according to the News. In fact, the Bush collection includes 100 terabytes of digital files as well as some 40,000 documents, artifacts, and bits of memorabilia.

In Little Rock, Arkansas, the number of visitors each year to the William J. Clinton Presidential Library slipped only slightly in the library's first five years, surpassing everyone's expectations, Terri Garner, its director, said in November. The \$165-million library, a part of the National Archives, contains 90,000 artifacts, 80 million pages of archived documents, and 18 million archived emails.

Meanwhile, in Biloxi, Mississippi, a new presidential library is in the works for Jefferson Davis, with a statue of him looking on where the former Confederate president wrote and reflected in the final years of his life. The statue used to stand in the Presidential Library that was destroyed by Hurricane Katrina in 2005. A \$10.4-million contract to rebuild the library was signed in October.

Finally, President Obama—who has had a few other things to think about since taking office—has not said anything yet about a presidential library, but University of Chicago President Robert J. Zimmer said he is studying the benefits of having a presidential archive and museum associated with the campus. Currently, Obama seems more interested in some kind of advocacy center along the lines of what Jimmy Carter has done at the Carter Center in Atlanta, said Eric Whitaker, an Obama friend and executive vice president at the U. of C. Medical Center.

OUTREACH AND DIVERSITY EFFORTS

Libraries have long served as places of opportunity for new immigrants who are trying to achieve the American Dream. From the turn of the 20th Century, when European immigrants began arriving in large numbers, until today, libraries such the Queens Borough (N.Y.) Public Library—whose 2.2 million patrons speak more than 100 languages—have been places that new Americans turn to for information and assistance. Still, libraries continue to strive to close the linguistic, economic, educational, and physical “usage gaps” that prevent some from making full use of this vital public resource.

StoryCorps launches Latino initiative

The American Folklife Center at the Library of Congress will be the repository for personal interviews with Latino Americans from across the United States as StoryCorps launches its “Historias” mobile booth. These contemporary personal narrative recordings of Latinos and Latinas—along with related manuscripts and photographs—will complement other Hispanic and Latin-American collections at the center, such as the Juan B. Rael Collection, which includes recordings of Spanish-language folksongs and dramas; the California Gold collection, which contains Spanish-language songs and speech; and the Alan Lomax collection, which contains Spanish-language materials recorded in Spain and the Caribbean.

The StoryCorps Collection at the American Folklife Center currently contains more than 20,000 interviews; another 7,000 have been recorded and await delivery to the center.

Library associations continue efforts for people with visual disabilities

Library associations and the Library Copyright Alliance continued their efforts in 2009 to ensure that people with visual disabilities will continue to be afforded the same access to copyrighted materials as sighted persons.

A staff member from the ALA Office for Information Technology Policy testified in May at a hearing called by the U.S. Copyright Office and the U.S. Patent and Trademark Office on the topic of copyright exceptions for the people with visual disabilities. The purpose of the hearing was to inform the U.S. delegation on relevant copyright and access issues to be discussed at a meeting of the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization.

And in December, the ALA, as a member of the Library Copyright Alliance, filed comments with the Library of Congress's U.S. Copyright Office regarding facilitating access to copyrighted works for people with visual disabilities. The comments, filed jointly by the Library Copyright Alliance, the Electronic Frontier Foundation, the Internet Archive, and the Chief Officers of State Library Agencies, called for a multilateral treaty to resolve issues of accessibility for people with visual disabilities.

"The treaty proposal offers a framework that accommodates a range of legal, market, and technological solutions that will enable the world's blind and visually impaired persons to read and access culture on an equal basis with other members of society," the comments said.

The ALA also continues its support for funding of the National Library Service for the Blind and Physically Handicapped (NLS), part of the Library of Congress. Working through a national network of cooperating libraries, the NLS administers a free library program of Braille and audio materials circulated to eligible borrowers in the United States by postage-free mail.

The NLS also maintains Talking Books, a free library service available to U.S. residents and citizens living abroad whose low vision, blindness, or physical handicap makes it difficult to read a standard printed page. Local cooperating libraries in the United States mail NLS audiobooks, magazines, and audio equipment directly to enrollees at no cost. Braille books and magazines are also available to patrons at no cost.

In existence since 1931, the NLS and its cooperating network of 57 regional and 66 subregional libraries provide service to 700,000 eligible U.S. residents each year who are unable to read conventional print due to blindness, a visual impairment, or a physical handicap. Its director is Frank Curt Cylke.

More books—and sooner—for students with disabilities

Students with disabilities often wait weeks or months for their textbooks to be specially formatted, but now a new higher-education partnership could make these books more widely available to students by scanning them into an online library. Bookshare, a non-profit company, announced in April that 11 colleges and universities would contribute thousands of books to students who are blind, have low vision, or are unable to turn pages, reducing duplication and proofreading costs.

Bookshare, which has 50,000 student members, has steadily expanded reading material for learners with disabilities after receiving a \$32.5 million, five-year grant from the Department of Education in 2007. Despite the federal funding, many college students with disabilities continue to wait until midway through a semester before they obtain textbooks and reading material they can read. The new arrangement means more books will be scanned, placed into the Bookshare library, and be ready for distribution sooner.

"This whole issue has been sort of roiling for years," said Jim Fruchterman, CEO of Benetech, the nonprofit organization that operates Bookshare, which was launched seven years ago. "The whole idea is that if one

school has put the energy in, let's make sure all schools can take benefit from that. . . . Working closely with U.S. colleges and universities, we can demonstrate the power of pooling our resources to benefit students with qualified disabilities who need timely access to accessible books.”

Bookshare produces 1,000 books a month, Fruchterman said.

Ashley Seymour, a junior at the University of Michigan-Flint who has been blind since birth, said the ever-growing Bookshare library will simplify her search for new reading material. “I just download my books, convert [them] to MP3 files for my iPod, and go to class,” said Seymour, a health care major.

Efforts expanded to make profession's ranks accessible to minority groups

The library profession continues its active efforts to make its ranks more accessible to members of ethnic and racial minority groups and to strengthen its outreach efforts to these underserved populations. The ALA's Spectrum Scholarship Program, for example, awarded 48 scholarships in 2009 to members of underrepresented groups to help them pursue master's degrees. The Spectrum program also provides access to a network of library professionals, ALA support in finding a position in the field, and free admission to national and local professional development events.

Spectrum's professional development and leadership components draw together advocacy efforts across many library organizations, providing a model and mechanisms by which they can diversify their membership and involve proven new leaders with diverse perspectives in their programs and initiatives. Eighty-five percent of Spectrum graduates are working full time in a library or information setting; they include the library director for the U.S. Environmental Protection Agency, the manager of rare books and special collections for the Princeton University Library, the Director of Diversity Programs at the Association of Research Libraries, and the librarian in a Bureau of Indian Affairs school on the Navajo Reservation in New Mexico.

The Spectrum program has received significant support in the past several years from the Institute of Museum and Library Services (IMLS), an independent federal grant-making agency, which has allowed it to double the number of scholarships since 2006. In addition, an IMLS grant has enabled Spectrum to expand its reach and leverage its impact by partnering with other diversity recruitment initiatives and LIS institutions. Through the Reach21 Project, an additional 20 library school students or early-career librarians from underrepresented groups are receiving support each year to participate in the Spectrum Leadership Institutes in 2009-2011.

Coretta Scott King Book Awards celebrate 40th anniversary

The Coretta Scott King Book awards in 2009 marked their 40th anniversary of honoring African American authors and illustrators for outstanding, inspirational, and educational contributions to literature for youth and children. Coretta Scott King Book Award titles promote understanding and appreciation of the culture of all peoples and their contribution to the realization of the American dream of a pluralistic society. The award is designed to commemorate the life and works of Dr. Martin Luther King Jr. and to honor Coretta Scott King for her courage and determination to continue the work for peace and world brotherhood. In addition to awards for author and illustrator, the Coretta Scott King Book Awards include the John Steptoe New Talent Award and in 2010 will introduce the Coretta Scott King–Virginia Hamilton Award for Lifetime Achievement.

New literacy efforts for adult English-language learners

Thirty-four libraries large and small got a boost in 2009 in their efforts to develop innovative and exemplary literacy services for adult English-language learners. The American Dream Starts @ your library initiative

served urban, rural, and suburban libraries with patron populations ranging in size from 850 to more than a million. (The American Dream Starts @ your library is funded by the Dollar General Foundation and administered by the ALA.)

American Dream libraries expanded their literacy collections, added literacy programs and services, developed new community partnerships, built mobile computer labs, and trained teachers and tutors. As a result, the smallest library in Hooper, Nebraska (population 837), bought its first-ever bilingual materials; the Talk Time Conversation Club at Chandler (Ariz.) Public Library served more than 1,300 new Americans; the High Plains Library District in Greeley, Colorado, bought bilingual family reading materials for 14 Head Start centers; and the York County Library in Rock Hill, South Carolina held computer classes in Spanish at four of its five branches.

Their bibliographies, “webliographies,” training manuals, video commentaries, best practices, and lessons learned can be found in the American Dream Toolkit (www.americandreamtoolkit.org). The American Dream Starts @ your library is funded by the Dollar General Literacy Foundation.

Bookmobiles target a wider range of groups

Bookmobile use has surged during the economic downturn, paralleling the increased use of fixed libraries and often providing services not just to schools but to targeted groups such as senior citizen homes, pre-school children, adult education centers, drug and alcohol rehabilitation facilities, and even correctional facilities.

The range of materials they circulate has expanded with their more varied destinations. Many bookmobiles have low floors for easy entry, and many also provide Internet access.

Membership in the five-year-old Association of Bookmobile and Outreach Services (ABOS), begun under the auspices of Clarion University of Pennsylvania, also continued to increase in 2009, topping 300 by year's end. The 2009 ABOS annual conference, held in Everett, Washington, drew nearly almost 200 attendees, and for the first time, National Bookmobile Day will be celebrated April 14, 2010 as part of National Library Week (April 11-17, 2010).

Department of Justice lets stand ruling in transgender case

The U.S. Department of Justice decided not to appeal a federal court ruling awarding a transgender veteran the maximum compensation for the discrimination she suffered after being refused a job with the Library of Congress. The Obama administration's decision whether to appeal the final ruling in the case of Diane Schroer had been closely watched in part because the Bush administration defended the case so vigorously, arguing that transgender Americans are not protected by any existing federal laws.

“I am gratified that the current administration saw this for what it was, a case of sex discrimination focused against transgender people, and recognized that it must end in this country,” said Schroer, an Army Special Forces veteran with 25 years service.

On April 29, 2009, a federal court awarded Schroer maximum damages of \$491,190 for back pay, other financial losses and emotional pain and suffering after finding the LOC illegally discriminated against Schroer because of her sex. At trial, Schroer testified that she had applied for a position with the LOC as the senior terrorism research analyst and was offered the job. Prior to starting work, she took her future boss to lunch to explain that she was in the process of transitioning and wished to start work presenting as female. The following day, Schroer received a call from her future boss rescinding the offer, telling her that she wasn't a “good fit” for the Library of Congress.

FEDERAL LEGISLATION

2009 recovery bill provides opportunities for libraries

In February 2009, Congress passed the American Recovery and Reinvestment Act (ARRA), which released \$787 billion into the U.S. economy in an effort to put the nation's economy back on track. Libraries could benefit from specific provisions in the stimulus bill, including \$13 billion for Title I of the Elementary and Secondary Education Act (ESEA), \$650 million for Enhancing Education Through Technology, \$7.2 billion for broadband, \$53.6 billion for the State Fiscal Stabilization Fund, \$120 million for the Senior Community Service Employment Program, and \$130 million for the Rural Community Facilities Program. However, they had to compete aggressively for it.

The ALA Washington Office established a Know Your Stimulus website (<http://www.ala.org/ala/issuesadvocacy/advocacy/knowstimulus/index.cfm>) that includes the latest news and information on the stimulus such as application information and frequently asked questions.

Some libraries did receive part of the funding designated for the State Fiscal Stabilization Fund and Title I of ESEA and for rural community development and education. The funding went toward employment, construction, equipment, and technologies, and many libraries were also able to hire senior citizens through the Senior Community Service Employment Program.

Funding for broadband proved to be the biggest opportunity for libraries, but its long-term impact is unclear since the process is ongoing. The ALA Washington Office continues to focus on the broadband funding programs.

In the final days of 2009, Congress began considering another stimulus bill to specifically include jobs, and the ALA is promoting its proposal to include jobs in libraries. Also on the legislative agenda for 2010: ensuring that school libraries specifically are included in the reauthorization of ESEA, increased Library Services Technology Act (LSTA) funding, identifying opportunities for supplemental funding, and other library needs tied to federal legislation.

Rettig joins education secretary in kicking off summer volunteer program

With the much-anticipated reauthorization of the Elementary and Secondary Education Act, more widely known as the No Child Left Behind Act, coming up in the second session of the 111th Congress, the ALA Office of Government Relations is urging the administration and Congress to see that the new legislation emphasizes the role of school libraries and the need for every school library to employ a state-certified school librarian.

In June 2009, ALA President Jim Rettig used the occasion of a roundtable discussion with U.S. Secretary of Education Arne Duncan, then-New Jersey Governor Jon S. Corzine, and regional librarians to emphasize that both school and public libraries are at the forefront of helping students achieve academically. Rettig was facilitating a special kick-off event for President Obama's summer volunteer campaign, "United We Serve." The event was held June 22 at Fanwood (N.J.) Memorial Library. As part of its role in the campaign, the U.S. Department of Education, in collaboration with the Corporation for National and Community Service, combated summer reading loss and partnered with libraries and other community organizations to accomplish this goal.

ALA President holds press conference at National Press Club

ALA President Jim Rettig held a press conference at the National Press Club in Washington on May 11, 2009, as part of National Library Legislative Day. Rettig's remarks highlighted key library issues, including the ways

in which libraries help people during the economic downturn. He also spoke about the importance of funding libraries so that they can continue to meet the needs of the American public.

More than 400 participants traveled to Washington for the annual event, taking part in a day of briefings on a variety of issues including appropriations, telecommunications, and the USA PATRIOT Act. The all-day briefing, hosted by the ALA Washington Office, culminated in a Congressional reception overlooking the Capitol Building. On May 12, participants put their knowledge to work while meeting with their elected officials and staff members.

Stephen Flynn, a student employee at the Mudd Library at Lawrence University in Appleton, Wis., received the 2009 White House Conference on Library and Information Services Award. The annual award, given to a non-librarian participating in National Library Legislative Day for the first time, is a \$300 stipend granted to reduce the cost of attending the event. Additionally, the Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF) awarded the 2009 Public Service Award to Sen. Barbara Boxer (D-Calif.) during National Library Legislative Day.

Around Washington ...

Bill supports expanded public access to taxpayer-funded research—In late June 2009, Sen. Joe Lieberman (I-Conn.) and John Cornyn (R-Tex.) reintroduced S.1373, the Federal Research Public Access Act. Previously introduced in 2006, the bill would ensure free, timely, online access to the published results of research funded by 11 U.S. federal agencies. Specifically, S. 1373 would require agencies with annual extramural research budgets of \$100 million or more to provide the public with online access to research manuscripts stemming from such funding no later than six months after publication in a peer-reviewed journal. The bill would advance and expand the National Institutes of Health (NIH) Public Access Policy, which requires public access to taxpayer-funded research, to additional agencies.

No independent obligation to test children's books for lead—On Aug. 26, the Consumer Product Safety Commission confirmed in August that libraries have no independent obligation to test library books for lead under the law. In this final rule on children's products containing lead, the commission also said it would release a Statement of Policy that will provide specific guidance for libraries with regard to the treatment of older children's books that could potentially contain lead.

Congress clears the way to fund LSTA—Omnibus legislation passed by both houses in December included a slight increase for Library Services and Technology Act funding: \$213.5 million for fiscal 2010, a 0.63 percent increase from fiscal 2009.

New OITP Policy Brief Series—In 2009, the Office for Information Technology Policy established a new series of policy briefs, which will comprise substantive works of about 10-30 pages each when published. The first brief, "Fiber to the Library: How Public Libraries Can Benefit," issued as a print version in November, is intended to help libraries understand the benefits of fiber optic technology and to suggest strategies they can consider when exploring how to obtain fiber connectivity. The paper provides background information and arguments that may be useful in library community applications to the Broadband Technology Opportunities Program of the U.S. Department of Commerce. Several other policy briefs are in process and are expected to be published in the first half of 2010.

Librarians urge adoption of SKILLS Act—The Elementary and Secondary Education Act (ESEA), formerly known as No Child Left Behind (NCLB), was expected to be reauthorized in the second session of the 111th Congress, and the ALA urged Congress to incorporate the Strengthening Kids' Interest in Learning and Libraries Act (the SKILLS Act) into this reauthorization. The SKILLS Act, introduced in 2009 by Rep. Raul Grijalva (D-Ariz.) and Rep. Vernon Ehlers (R-Mich.), would ensure that there is at least one highly qualified school librarian in each public school.

LIBRARIES AND THE FIRST AMENDMENT

It has long been a core value of the ALA and of librarians to preserve, protect, and defend people's First Amendment right to freedom of expression and the corollary right to receive and consider ideas, information, and images. Libraries are essential sources of the information that is essential to the functioning of a free and democratic society, and librarians serve as guardians of the public's access to that information, and to ideas more generally.

The library community was tested time and again in the past year and stood up for this most basic freedom; it encountered new challenges as a range of individuals and groups sought to have books or other materials removed from public access, and as the government debated extending the life of intrusive legislation such as the USA PATRIOT Act.

Following is a sampling of the year's First Amendment battles.

Vamos a Cuba case goes nowhere with U.S. Supreme Court

The Miami-Dade School Board School in November 2009 won its three-year battle to remove a children's book, *Vamos a Cuba*, from the shelves of local school libraries on the basis that it presents an inaccurate picture of life in Cuba. The *Vamos* saga ended Nov. 13, when the U.S. Supreme Court declined to take up the case, letting stand a 2-1 ruling by the U.S. Court of Appeals for the Eleventh Circuit (Atlanta) that the board's decision to remove the book was not censorship in violation of the First Amendment.

The little book that sparked such a big controversy and its English-language version, *A Visit to Cuba*, are part of a series of 24 books seeking to introduce readers aged four to eight to other countries.

The Atlanta-based Court of Appeals had said the school board was seeking to remove the book because it contained substantial factual inaccuracies. The dissenting judge on the appeals panel said that rather than removing the book, the correct response would be to make more books on Cuba available to students, not fewer.

The ALA's Freedom to Read Foundation filed amicus curiae briefs in the case, which was brought by the American Civil Liberties Union.

Kentucky library addresses demands to remove graphic novel

Director Ron Critchfield and the Jessamine County (Kent.) Public Library Board resisted calls to remove four books from its collection and revise the library's collection development policy in November 2009 following a controversy over Allan Moore's graphic novel, *The League of Extraordinary Gentlemen: Black Dossier*.

Controversy about the policy arose in September, when two library circulation clerks decided together to disallow an 11-year-old from checking out *Black Dossier*, a book they considered obscene. One of them, Sharon Cook, had earlier filed a challenge against *Black Dossier*, asking that it be removed from the library. After the reconsideration committee voted to retain it in the library's collection, Cook kept the book off the shelves by repeatedly checking it out to herself. She said she did so because she felt the graphic novel was shelved too close to the young adult fiction section, and she worried about children finding the book.

The women were both fired for actions that included checking library patron information to find out who placed a hold on the book.

Community response was swift and divided along predictable lines, and a petition soon circulated calling for the removal of *Black Dossier* and other works in the library's collection on grounds that they constituted a public safety issue in that they encourage sexual predators.

At the library board's November meeting, the board heard comments from 23 speakers but took no action. Board Chair Billie Goodwill explained the board's position, assuring the crowd that "legal standards are the yardsticks" and that the board had not exceeded the Kentucky Revised Statutes. On Dec. 3, the library announced that it was reshelving and recataloging its graphic novel collection, moving most of them to another section of the library—but not contemplating any changes to its collection development or youth borrowing policies.

— Deborah Ann Caldwell-Stone, ALA Office for Intellectual Freedom

Wisconsin library board rejects challenge to young-adult collection

The West Bend (Wisc.) Library Board voted unanimously in June 2009 to maintain the young-adult collection at Community Memorial Library as is following a challenge to YA materials deemed sexually explicit by an area couple. The vote came after trustees heard several dozen comments for and against restricting the materials, as well as being presented with opposing petitions: 700 signatures on the petition circulated by West Bend Citizens for Safe Libraries, a group formed by the couple, and more than 1,000 on an anti-restriction petition from the newly formed West Bend Parents for Free Speech.

At the center of the storm: the library's copy of *Baby Be-Bop*, by Francesca Lia Block.

Accusing the board of submitting to the will of the ALA and the ACLU, one of the complainants, Ginny Maziarka, declared, "We vehemently reject their standards and their principles." She characterized the debate as "a propaganda battle to maintain access to inappropriate material" and cautioned that her group would let people know that the library was not a safe place unless it segregated and labeled YA titles with explicit content.

The trustees voted against "removing, relocating, labeling, or otherwise restricting access" to any titles, but still on their docket was a challenge from a member of the Christian Civil Liberties Union, who had filed a claim in April for damages he and three other plaintiffs allegedly suffered by being exposed to the book in a library display. The complainants sought the right to publicly burn or destroy the library's copy of *Baby Be-Bop* and demanded \$120,000 in compensatory damages (\$30,000 per plaintiff).

Banned Books Week: Celebrating the freedom to read

The 28th annual Banned Books Week kicked off with the Read-Out!, held Sept. 26, 2009, in Bughouse Square, Chicago's most celebrated outdoor free-speech center. ALA President Camila Alire and host and frequently challenged author Chris Crutcher were joined by several authors featured on the 2008 Banned and Challenged Books top 10 list: Sarah Brannen, Cecily von Ziegesar, Lauren Myracle, Stephen Chbosky, Justin Richardson, and Peter Parnell. They discussed their experiences as targets of censors and read from their banned or challenged book.

The Chicago event was hosted by the ALA's Office for Intellectual Freedom (OIF), the McCormick Freedom Museum, and the Newberry Library and was echoed in libraries and bookstores nationwide throughout the week. Banned Books Week, the only national celebration of the freedom to read, draws attention to the issue of censorship by mounting displays of challenged books and hosting a variety of events.

The annual observance of Banned Books Week is sponsored by the ALA, the American Booksellers Association, the American Booksellers Foundation for Free Expression, the Association of American Publishers, the American Society of Journalists and Authors, and the National Association of College Stores. It is endorsed by the Library of Congress's Center for the Book.

Among books deemed "inappropriate to shelf" at the library at the John F. Kennedy Middle School in Antioch, Tennessee, were predictable choices such as J.D. Salinger's *The Catcher in the Rye* and a less predictable choice, *The American Heritage Dictionary*. (Nashville Tennessean, May 31, 2009)

Washington Supreme Court hears Internet filtering case

The Washington state Supreme Court heard arguments in June 2009 in a challenge to the Internet filtering policy of the North Central Regional Library, headquartered in Wenatchee. The ACLU had filed the lawsuit in 2006 on behalf of three library users and the pro-firearms Second Amendment Foundation, asking that the library be required to disable its filters when requested by an adult for research or other lawful purposes, as interpreted by the U.S. Supreme Court when it upheld the Children's Internet Protection Act in 2003. "What the library does when it filters out selective pages from the Internet is the equivalent of acquiring the Encyclopedia Britannica and then ripping pages out of it," argued ACLU attorney Duncan Manville. Attorneys speculated that the decision could take months, the Wenatchee World reported June 23.

Cartoon anthology not OK for middle schoolers, but teachers can check it out

A cartoon anthology filled with teenage angst, four-letter words, and some drug and sexual references has been pulled from the library collections at two Sioux Falls (S.D.) public middle schools. But rather than remove Ariel Schrag's *Stuck in the Middle: Seventeen Comics from an Unpleasant Age* from the libraries at Edison and Patrick Henry middle schools, a review committee recommended placing the books in staff collections so that teachers can check them out and use them in class, according to the Sioux Falls Argus Leader.

Tennessee schools unblock LGBT websites following lawsuit

The Knox County (Tennessee) and Metropolitan Nashville Public Schools districts stopped blocking the websites of gay-friendly advocacy groups in early June, two weeks after a high school librarian and several students became the plaintiffs in a First Amendment lawsuit against the school districts. The suit objected to the district's blocking access to information about gay, lesbian, bisexual, and transgendered issues on school computers while allowing access to anti-gay sites. Because the two school systems share the Education Networks of America blacklist settings with 80 percent of the other districts in Tennessee, the action resulted in providing access to gay-interest information for more than 100 school systems.

Maya Angelou's Caged Bird allowed to fly (with parents' OK)

A school district superintendent in Huntington Beach, California, decided in November to keep Maya Angelou's autobiography, *I Know Why the Caged Bird Sings*, in middle school libraries but added a restriction that parents must provide consent for a student to check it out. "While the (district book review committee) agreed that the book may contain content that might be objectionable to some, it also reinforces . . . themes such as overcoming adversity," said Alan Rasmussen, superintendent of the Ocean View School District. The district had reviewed the book a resident read a scene describing the rape of an eight-year-old girl from the book during a school trustee meeting.

Tango survives a challenge in Kansas City

The North Kansas City (Mo.) School Board voted 3–2 on Dec. 21, 2009, to keep a children's book in school libraries despite a parent's concerns. After more than an hour's discussion, board members decided to retain *And Tango Makes Three* by Justin Richardson and Peter Parnell (the most challenged book of 2008), but they also agreed to place the elementary library card catalog on line so parents can see what materials are in their child's library and decide whether they would like to request individual restrictions for their child. (Kansas City Star, Dec. 22, 2009)

Magazine about sex to remain in Iowa library

A magazine about sex will stay where teens can find it at the Ames (Iowa) Public Library. Trustees voted 6–1 in November 2009 to support Director Art Weeks's recommendation to continue openly displaying and offering free copies of *Sex, Etc.* in the teen section. Joyce and John Bannantine had presented a petition to the board in October with the signatures of 118 parents concerned about the topic of the magazine, which is written for teens by teens under the oversight of Answer, a national sexuality organization at Rutgers University. (Ames Tribune, Nov. 20, 2009.)

Iowa restricts registered sex offenders' use of public libraries

Iowa has barred all registered sex offenders from public libraries without the written permission of the library administrator. The law (Iowa Senate File 340) is the first known instance of a state barring people from using or accessing public libraries because they are convicted of particular crimes—a break with federal court opinions holding that the First Amendment protects each person's right to freely access public libraries. The provision, signed into law in May 2009 by Gov. Chet Culver, is part of a comprehensive sex offender registry bill that also bars registered offenders from standing or loitering within 300 feet of the library's property line. Iowa libraries scrambled to devise policies to effect the law, which took effect July 1.

Connecticut library retains book about grisly murder

The Cheshire (Conn.) Public Library Advisory Board voted in November 2009 to support Director Ramona Harten's decision to buy two copies of Brian McDonald's *In the Middle of the Night: The Shocking True Story of a Family Killed in Cold Blood*, which describes the 2007 slayings of the wife and two children of William Petit, of Cheshire. Friends of Petit, who was beaten and whose wife and two daughters were murdered when their Cheshire, Connecticut, home was robbed in July 2007, have had asked Cheshire Public Library not to stock the book.

Legislators grapple with extension of USA PATRIOT Act

A flurry of legislative maneuvering in the fall concerning the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism—a.k.a. USA PATRIOT—Act, which was due to expire at the end of 2009, resulted in extension of the act until late February. The original statute was passed in the weeks following the Sept. 11, 2001, terrorist attacks and signed into law by President George W. Bush on Oct. 26, 2001.

The ALA Council adopted a resolution at the 2009 Annual Conference that urged Congress to allow Section 215 of the act, which permits the Justice Department to conduct searches of library and bookstore records, to sunset on Dec. 31; it also adopted an advisory resolution that asked Congress to include a number of safeguards if Section 215 were to be reauthorized.

Two bills were introduced in the Senate in September. One, sponsored by several senators, was the JUSTICE (Judiciously Using Surveillance Tools in Counterterrorism Efforts) Act, S.B. 1684, which was designed to safeguard the constitutional rights of Americans while also ensuring that the federal government has the necessary tools to fight terrorism. The JUSTICE Act would reauthorize Section 215 but with additional checks and balances.

Less than a week later, on Sept. 22, Sens. Patrick Leahy (D-Vt.), Benjamin Cardin (D-Md.), and Ted Kaufman (D-Del.) introduced the USA PATRIOT Act Sunset Extension Act of 2009, which would raise the legal standards needed to obtain a Section 215 order by requiring the government to show “relevance” for an authorized investigation.

In the House on Oct. 20, Reps. John Conyers Jr. (D-Mich.), Jerrold Nadler (D-N.Y.), and Bobby Scott (D-Va.) introduced the USA PATRIOT Amendments Act of 2009 (H.R. 3845) and the FISA Amendments Act of 2009 (H.R. 3846). The former would prohibit the use of Section 215 to search the records of a library patron or bookstore customer unless there are “specific and articulable facts” to show that the person is “a suspected agent of a foreign power” or someone who is in contact with or known to a suspected agent. H.R. 3845 would also change Section 215 by allowing recipients to challenge the associated gag order and by prohibiting a request for library records that contain personally identifiable information concerning a patron. Taken together, the two House bills would systematically reform national surveillance laws.

As of mid-December, 37 state associations, led by Vermont, had approved resolutions condemning Section 215; many also voiced opposition to Section 505, which gives the FBI authority to secretly issue national security letters to obtain records from libraries without prior judicial oversight.

But also in mid-December, House Speaker Nancy Pelosi (D-Calif.) rejected a Senate plan to include amendments to the PATRIOT Act in a larger Pentagon funding bill. That decision was announced at a closed-door leadership meeting Dec. 14 and forced Democrats to go with a backup plan of extending the act until Feb. 28.

ALA Office for Intellectual Freedom launches privacy initiative

As more and more individuals’ personal information becomes available on line and elsewhere, the ALA Office for Intellectual Freedom (OIF) is launching Choose Privacy Week, a new initiative that relies on libraries, as information hubs of their communities, to sign on as places for citizens to learn about, think about, and talk about privacy issues.

The USA PATRIOT Act in particular has brought into sharp focus libraries’ long-held recognition that privacy is essential to the exercise of free speech, free thought, and free association, and that protecting user privacy is an integral part of libraries’ work and mission. Choose Privacy Week is an education and awareness campaign that invites citizens into a national conversation about our privacy rights in a digital age. The goal is for libraries to help educate and engage their users – giving individuals the resources they need to think critically and make more informed choices about their privacy.

The first Choose Privacy Week will be held May 2-8, 2010. More information is available at www.privacyrevolution.org.

U.S. declines to seek Supreme Court review of NSL gag order decision

The Obama administration decided in May 2009 not to ask the Supreme Court to review a decision that struck down USA PATRIOT Act provisions that allow the government to impose unconstitutional gag orders on recipients of national security letters. NSLs issued by the FBI require recipients to turn over sensitive

information about their clients and subscribers. A lower court ruled in 2007 that the gag order provisions were unconstitutional, and the U.S. Court of Appeals for the Second Circuit upheld that ruling in 2008. The government made its decision passively, by allowing the period during which it could petition the Supreme Court for review to expire. The lawsuit at issue, now called *Doe v. Holder*, was filed by the ACLU and New York CLU in April 2004 on behalf of an Internet service provider (ISP) that the FBI served with an NSL. Because the FBI imposed a gag order on the ISP, the lawsuit was filed under seal, and even today the ACLU is prohibited from disclosing its client's identity.

New Hampshire extends privacy protections to electronic materials

New Hampshire in July extended the protections of its library confidentiality law to library materials that are viewed or stored electronically. A bill introduced by Rep. Joel Winters (HB 157) amended the state's existing library confidentiality statute by expanding the definition of "records related to the circulation and use of library materials or services" to include "records of materials viewed or stored in electronic form." Signed into law July 29 by Gov. John Lynch, the new law helps erase the perception that users accessing electronic resources should receive less privacy protection than those borrowing books and other print materials.

Judith Krug, a champion of the freedom to read

The library community lost a champion of First Amendment rights with the death, on April 11, 2009, of Judith Krug, director of the ALA's Office for Intellectual Freedom. Krug, who often said, "Censorship dies in the light of day," was admired and respected for her efforts to guarantee the rights of individuals to express ideas and read the ideas of others without governmental interference.

As director of the OIF and executive director of the Freedom to Read Foundation for more than 40 years, Krug advised countless librarians and trustees in dealing with challenges to library material and was involved in multiple First Amendment cases that went to the United States Supreme Court. In addition, she was the founder of Banned Books Week, an annual weeklong event that celebrates the freedom to choose and the freedom to express one's opinion.

Krug began her library career as a reference librarian at Chicago's John Crerar Library in 1962. Later, she was hired as a cataloger at Northwestern University's dental school library, working there from 1963 to 1965. She joined the ALA as a research analyst in 1965 and assumed the post of OIF director in 1967.

Krug's life and legacy were memorialized by the New York Times, CBS News, National Public Radio, the Huffington Post, the Chicago Tribune, Library Journal, and scores of other newspapers, blogs, and magazines.

COPYRIGHT AND LICENSING

Libraries have a longstanding commitment to providing open access to all, including access to government information. Libraries are champions of copyright law that makes more information broadly available to the public. Copyright has increasingly come under attack in a struggle with corporate interests and the development of vast data bases. As a result, the ALA and libraries have emerged as national advocates for copyright laws to allow the public access to fair use provisions in the Constitution.

Google Book Search project of concern to librarians (and many others)

Just about everyone who reads books, publishes them, sells them, or uses them for research has some reservation about Google's Book Search project—and librarians certainly are no exception. Research librarians in particular are concerned about the project's privacy implications and whether it will guarantee continued access to research works.

In a letter to Judge Denny Chin of the Federal District Court for the Southern District of New York, who is overseeing the proposed settlement of a class-action lawsuit filed against Google by groups representing authors and publishers, the ALA, the Association of College and Research Libraries (ACRL, an ALA division), and the Association of Research Libraries actively sought to have the voices of their members heard (see below).

The organizations make it clear that they don't oppose the settlement, saying it "has the potential to provide unprecedented public access to a digital library containing millions of books," which is consistent with libraries' core mission. But Corey Williams, associate director of the ALA's Office of Government Relations, told arstechnica.com that the group is as much concerned with what's not in the settlement as with what is. Two areas that the agreement is largely silent on are traditional concerns of libraries, namely public access to information and user privacy.

These issues and many others were to have been settled in February 2010 after years of controversy and lawsuits, but the long-awaited "fairness hearing" on a proposed settlement of the long-running lawsuits opened with Judge Chin announcing that he would not rule immediately because there was "just too much to digest."

At the hearing, Judge Chin heard more than four hours of testimony from a few supporters of the deal and a parade of objectors. Supporters said it would make millions of hard-to-find books available to a vast audience. Opponents cited various concerns relating to competition, privacy, abuse of the class-action process, and the violation of copyright, the New York Times reported.

William F. Cavanaugh, a deputy assistant attorney general with the Justice Department, reiterated legal objections to the agreement the department had made Feb. 4 and said the department was continuing its antitrust investigation into the settlement. The department "applauds the benefits of mass digitization," Mr. Cavanaugh said but "our concern is that this is not the appropriate vehicle to achieve these objectives."

The settlement, originally announced in October 2008, arose out of a copyright infringement suit brought by the Authors Guild and the Association of American Publishers against Google, which had been scanning millions of books from libraries. The complex agreement outlined a plan that would allow Google to make the scanned books available on line for searching, as well as create new ways for authors and publishers to earn money from digital editions of works that had long been off the market in print form.

A long, winding path to the present (and future)—The Feb. 18 hearing was to have been the culmination of a case that had worked its way through courts of law and the courts of public opinion since 2002, when Google conceived its "secret books project." By 2009, seemingly every organization in the world that has anything to do with books had checked in on Google's plan to digitize and make generally available every book—famous or not, in any language, published anywhere on Earth—found in the world's libraries.

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In 2004, Google began teaming up with some of the great library collections in the world—the New York Public Library, the University of Michigan, Harvard, and Stanford, among others—to digitize their collections, with Google paying the scanning costs. Google expects to scan 15 million books from those collections over the next decade.

Authors and publishers filed a class-action lawsuit that challenged the legality of the scanning project. In late spring 2009, four years of legal maneuvering among publishers, authors, and Google seemed about to end with the approval of a visionary class action settlement. But just one week from a key May 5 deadline, by which authors and rights holders opposed to the settlement agreed to the year before would have been required to opt out of or object to the deal—the federal judge overseeing the approval process surprised court watchers by granting a four-month extension, asked for by a group of authors led by Gail Knight Steinbeck.

Under an agreement reached in October 2008, Google would pay \$125 million and create the framework for a new system that will channel payments from book sales, advertising revenue, and other fees to authors and publishers, with Google taking a cut.

The \$125 million will also help find the copyright holders for so-called “orphan works,” out-of-print books that are still fall under the law. These copyright holders, who are considered part of the group, or class, that settled with Google, are hard to find, since many never expected their works ever to be in print again. It is the resurrection of these works that many consider among the greatest benefits of Google Book Search.

The proposed settlement attracted opposition from various denizens of the book world, including European publishers. In April 2009, the Justice Department began an inquiry into the antitrust implications of the Google settlement, and Judge Chin granted authors worldwide until Sept. 4 to decide whether to join the settlement or opt out. In August 2009, nonprofit groups, individuals, and library associations formed a coalition called the Open Book Alliance to oppose the proposed class-action settlement, which was awaiting court approval. Tentatively called the Open Book Alliance, it includes nonprofit groups, individuals and library associations. The coalition is led by Gary L. Reback, an antitrust lawyer in Silicon Valley, and the Internet Archive, a non-profit group that has been critical of the settlement.

On the other side of the issue, a coalition of civil-rights and disability groups in favor of the project held a press conference in September to marshal support for improving access to knowledge, which they see as a key benefit of Google's deal with authors and publishers to create a new kind of digital library. According to CNET News, they said they fear that a once-in-a-lifetime opportunity to gain digital access to knowledge previously stored in libraries at expensive universities or rich communities could be hampered by the opposition to the settlement from some authors and privacy advocates.

Testifying before the House Judiciary Committee a week later, Register of Copyrights Marybeth Peters raised strong objections to the proposed settlement of lawsuits challenging Google's Book Search project. Calling parts of the settlement “fundamentally at odds with the law,” she warned the deal could undermine Congress's ability to govern copyrights and could have “serious international implications” for books published outside the United States.

On Sept. 18, 2009, the Justice Department said the proposed legal settlement between Google and book authors and publishers should not be approved by the court without modifications. That led to the revised proposed settlement of Nov. 13, 2009.

“This deal has enormous, far-reaching anticompetitive consequences that people are just beginning to wake up to,” said a coalition leader, Gary L. Reback, an antitrust lawyer in Silicon Valley. The coalition continued its active resistance to Google Book Search into 2010, in both the United States and Europe.

Revised version of proposed settlement filed—The case reached a climax of sorts just before a midnight deadline on Nov. 13, 2009, when Google, the Authors Guild, and the Association of American Publishers filed a revised version of their proposed settlement in the copyright infringement litigation challenging Google’s Book Search project. The original deal, reached in October 2008, had drawn criticism over antitrust concerns and treatment of orphan works and foreign publications, and a Sept. 18 filing by the Justice Department prompted the parties to modify it.

In response to concerns from foreign rightsholders, the amended settlement limits the agreement to books that were either registered with the U.S. Copyright Office or published in the United Kingdom, Australia, or Canada. It also addresses the treatment of orphan works, directing that a portion of the revenue generated from unclaimed works be used to find rightsholders and calling for the appointment of an independent fiduciary who would be responsible for decisions regarding orphan works. It also allows for Creative Commons licensing, permitting rightsholders to let their works be distributed at no cost.

The amended agreement permits Google to increase the number of terminals that can be used at public libraries to access the database of books; previously, only one terminal per library building was allowed. In a statement, the parties noted that the changes, made after a reviewing of submissions filed with the court overseeing the deal, including the one from the Justice Department, “were developed to address many of these concerns, while preserving the core benefits of the agreement.”

The removal of foreign books was the most significant change to the agreement made in the Nov. 13 revision of the settlement. The Wall Street Journal estimated Nov. 16 that the elimination of millions of foreign titles would reduce the number of works covered by the settlement by at least half.

Critics maintained that the revisions failed to address antitrust and privacy concerns. Peter Brantley, co-chair of the Open Book Alliance, said, “None of the proposed changes [appears] to address the fundamental flaws illuminated by the Department of Justice and other critics that impact public interest,” adding that Google, the publishers’ group, and the Authors Guild “are attempting to distract people from their continued efforts to establish a monopoly over digital content access and distribution; usurp Congress’s role in setting copyright policy; lock writers into their unsought registry, stripping them of their individual contract rights; put library budgets and patron privacy at risk; and establish a dangerous precedent by abusing the class action process.”

A few days later, Brantley asked rhetorically, “Do we really want the card catalog of the future running advertising?”

Other groups have similar problems with the revised settlement. National Writers’ Union President Larry Goldbetter, for example, said it “fails to address the concerns of several writers’ organizations and many American writers, and allows Google to get away with violating writers’ constitutionally protected rights.”

Library groups seek ongoing judicial oversight— In amicus curiae filings, the ALA, the ACRL, and the Association of Research Libraries asked the court to exercise vigorous oversight of the interpretation and implementation of the settlement to ensure the broadest possible benefit from the services the settlement enables. They called on the court to address concerns with pricing review, to direct Google to provide more detail on privacy issues, and to broaden representation on the Books Rights Registry.

In addition to communicating with the court, the associations sent letters in July 2009 and again in September to the U.S. Department of Justice asking for ongoing judicial oversight of the Google Book Search settlement, if it is approved. The associations urged the DOJ to request the court to review the pricing of the institutional subscriptions to ensure that the economic objectives set forth in the settlement agreement are met. Libraries, as the potential primary customers of institutional subscriptions, expressed concern that the absence of competition could result in profit-maximizing pricing.

The associations also expressed disappointment with the DOJ's failure to urge the parties to the settlement to require representation of academic authors on the Book Rights Registry board. As the groups explained, academic authors wrote the vast majority of the books Google will include in its database. Without representation of academic authors, the Books Rights Registry may establish a pricing model that maximizes profit rather than public access to academic works.

Finally, what Richard Andrew Albanese wrote in *Publishers Weekly* way back in May 2009 probably still holds true:

The solution to what began in 2005 as a simple copyright question is now a complex blueprint for an entirely new digital book business, a \$125 million legal puzzle that involves a dizzying array of moving parts: thousands of authors, millions of titles and editions, libraries, public interest issues, murky copyright law, orphan works and even the creation of a new, central rights-granting authority in the U.S., the Book Rights Registry. One notable thing the settlement doesn't do, however, is address the original claim in the suits—whether Google's scanning of library books to create an online index is legal.

Still perplexed? Guides to the revised Google books settlement—The ALA, the ACRL, and the Association of Research Libraries have responded to the proposed settlement of lawsuits challenging Google's Book Search project with guides describing the major revisions, particularly those relevant to libraries. The *Google Books Settlement: Who Is Filing And What Are They Saying?* summarizes in a few pages of charts some key information about the hundreds of filings that have been submitted to the federal district court presiding over the Google Books litigation. See also *A Guide for the Perplexed Part III: The Amended Settlement Agreement*, written by legal consultant Jonathan Band.

Most recently, the associations released *GBS March Madness: Paths Forward for the Google Books Settlement*. This diagram explores the many possible routes and outcomes of the Google Books Settlement, including avenues into the litigation and appeals process. Judge Chin's decision in the fairness hearing is only the next step in a very complex legal proceeding that could take a dozen more turns before reaching resolution.

Highlights from the e-book wars

Amazon may have established the first beachhead in the battle of the e-books with its Kindle, way back in 1997, but it has of late found itself embroiled in skirmishes on many fronts. What follows is not a History of the E-book Wars but merely few highlights (or lowlights, depending on your point of view) from the past year or so:

- ***Introducing Kindle 2***—Amazon released version 2 of its Kindle e-book reader in February to fanfare over improvements over the previous model and controversy over a feature that converts text to spoken words. Three days later, it reined in the conversion feature by enabling publishers to opt out of the application. Protest of the text-to-speech feature came from the 9,000-member Authors Guild, among others, and Amazon announced that it would allow publishers to disable the feature on a title-by-title basis.

- *Not so fast*—The Reading Rights Coalition and the National Federation for the Blind, advocates for readers with print disabilities, protested outside the Authors Guild’s New York offices April 7 that the guild’s objections to the Kindle text-to-speech feature of Amazon’s Kindle 2 e-book reader disenfranchises people who have difficulty reading.
- *Google jumps in*—In May, Google indicated that it would introduce a program that would enable publishers to sell digital versions of their newest books direct to consumers through—you guessed it—Google. Already on Google, users can search up to about 20 percent of the content of many books and can follow links from Google to online retailers to buy either hard-copy or electronic versions. Google’s e-book retail program is separate from the Google Book Search project (see article in this section), but Google has already made more than 1.5 million public-domain books available for reading on mobile phones as well as the Sony Reader, the Kindle’s largest competitor. Under the new program, publishers give Google digital files of new and other in-print books; publishers can set a suggested retail price, but Google will set the ultimate consumer price.
- *University sued*—The National Federation of the Blind and the American Council of the Blind filed suit June 25 against Arizona State University to prevent it from deploying Amazon’s Kindle DX e-reader to distribute electronic textbooks to its students because the device cannot be used by blind students. Darrell Shandrow, a blind ASU student, was also a named plaintiff in the action. Although the Kindle features text-to-speech technology that can read textbooks aloud, its menus are not accessible, making it impossible for a blind user to use the advanced reading functions. Dr. Marc Maurer, President of the National Federation of the Blind, said: “Given the highly-advanced technology involved, there is no good reason that Amazon’s Kindle DX device should be inaccessible to blind students.”
- *Other changes sought*—The Boston-based Free Software Foundation urged Amazon to give up control over the books people load on their Kindles and to reconsider its use of digital-rights-management software, according to the New York Times (July 26); and civil libertarians and consumer advocates want Amazon to fundamentally alter its method for selling Kindles, lest it be forced one day by court order to change or recall books, or by a government deciding that a particular work is politically damaging or embarrassing.
- *Sony lowers prices*—Sony Electronics announced in August that it was lowering prices for new and bestselling books in its e-book store from \$11.99 to a flat-price \$9.99, which matches that of Amazon.com for its Kindle e-books. A few weeks later, Sony also introduced two new electronic reading devices—the Reader Pocket Edition and Reader Touch Edition, which sell for \$199 and \$299 respectively.
- *Amazon ate my homework!*—Writing in TechFlash Sept. 30, Eric Engleman told the tale of a Michigan high school student, Justin Gawronski, who was so incensed when Amazon remotely deleted copies of George Orwell’s 1984 and Animal Farm from people’s Kindles that he sued the online retailer. Gawronski alleged that Amazon essentially ate his homework when it removed his copy of 1984 and caused his ‘copious notes’ to disappear. Amazon settled the lawsuit for \$150,000. (Gawronski was far from the only one who was unhappy at the deletions; Amazon CEO Jeffrey Bezos issued a general apology, and the company offered to deliver new copies of 1984 and Animal Farm at no charge to affected customers.)

- *Publisher wins a round*—In late January this year, Amazon removed direct access to thousands of e-book and hard-copy titles published by Macmillan, which had said it planned to begin setting higher consumer prices for e-books. Customers who wanted to buy print editions could do so only from third-party sellers, and Kindle options disappeared altogether. But two days later, Amazon surrendered, if only grudgingly. “We have expressed our strong disagreement and the seriousness of our disagreement by temporarily ceasing the sale of all Macmillan titles,” Amazon said. “We want you to know that ultimately, however, we will have to capitulate and accept Macmillan’s terms because Macmillan has a monopoly over their own titles, and we will want to offer them to you even at prices we believe are needlessly high for e-books.”

The effect of e-books on libraries is only starting to come into focus. In fact, a website called eHow.com (“How to Do Just About Everything”) suggests that this would be a good topic for a library science thesis. And Library 2.0 Gang, a group hosted by Richard Wallis on ALA TechSource, discussed e-books and e-readers in August 2009. As summarized by Wallis: “There was some disagreement on timing, but all were clear as to size of revolution that readily available eBooks in open formats, on devices that add value to the reading experience, will have on libraries over the next few years. It may not be too long before the roles, of normal format and special request technical novelty, of the book and the eBook, are reversed.”

University of Michigan finds new partners—in book sales

The University of Michigan will make thousands of books that are no longer in copyright available as reprints on demand under an agreement with BookSurge, an Amazon.com company. As individual copies are sold, BookSurge will print and bind the books in softcover. Maria Bonn, director of the UM Library’s scholarly publishing office, said the reprint program includes books digitized both by the university and through its partnership with Google. The initial offering on Amazon will include more than 400,000 titles in more than 200 languages.

And in another twist on the Google Books idea, Hewlett-Packard announced a partnership with the UM Library to sell physical copies of over 500,000 rare and out-of-print works, while making the digital versions available on line for free. HP’s BookPrep service will take in raw scans of books, clean them up to prepare them for reprinting, and then offer print-on-demand copies for sale via normal online book distribution channels such as Amazon.

Copyright Office needs a journeyman sorcerer

A logjam of applications in the U.S. Copyright Office at the Library of Congress has created a mountain of paper applications, more than the staff can process, the Washington Post reported May 19, 2009. “Like the marching buckets of water in *The Sorcerer’s Apprentice*, the envelopes just keep coming, threatening to flood the operation,” according to Staff Writer Lyndsey Layton. The problem has tripled the processing time for a copyright from six to 18 months, and delays are expected to get worse. The library’s inspector general has warned that the backlog threatens the integrity of the U.S. copyright system.

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