

Meeting of the Working Group on the Status of Libraries in Vermont

Topic: Intellectual Freedom

Friday, April 21, 2023, 9:01am to 4:00pm

Meeting Minutes

Working Group members present: Maria Avery, Jeannette Bair, Catherine Delneo, Denise Hersey, Christopher Kaufman Ilstrup, Andy Kolovos, Kelly McCagg, Susan O'Connell, Wendy Sharkey

VTLIB staff members: Thomas McMurdo, Janette Shaffer, Josh Muse, April Shaw, Lauren Kelley, Karen Gravlin, Joy Worland, Jonathan Clark, Lilly Talbert, Gina Hruban

I. Call to Order [00:0:23]

Catherine Delneo welcomed everyone and called to order at 9:01am.

Roll Call of Working Group Members.

As a reminder to the public and Working group members, the Working Group website can be found here: <https://libraries.vermont.gov/services/initiatives-and-projects/working-group-status-libraries-vermont>

Written comments can be found at:

<https://libraries.vermont.gov/services/initiatives-and-projects/working-group-status-libraries-vermont/testimony-working-group>

II. Approval of Minutes [00:07:11]

Catherine Delneo moved into the next business portion of the meeting, which was the approval of past meeting minutes.

Explanatory document: March 24, 2023 (Draft Minutes)

<https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/DRAFT%202023%2003%2024%20Minutes%20Working%20Group.pdf>

Catherine Delneo called for any changes to the document. No changes were requested.

Kelly McCagg made a motion to approve the minutes. Christopher Kaufman Ilstrup seconded the motion. The minutes were unanimously approved by the Working Group.

III. Public Comment [00:09:16]

Catherine Delneo called for any public comment.

There was no public comment.

IV. Presentation by John Chrastka, Executive Director and Founder, EveryLibrary [00:11:12]

John Chrastka shared his presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Supporting/JohnChrastka_EveryLibrary_Presentation_042123.pdf

Supporting links:

Title 13: Crimes and Criminal Procedure, Chapter 063: Obscenity, (Cite as: 13 V.S.A. § 2802)
<https://legislature.vermont.gov/statutes/section/13/063/02802>

Citizens Guide to US Federal Law Obscenity (including Miller Test)
<https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-obscenity>

The Working Group had the opportunity for questions and comments.

Jeannette Bair thanked John Chrastka for his presentation and said it's one of the best we've heard throughout the Working Group and very relevant.

Catherine Delneo asked Jeannette which aspect of the presentation she found particularly salient to the Working Group?

Jeannette replied the topic of increasing protections for librarians.

Wendy Sharkey commented that the 'heckler's veto' item really struck her; people coming from outside of the community and state to ban books and discriminate.

Andy Kolovos thanked John for his presentation and said he found it very fascinating.

V. Statewide Collections Overview [00:59:50]

Lauren Kelley, Cataloging Consultant, Department of Libraries

Lauren Kelly shared her presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/WorkingGroupPresentation_Collections_v1_042123.pdf

The Working Group had the opportunity for questions and comments.

Tom McMurdo commented that the annual increase cost of databases over the next three years is approximately \$60,000. This amount is to maintain the current databases, we are not adding databases. Tom added that the data cost is not only for the databases but for all of the Department's software purchases. Market costs rise every year.

Wendy Sharkey commented that her library uses many services that the state provides.

Catherine Delneo commented on the high cost of digital resources and possibly the Working Group will want to make recommendations on that concern.

VI. Presentation by Dana Kaplan, Executive Director, Outright Vermont [01:44:59]

Dana Kaplan shared his comments to the Working Group.

Dana spoke of the increased risk of mental health distress that is faced by LGBTQ individuals and the impact of the stigma, rejection, and discrimination they experience. He also spoke about the increasing demands to censor library books and resources, and that members of the LGBTQ community bear the brunt of the consequences of the challenged titles.

The Working Group had the opportunity for questions and comments.

Christopher Kaufman Ilstrup commented that he volunteers at Outright Vermont and cannot emphasize enough the truth of what Dana spoke about; that public libraries are safe havens for queer youth.

Catherine Delneo asked Dana if the issues facing queer youth are as relevant in school libraries as they are in public libraries. Dana replied that the same issues and threats are relevant in school libraries, making public libraries essential to students if they do not feel safe at their school library.

Catherine Delneo thanked Dana for his presentation and time.

VII. Presentation by Trina Magi, Co-editor of The Intellectual Freedom Manual [01:59:43]

Trina Magi shared her presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Supporting/TrinaMagi_Presentation_042123.pdf

Catherine Delneo thanked her for her presentation.

The Working Group had the opportunity for questions and comments.

Kelly McCagg thanked Trina for her presentation and said it was wonderful.

Catherine Delneo asked Trina to please share more on the topic of trigger warnings. Trina spoke about her concerns regarding trigger warnings in a library setting and that it seems like an impossible project theoretically and practically. It's an impossible project, and one that should not even be considered in her view.

Maria Avery commented that Trina has personally taught her an immense amount about reference work in general but particularly about privacy and intellectual freedom. She thanked her for her presentation and said that the information was wonderful.

VIII. Presentation by Joyce McIntosh, Assistant Director, Freedom to Read Foundation [02:30:29]

Joyce McIntosh shared her presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Supporting/JoyceMcIntosh_Presentation_042123.pdf

The Working Group had the opportunity for questions and comments.

Catherine Delneo asked Joyce: How do legal cases tend to play out regarding challenged materials?

Joyce replied that within the First Amendment, we have the ability as public forums and public schools to create policies, and when those policies are in place, they must be followed, and that judges acknowledge this rule. She said that regarding threats to take a librarian to court over 'obscene' material, no judge in her knowledge has gone down that road. Judges are being supportive of libraries.

[Part 2 recording inserted at end of Joyce McIntosh's segment and announces the break.]

IX. Break (12:00pm-1:00pm)

[Part 3 recording begins here]

X. Community Comments on Intellectual Freedom [00:00:00]

- **Mary Danko, Director, Fletcher Free Library, Burlington [00:00:47]**

Mary Danko shared her comments with the Working Group. She focused on the concerns and needs from a public library director's point of view. She stressed that the training of library staff on the topic of intellectual freedom is very important, and that support from the state is needed for this training. It is very challenging to think of all the challenging situations that may occur for staff, and providing specific resources that provide guidance on how to respond to these many situations would be very helpful.

The Working Group had the opportunity for questions and comments.

Kelly McCagg asked Mary if resources and money were not an object, what kind of system does she envision in terms of training of library staff? Especially since library sizes vary a lot in Vermont.

Mary replied: I really relied on state consultants when I worked at a very small library. They guided me to individual training but also worked to bring libraries together to discuss a specific topic, or bring in speakers.

Susan O'Connell commented that in many of our small libraries, volunteers are important to make the library run. How can we ensure that the concepts of Intellectual Freedom are consistently in the forefront of knowledge for the volunteers. It's a constant challenge to keep volunteers educated.

Mary replied that the funding of libraries is very important so that they can employ paid staff. The initial and ongoing training of volunteers needs to be consistent, and having government

support and guidance is essential.

- **Mia Schultz, President, NAACP Rutland County [00:17:00]**

Mia Schultz shared her comments with the Working Group.

Mia spoke of the importance of protecting the First Amendment, and how valuable libraries are in upholding First Amendment rights for the people of the community. The First Amendment also encompasses the right to receive information on a wide range of topics and variety of viewpoints. These fundamental rights are essential for creating a society that is just and equitable for all. Libraries can provide access to information and resources that can empower individuals and communities. Libraries also serve as safe spaces to explore diverse ideas without censorship and suppression; particularly for those who have been historically marginalized and oppressed.

The Working Group had the opportunity for questions and comments.

Catherine Delneo asked Mia if in her work with NAACP, she has ever been called by members of the community to be involved in any responses to Intellectual Freedom threats or issues (i.e. book bans, challenges to access of materials in school curriculums.) Mia replied that she has not been directly involved in a challenge, but that the Rutland NAACP always stands in solidarity with community members to oppose discrimination.

Charles Dabritz, VSLA president [00:30:50]

Media Specialist Lyman C. Hunt Middle School, Burlington

Charles Dabritz shared his comments on Intellectual Freedom.

He spoke about school librarians and how they development diverse collections, which includes specialized training. He stressed that it's essential that our legislature, our school leaders, our school boards know and realize the professionalism that goes into creating and maintaining all of our schools' collections.

Supporting links:

VSLA Statement on Intellectual Freedom

https://drive.google.com/file/d/1X1rDYM9Sb_Jc8BmUxGIV2izQMAqIRDIX/view

VSBA Recommended Policy-Selection of Library Materials

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Supporting/CharlesDabritz_VSBA%20Recommended%20Policy_D22_Selection%20of%20Library%20Materials.pdf
[asked April to post 4/25](#)

The Working Group had the opportunity for questions and comments.

Jeanette Bair asked Charles about training issue and what is being done to mentor non-certified school librarians and bring them up to speed on Intellectual Freedom issues?

Charles replied that the VSLA has a strong mentoring program, and encourage non-certified librarians/teachers to contact VSLA for more guidance.

- **Caitlin Classen, Library Media Specialist, Albert D. Lawton Middle School, South Burlington and Beth Shelley, Library Media Specialist, Westford School, Westford [00:46:08]**

Caitlin and Beth shared their comments with the Working Group.

They spoke of the rise in the number of book challenges and strongly believe it is their jobs to provide representation of children from all walks of life on their bookshelves. They spoke of the importance of having policies and procedures in place to help handle book challenges.

The Working Group had the opportunity for questions and comments.

Catherine Delneo asked Caitlin and Beth: In Vermont, a student has to be age 16 before their library record is confidential. Do you feel that's an appropriate age level? Do you think there should be any change to that law that the Working Group should recommend?

Caitlin replied: I feel like age 16 isn't appropriate. We abide by all library records are confidential. Records are kept between us and our students. School personnel abides by FERPA. We have privacy regulations in place about kids' information. Also, providing privacy is way of honoring someone's experience; people don't need to know your business, especially

what you're borrowing from the library.

Caitlin added: Ideally, I wish everyone's library record was confidential always, all the time. But in a school, I also feel like parents do have the right to ask what their kids have access to in the library we have. We also always say we have nothing to hide. Like in our catalogs or public facing – anyone can search our catalogs. All of our contact information is readily available. All of our websites say please contact us. We love hearing from parents and talking with their kids about what they're reading - it is such a great way to stay connected.

- **Randal Smathers, VLA Intellectual Freedom Chair, Director Rutland Public Library** [01:03:25]

Randal Smathers shared his presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Testing/IntellectFree/RandalSmathers_Rutland_042123.pdf

The Working Group had the opportunity for questions and comments.

Catherine Delneo asked Randal: In your role with VLA, can you share what VLA offers in Continuing Education regarding the topic of Intellectual Freedom?

Randal replied: Mary Danko from the Fletcher Free Library and I have been working unsuccessfully on creating a Freedom of Information lecture. We are having a lot of trouble coming up with someone who wants to come and talk to a bunch of Vermont librarians about intellectual freedom.

- **Amy Olsen, Director, Lanpher Memorial Library** [01:17:20]

Amy Olsen shared her presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Testing/IntellectFree/AmyOlsen_Lanpher_042123.pdf

The Working Group had the opportunity for questions and comments.

Wendy Sharkey asked Amy: Have you added your model of Intellectual Freedom policies to the state's list of policy and procedures that they are collecting from libraries?

Amy replied that that she can definitely add her library's policy and send that out.

Supporting link: <https://libraries.vermont.gov/library-policies>

- **Luis Vivanco, Professor of Anthropology, Chair Anthropology Department, UVM [01:30:10]**

Luis Vivanco shared his presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Testimony/IntellectFree/LuisVivanco_UVM_042123.pdf

Luis added: *Calling in* (as the great social justice activist Loretta Ross calls the alternative to calling out) is not about policing and weaponizing suffering, but about bringing people in to create space for listening and dialogue across differences. Libraries in their best form have always been spaces for *calling in*.

The Working Group had the opportunity for questions and comments.

Jeannette Bair asked Luis his thoughts on a proposal to empty the UVM library, similar to what was recently proposed with the Vermont State College libraries.

Luis replied: I think that libraries are at the very heart of how universities function. There's often a big disconnect between the ways senior administrators think about the functions of the university and the actual day-to-day life of the university. And I would say that if the faculty did not lead the charge to protect that library, it would be a completely dead institution at that point. While not everybody uses libraries in the same ways, that is more than just the symbolic center of intellectual freedom. It is a functional member of the operations of research and of teaching. And you can't do effective research and teaching without access to a very good, vibrant library system.

- **T. Elijah Hawkes, Upper Valley Educators Institute [01:47:58]**

T. Elijah Hawkes shared his presentation.

Supporting document:

https://libraries.vermont.gov/sites/libraries/files/InitiativesProjects/LibraryWorkingGroup/Testimony/IntellectFree/T_Elijah_Hawkes_UpperValleyEducatorsInstitute042123.pdf

The Working Group had the opportunity for questions and comments.

Catherine Delneo commented about the idea of more public programming around concepts of intellectual freedom and concepts of diversity and collections.

- **Christopher Kaufman Ilstrup, Executive Director, Vermont Humanities [02:04:44]**

Christopher Kaufman Ilstrup shared his comments summarizing his thoughts on the content shared today.

Catherine Delneo moved the meeting forward to agenda item XI.

- **XI. Working Group Discussion [02:09:46]**

The Working Group discussed the content shared today and the challenges of intellectual freedom.

Supporting links:

Massachusetts General Laws Part I Section 33

<https://law.justia.com/codes/massachusetts/2021/part-i/title-xii/chapter-78/section-33/>

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

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

- Increase training on principles of intellectual freedom for
 - Library professionals
 - Library trustees
 - General public
- Consider recommending legislation to improve access to resources for Vermonters by addressing digital collection pricing structures for libraries
- Consider recommending legislation to increase protections for youth related to privacy of patron records by lowering age.
- Consider recommending legislation similar to California and Europe that protects privacy of consumers when using online library resources (databases, ebooks, etc.) and information resources in general
- Consider recommending rights affirmative legislation related to materials selection and retention

Note: Many of the ideas for possible recommendations of legislation are complex and could have unintended impacts, so these should be thoughtfully considered by the Working Group and the Legislature.

Catherine Delneo took a vote for adjournment. All voted in favor to adjourn the meeting.

- **XII. Adjournment (4:00pm)**