

**Draft Recommendations from Working Group Topic Reports and Minutes
August 18, 2023**

<https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT066/ACT066%20As%20Enacted.pdf>

Powers and duties. The Working Group shall study:

(1) library services for specific segments of the Vermont population, including senior citizens, individuals with disabilities, youths and children, immigrant and migrant communities, and people living in poverty;

(2) the role that libraries play in emergency preparedness, cultural diversity and inclusion, public health and safety, community identity and resiliency, economic development, and access to public programs and services;

(3) the impact of the COVID-19 pandemic on library operations and services; and

(4) the current overall status of Vermont libraries, which may include information related to programming, collections, facilities, technology, and staffing.

(A) Programming. The Working Group may study the types and frequency of library programs, attendance at library programs, and whether library programs are meeting community needs. The study of programming may include an assessment of public engagement and outreach surrounding library programming as well as the opportunities for nonlibrary programs and groups to access Vermont libraries.

(B) Collections. The Working Group may study the size and diversity of library holdings and assess the strengths and gaps in materials available to Vermonters. The study of collections may include an assessment of how libraries may best share resources across differing libraries and communities, whether libraries offer community-specific resources, and whether libraries maintain special collections or historical artifacts.

(C) Facilities. The Working Group may study whether library facilities and buildings could be improved with regard to energy efficiency, accessibility, flexibility, human health and safety, historic preservation, and intergenerational needs.

(D) Technology. The Working Group may study whether Vermont libraries have sufficient access to basic technological resources, cyber-security resources, high-speed Internet, electronic catalogs, interlibrary loan and other interoperable systems, and appropriate hardware and software.

(E) Staff. The Working Group may study staffing levels at Vermont libraries, whether staffing levels are sufficient to meet community needs, whether library staff compensation and benefits are sufficient, how libraries rely on volunteers, and what resources are available for workforce development and training of library staff.

(d) Public input. As part of the study and report, the Working Group shall solicit feedback from the general public and library users around the State. The Working Group may examine models for library management and organization in other states, including the formation of statewide service networks.

(e) Data to be used. The data used in the analysis of library services and operations may be from 2019, prior to the COVID-19 pandemic. Post-pandemic data may also be used to assess the status of library services and operations.

(f) Consultation with the Board of Libraries. The Working Group may solicit feedback from the Board of Libraries.

(g) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Libraries.

(h) Report. On or before November 1, 2023, the Working Group shall submit a report to the House and Senate Committees on Education.

The report shall contain:

(1) specific and detailed findings and proposals concerning the issues set forth in subsection (c) of this section;

(2) recommendations for updating the statutes, rules, standards, and the governance structures of Vermont libraries to ensure equitable access for Vermont residents, efficient use of resources, and quality in the provision of services;

(3) recommendations related to the funding needs of Vermont libraries, including capital, ongoing, and special funding; and

(4) any other information or recommendations that the Working Group may deem necessary.

Abbreviations

Minimum Public Library Standards (the Standards)

Certificate of Public Librarianship (CPL)

Continuing Education (CE)

Vermont Department of Libraries (the Department)

COLLECTIONS – Possible Recommendations to the Legislature

- Examine appropriateness of publishers' eBook and eAudiobook model and costs of licensing eBooks and eAudiobooks to libraries in Vermont and explore legislation to address pricing differences between libraries and general marketplace.

Connecticut Legislation:

https://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Bill&bill_num=SB00500&which_year=2023

Hawaii Legislation:

https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=HB&billnumber=1412&year=2023

Massachusetts Legislation: <https://malegislature.gov/Bills/193/HD3425>

Rhode Island Legislation:

<http://webserver.rilegislature.gov/BillText/BillText23/HouseText23/H5148.pdf>

Virginia Legislation: <https://legiscan.com/VA/bill/SB1528/2023>

Note: Effective legislation would enable limited library funding to go further toward meeting existing collections needs. Short-term licenses of eBooks and eAudiobooks cost libraries up to 10 times what consumers pay for permanent ownership of the same titles.

- Increase support to Department of Libraries' collection budget for eBooks and eAudiobooks to better meet the needs of the public.
- Increase Department of Libraries' collections budget to expand collections at correctional and psychiatric facilities, including access to eBooks and eAudiobooks.

See Also:

Inclusive Services

Library Structures & Organizations

CONTINUING EDUCATION – Possible Recommendations to the Legislature

- Consider updating statute to formalize the issuance of the Certificate of Public Librarianship by either the Department of Libraries or another state agency. (Similar to Educator Licensure by AOE, 5100 STATUTORY AUTHORITY 16 V.S.A. § 1691a; 16 V.S.A. § 1692; 16 V.S.A. § 1694; 16 V.S.A. § 1695; 16 V.S.A. § 1697.)
- Consider updating statute related to CE. Currently reads “May conduct seminars, workshops, and other programs to increase the professional competence of librarians in the state.” Change to “SHALL conduct seminars, workshops, and other programs to increase the professional competence of library staff in the state.” 22 V.S.A § 606 (5)

CONTINUING EDUCATION – Feedback for the Department

- Include the topic of continuing education for library professionals in updates to the Standards.
- Continue to administer the Certificate of Public Librarianship (CPL) program.
- Continue to provide free CE opportunities for library staff statewide and continuously review the appropriateness of its Continuing Education (CE) offerings to the needs of Vermont’s public librarians:
 - Format of learning (online, hybrid, or in-person classes)
 - Frequency of class offerings
 - Development of multiple tracks of study to support those who wish to concentrate in a specific area of librarianship.
- Consider expanding CE courses to include more technology, early literacy, nonprofit management, adult literacy, mentorship, and policy and procedures, trauma-informed library practices, and social-emotional learning.
- Consider updating the Standards to encourage ongoing CE for the maintenance of skills by library staff.
- Consider the expansion of the mentorship program to librarians at all levels.
- Consider adding a specific course of training and Certificate for Trustees.

CONTINUING EDUCATION – Feedback for Library Boards

- Library Boards should compensate their staff for time spent in trainings.

Note: Report should highlight the importance of the Certification of Public Librarianship program and the value it brings to the profession.

EMERGENCY PREPAREDNESS – Possible Recommendations to the Legislature & State Agencies

- The Department of Emergency Management should include public library directors and/or Library Boards when developing the State Hazard Mitigation Plan.

EMERGENCY PREPAREDNESS – Feedback for the Department

- Develop or host trainings for library board members and public library directors on the topics of emergency preparedness and make shared training resources available.

EMERGENCY PREPAREDNESS – Feedback for Library Boards

- Develop and periodically revise emergency plans for their institutions that address potential environmental and societal emergencies (e.g., fire safety, flooding, disruptive community member, etc.).
- Schedule site visits and trainings with local fire, police, and first responders so that staff are equipped to respond in site-specific emergencies.
- Maintain up-to-date facility plans.
- Prioritize staff and public safety when planning routine library operations.

EMERGENCY PREPAREDNESS – Feedback for Municipal and State Government

- Municipalities should include incorporated and municipal public libraries in their emergency planning process and the municipal emergency plan.
- Municipalities should include incorporated and municipal public libraries in planning for local cooling or warming centers and should work with Library Boards and Directors to
 - train library staff in advance of activating libraries as cooling or warming centers and
 - should develop staffing plans to facilitate expanded hours before activating libraries as cooling or warming centers.

See Also:

Continuing Education
Facilities

FACILITIES – Possible Recommendations to the Legislature

- **Consider providing public library-specific state funding for renovations and maintenance of buildings.**

Current funding is provided primarily through the Arts Council Cultural Facilities Grants and Historic Preservation, so libraries compete with many other organizations for a small amount funding.

Massachusetts Public Library Construction Program (MPLCP):

<https://mblc.state.ma.us/programs-and-support/construction/2023-general-info.php>

FACILITIES – Feedback for the Department

- Expand CE courses on library building stewardship and capital projects, including how to work with contractors.
- Consider including recommendations of library size and/or collection space (scalable based on size of community served) and recommendations to include community meeting and program spaces in updates to the Standards.
- Engage RPCS in assist libraries to identify and write grants.
- Consider including recommendation that Library Boards annually inspect library properties and develop plans to address maintenance needs.

Current Framework for Facility Inspections:

<https://firesafety.vermont.gov/buildingcode/municipalinsp>

The League of Cities and Towns (VLCT) does insurance inspection annually on municipal buildings.

Are there existing agencies for non-profits to engage in inspecting public buildings they own?

Notes:

<https://firesafety.vermont.gov/buildingcode/codes>

- Support for Non-English collections for Dept
- Support Translation & Interpretation at public libraries
SC state library administering contract through which local libraries can access print translation services.
Oral translation services reference.
ASL translation.

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INTELLECTUAL FREEDOM – Possible Recommendations for the Legislature

- **Consider legislation to expand the confidentiality of the public library records to minors.**

Current language:

“§ 172. Library record confidentiality; exemptions

(a) A library’s patron registration records and patron transaction records shall remain confidential.

(b) Unless authorized by other provisions of law, the library’s officers, employees, and volunteers shall not disclose the records except:

(1) with the written permission of the library patron to whom the records pertain;

(2) to officers, employees, volunteers, and agents of the library to the extent necessary

for library administration purposes;

(3) in response to an authorized judicial order or warrant directing disclosure;

(4) to custodial parents or guardians of patrons under age 16; or

(5) to the custodial parents or guardians of a student, in accordance with the federal Family Education Rights and Privacy Act, by the library at the school the student attends.

(c) Statistical records pertaining to the patronage, circulation activities, and use of any service or consultation the library provides, provided that they do not contain the names of patrons or any other personally identifying information, shall be exempt from the provisions of this chapter. (Added 2007, No. 129 (Adj. Sess.), § 1.)

22 V.S.A. § 172

New York Legislation:

“§ 4509. Library records. Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.”

Other State Statutes for Consideration:

<https://www.ala.org/advocacy/privacy/statelaws>

- **Consider Intellectual Freedom or Freedom to Read legislation specific to libraries.**
Massachusetts Draft Legislation: <https://malegislature.gov/Bills/193/SD2679>
California Draft Legislation:
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1078
- **Consider Intellectual Freedom legislation related to the collection of personal information by businesses.**
California Consumer Privacy Act (CCPA):

<https://oag.ca.gov/privacy/ccpa>

EU General Data Protection Regulation (GDPR):

https://europa.eu/youreurope/citizens/consumers/internet-telecoms/data-protection-online-privacy/index_en.htm

- Require all Vermont libraries to have a materials selection policy and reconsideration procedure that protects 1st Amendment rights.

INTELLECTUAL FREEDOM – Feedback for the Department

- Update the Standards to reflect that public libraries should have Intellectual Freedom, Collection Development, Materials Reconsideration, and Programming policies and that these policies should be updated at a regular interval (e.g., every 5 years).
- Incorporate patron privacy within online platforms in CE offerings.

INTELLECTUAL FREEDOM – Feedback for Library Boards & Directors, and Other Groups

- Understand privacy settings of platforms you implement at your library and ramifications of providing staff access to patron borrowing history or browsing history (catalog, databases).

LIBRARY STRUCTURES & ORGANIZATIONS – Possible Recommendations to the Legislature

- Clarify state statute regarding funding of public libraries, specifically which entities are responsible funding local public libraries (as public libraries are essential to the general enlightenment of citizens, and every citizen should have access to a free public library).
Current language: “(a) The General Assembly declares it to be the policy of the State of Vermont that free public libraries are essential to the general enlightenment of citizens in a democracy and that every citizen of the State of Vermont should have access to the educational, cultural, recreational, informational, and research benefits of a free public library.” **22 V.S.A. § 67**
- Clarify the role of the library board and the municipality of municipal public libraries including authority to hire and supervise the director.
Current language: “The board may appoint a director for the efficient administration and conduct of the library.” **22 V.S.A. § 143** “... and the director may be supervised by the board or the municipality.”
- Increase staffing levels at the Department of Libraries to support the expansion of the services and programs it provides to libraries statewide with relation to the approval of any of the recommendations of the Working Group that expand its scope.
- The Vermont State Board of Education should adopt the American Association of School Library Standards.
- Restore the School Library Consultant position to the Department of Education or create a new position within the Department of Libraries that can lead and support the implementation of national standards (AASL School Library Standards).
- Provide formal guidance and assessment criteria in accordance with the Education Quality Standards for school library programs (including staffing levels, collection, and physical spaces).

LIBRARY STRUCTURES & ORGANIZATIONS – Feedback for the Department

- Update the Standards through the Rule Making process.
- Study the implementation of a statewide library card.
- Study and develop a pilot plan for regional or statewide cooperative system/s.

PROGRAMMING – Possible Recommendations for the Legislature

None

PROGRAMMING – Feedback for the Department

- Consider the incorporation of programming metrics relative to the size of community and staff in future versions of the Standards to support community needs at libraries of different sizes.

PROGRAMMING – Feedback for Library Boards

- Call out funding for programs in library budgets.
- Revise mission statements of public libraries to include mention of programming.
- Support programs that reflect the diversity of the Vermont community.

PROGRAMMING – Other

- Raise the level of understanding about the importance of programming to public library board members and trustees.

SOCIAL SERVICES – Possible Recommendations to the Legislature

None

SOCIAL SERVICES – Feedback for the Department

None

SOCIAL SERVICES – Feedback for Library Boards

- Develop behavioral guidelines that foster welcoming environments and maintaining safety for all patrons.
- Train staff to respond to community members in crisis, including knowledge of social service supports available outside the library and de-escalation techniques.
- Partner with local social service agencies to outreach to underserved community members.

SOCIAL SERVICES – Feedback for Municipal Government

- Work with public library staff (incorporated and municipal) as part of the social safety net and the intervention team in recognition of the fact that community members often go to libraries as their first stop when seeking help and that unresolved social services issues can easily become public safety matters.

TECHNOLOGY – Possible Recommendations to the Legislature

- Support training on technology and cybersecurity for librarians with federal and state resources for digital equity (endorse state’s digital equity plan).

TECHNOLOGY – Possible Recommendations to the Department

- Expand CE offerings in the areas of Technology including how to train the public and cybersecurity.

TECHNOLOGY– Feedback for Library Boards

- Library Boards and directors should consider supporting the public in improving their information literacy through one-on-one or group instruction.

TECHNOLOGY– Feedback for CUDs

- Local tech support for municipal and incorporated public libraries would be appreciated.v

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STAFFING – Possible Recommendations to the Legislature and State Agencies

- Examine solutions to address inequities in library services that have evolved due to varied revenue levels in communities to support their public libraries.
- The State Board of Education should evaluate school library staffing and enforce the minimum Education Quality Standards related to school libraries.

“The services of a certified library media specialist shall be made available to students and staff. Schools with over 300 students shall have at least one full-time library media specialist and sufficient staff to implement a program that supports literacy, information and technology standards. Schools with fewer than 300 students shall employ a library media specialist on a pro-rata basis.”

<https://education.vermont.gov/education-quality-assurance/education-quality-standards>

STAFFING – Feedback for Library Boards

- Library Boards should ensure staff earn a livable wage and have paid benefits.
- Library Boards should evaluate the appropriateness of using volunteers to meet staffing needs.

SAFETY– Possible Recommendations

- Consider existing public safety laws for educational facilities (including gun laws, drug laws, and criminal threatening laws) and consider if it would be appropriate to apply those same protections to public libraries in the state (both municipal and incorporated).
- Consider the applicability of future public safety legislation in public buildings and/or schools to municipal and incorporated public libraries.

Inclusive Services – Recommendation for Library Boards

- Support marginalized community members with collections and programming specific to their needs.

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