**BC Libraries Cooperative: some questions for CPSLD postsecondary library directors**

**Lynn Copeland**

**April 30, 2009**

**DISCLAIMER: this memo is provided at the request of the CPSLD executive. It is not legal advice. Nor is there any claim as to the accuracy of the comments although I have tried to make them so to the best of my ability given the time available. The quotations from the website below are accurate as of April 28, 2009, with the exception of minor punctuation changes.**

**Introduction**

There are a number of new initiatives in BC Libraries which overlap to a greater or lesser extent and may or may not impinge on services offered by postsecondary libraries. These include Libraries2020, the BC Libraries Cooperative, and, possibly, the BC Libraries Act. CPSLD libraries, jointly and individually, are considering how to respond to these initiatives, particularly in light of the possible overlap in the role of new initiatives with longstanding successful entities such as the ELN, CILS and AEMAC which are funded in part through AVED.

The Libraries2020 Steering Committee has asked for responses by late May to the second report prepared by Marleen Morris which will be discussed at the May 7 CPSLD meeting. At the same time, there has been a call for input to the legislative review of the BC Libraries Act, and the BCLA submission (see below) refers to postsecondary libraries; although the current Act primarily addresses public libraries, CPSLD might want to offer advice to the drafters of the Act to clarify the relationships of postsecondary libraries with their institutional governors. CPSLD could articulate what it sees as the most effective way of collaborating to deliver postsecondary library services. There is an opportunity here to affirm the strength of our existing collaborative structures, while indicating readiness to collaborate with other library sectors when appropriate.

Coinciding with these other events, the BC Libraries Co-operative (BCLC) has been created as a legal entity under the Cooperative Association Act (BC). All BC Libraries of every type have been invited to join. The Foundational Documents are available from <http://cooperative.bclibraries.ca/governance/memo-and-rules-of-association-service-management-agreement-and-more/> . In considering this, there are a number of issues which CPSLD members might wish to consider jointly or individually. The basic legal documents are the *Rules* which define BCLC and the *Service Management Agreement (SMA)* which defines the Common Systems Initiative (CSI), the operating component of BCLC. There are also *overview* documents which elucidate the thinking of the BCLC.

The documents associated with this initiative, both legal and explanatory, and verbal comments from various BCLC or PLSB employees or members, are complex and all must be read to understand the meaning, for example, of the intention of terms like ‘stakeholder’. Nor is it possible to begin to address all the questions and issues these document raise in this brief memo.

Individual CPSLD members will wish to review the documents and the overviews before entering into collaborative projects under the auspices of BCLC.

The *SMA* refers to stakeholders who, in the *Overview* (but not the *Rules* or *SMA*), are characterized as the governing agencies to which post secondary libraries report, and are incorrectly identified as the Senate Library Committees. CSI Board responsibilities include ‘escalating issues that have not been resolved by approved procedures’. In the *SMA* *overview*, it asserts ‘The stakeholders do not normally become involved in day-to-day operational decisions but occasionally do become involved with discrete topical issues, especially those that impact upon the financial well being of the library. The Service Management Agreement contains a procedural mechanism whereby identified issues are elevated to the appropriate stakeholder group at the discretion of the Board of Directors.’ The only reference in the *SMA* to stakeholders is ‘This initiative is open to the participation of any ministry of the Province or stakeholder whose interests align with the objectives and goals of the BC Libraries Cooperative.’ There is no definition of stakeholder implied. Before joining either the BCLC or, more particularly, signing the SMA, library directors should consult with both their administrative reports and legal advisors.

CPSLD might also wish to consider questions relating to BCLC and CSI which might affect postsecondary library success on a systemwide basis, and, from the CPSLD perspective, how they might be addressed.

The attachments suggest the great deal of effort which has gone into the creation of Sitka and the BCLC. Congratulations are due to the public library sector on developing an ambitious strategy to strengthen their services and support their users. None of this report is intended to cast aspersions on those efforts, but rather to try to clarify issues so that CPSLD members may consider what will provide the best way forward for BC Postsecondary libraries in meeting unique needs related to post secondary learning, teaching, and research.

**Brief overview of BCLC and CSI**

There are two closely related entities: the BCLC governed by the *Rules* and the Common Systems Initiative (CSI) defined in the *SMA*.

BCLC: ‘Membership in the BC Libraries Cooperative 2009 is open in a non-discriminatory manner to eligible organizations that wish to use the services of or wish to support the Association and are willing and able to accept the responsibilities of membership. ‘

CSI: ‘This initiative is open to the participation of any ministry of the Province or stakeholder whose interests align with the objectives and goals of the BC Libraries Cooperative.’ Note that members are, according to the overview of the SMA, the post secondary library reports (incorrectly identified as the Senate Library Committees), not the libraries themselves.

The relationship between the two entities is defined by the Board of Directors of the Common Systems Initiative including among its responsibilities ‘managing the BC Libraries Cooperative in accordance with the powers, duties and responsibilities conferred by the *Cooperative Association Act*, the Regulation, the Memorandum and Rules of the Association and this Service Management Agreement’ ; and in the *SMA* language: ‘This SMA defines the processes for governance and managing service delivery, and provides a Schedule of services available under the CSI through the BC Libraries Cooperative.’

Both BCLC and CSI have members and have a Board of Directors. Members of BCLC each have one vote.

CSI has a ‘user-based Members Council (MC) that will promote the initial deployment and long-term sustainability of the CSI and other Endorsed solutions. The MC operates to support the use of Endorsed Solutions through the sharing of expertise, shared resources and funding, and the development of shared solutions of mutual benefit.’ Members Council members include signatories of the SMA ‘who are active subscribers of the base services’ (currently Sitka).

That is, not all signatories of the SMA are members of the Members Council. This is significant because only members of the Members Council may vote; they have between 1-4 votes depending on size. Members can include public libraries, academic libraries, school libraries or others. (Note: this is a different model from the eHLBC model or the proposed Libraries2020 models, all of which attempt to balance sectoral and regional interests). Other Members Council members (who have signed the SMA but do not use the Base Services) ‘are free to participate in the decision making process’. This is significant because ‘An Endorsed Solution is any software or service solution that has received the endorsement of the Members Council as a solution under the BC Libraries Cooperative’s purview.’ In other words, to vote on future developments, your organization needs to be a Sitka user.

**BCLC Board powers:**

(a) borrow money on the credit of the Association;

(b) issue, sell or pledge securities of the Association;

(c) give guarantees;

(d) use the property of the Association as security for a loan or repayment of a debt,

(e) invest the funds of the Association in the manner it considers appropriate, and

(f) delegate the powers referred to in (a) through (e) above by Resolution to any Director or Member as the Board see fit, except the power to delegate.

**CSI Members Council responsibilities:**

a) representing the interests of the Members;

b) providing Members with a fair and equitable process for continuously improving systems and services;

c) determining the scope of services within the SMA as required to meet Member requirements;

d) creating and disbanding Business Function Groups;

e) identifying and approving short-term and long-term priorities for the Members;

f) reviewing short-term and long-term plans for software or service solutions to be developed on behalf of the Members;

g) evaluating the Members Council’s activities annually and reporting back to the Members; and

h) making recommendations to the Members and the Board of Directors regarding issues that materially alter the relationship between Members and/or between Members and the BC Libraries Cooperative, such as changes to the SMA or the Service Schedule.

**Risks**

* **‘**The BC Libraries Cooperative may assign at any time, in its sole discretion, and without the consent of the Members, this SMA in whole or in part to any government, public sector or Crown entity or statutory body or authority.’
* Termination in BCLC requires a 12 month notification and provides that ‘c) the Member will receive from the BC Library Cooperative 2009 a copy of the bibliographic records to which they have holdings attached’ but does not commit to the return of other data.
* **‘T**he BC Libraries Cooperative may terminate this SMA for convenience (for any reason or no reason) on not less than twelve (12) months prior written notice to the Member, without any liability or obligation except to facilitate the orderly transition of services to an alternate service provider.’
* **‘**Except as expressly provided in this SMA, the BC Libraries Cooperative or its contractors shall remain the exclusive owner(s) of all rights, title and interest in all assets which the BC Libraries Cooperative makes available to Members under the CSI initiative. Except as listed in the Service Schedule, there are no assets or property that the BC Libraries Cooperative is required to make available to Members under this SMA.’

The above may all be seen by the creators as reasonable but for potential participants may present unacceptable risks:

* Possible loss of data (circulation, patron information etc.)
* Possibility of loss of access to information, for example usage data. Depending on future initiatives this could potentially involve order information, vendor addresses, user preferences, etc.
* There is no apparent guarantee of 24x7 availability or other reliability criteria.

**Fee structure**

There appears to be a ‘one-time $50 lifetime’ membership fee to become a BCLC member.

The most recent available minutes, March 4, suggest ‘**-** Fee Structure to be on agenda of AGM’ suggesting there may be further annual fees, as set out in the rules: ‘**2.12** Fees for the first year of operation will be set by the first Directors. Thereafter, Members will set the annual Fees payable to the Association at a Meeting of Members, upon recommendation of the Board, but if the Members fail to set the annual Fees the annual Fees then in effect will remain in effect.’

The initial CSI Base Services Fee is 85% of an institution’s current ILS maintenance payment, though this is to be revised.

**Points in need of clarification**

From the Alan Carlson memo: ‘The Coop will be as big or as small as the members decide it should be on the basis of efficacy to the members. This will be a democratic decision-making process in which all members will have a chance to vote. New services must pass a referendum with a minimum of "75% majority by voters representing 75% of the Patron Base and 50% of the Member libraries." According to the SMA (where the new services passage is), it is the voting members of the CSI (i.e. those using the Base Services) who are the eligible voters, not all of the CSI, much less BCLC members except, possibly, pro forma.

As noted earlier, the ‘stakeholders’ for Postsecondary Libraries are erroneously stated to be the Senate Library Committees.

From the Carlson memo: ‘Universities and colleges sign onto such agreements routinely and the corporate model of the BC Libraries Cooperative provides a solid platform that compliments existing risk management structures within the libraries and institutions who participate.’ My understanding, unless it has changed, is that universities are not allowed to assume third party risk, which signing the SMA would do. Whoever is right, this argues for the review of the document by campus legal counsel.

**Breadth of scope**

‘An initiative of the BC Libraries Cooperative, the scope of the Common Systems Initiative (CSI) includes all administrative software, systems and services used by Public Libraries, Academic Libraries, School Libraries and any other type of library or eligible organization admitted to the BC Libraries Cooperative.’ The accompanying document to the AGM announcement and many other documents suggest that ‘While at present, the work of the Cooperative is focused almost exclusively on delivering the Sitka Evergreen ILS, its mandate provides for potential delivery of a wide range of goods and services.’

The SMA notes that ‘Other offerings within the CSI are anticipated to develop over time.’ Any such ‘Endorsed Solution -- any software or service solution that has received the endorsement of the Members Council as a solution under the BC Libraries Cooperative’s purview’ requires that, to have a vote on these future developments, your organization needs to be a Sitka user. If so, you have 1-4 votes, depending on size, as do all other members of the MC including public, school, academic libraries and others.

Verbal comments have been made to the effect that BCLC will assume negotiation for licences. If true, the current structure of the CSI and BCLC would preclude any but Sitka members voting on this unless another new entity were set up under the BCLC umbrella.

**Preservation of Postsecondary libraries’ ability to support students and faculty**

Advice to postsecondary libraries about the creation of BCLC has been limited to a brief informational presentation to CPSLD, the presentation to the ELN Steering Committee and response (attached) plus the inclusion of an ELN rep on the original Advisory Committee (as a watching brief), and the current representation of UBC by Rue Ramirez. In none of these venues have post secondary libraries been consulted about the design of the cooperative or its relevance to their operations. Yet, documents of the Sitka Advisory Committee and BC Libraries Cooperative, and the SMA agreement, convey the impression that consultation with the post secondary libraries has occurred. The Service Management Agreement (SMA) language relating to the ‘Common Systems Initiative’ (‘a general introduction to this SMA’ evidently meant to convey meaning) states ‘The Parties, including the Ministry, as represented by the Director, Public Library Services Branch, in collaboration with provincial Library Boards, Federations and Academic Libraries has initiated a process to acquire, customize and operate common, shared administrative systems and services for the Library community at large through a cooperative consortium; the BC Libraries Cooperative. This initiative is open to the participation of any ministry of the Province or stakeholder whose interests align with the objectives and goals of the BC Libraries Cooperative... the scope of the Common Systems Initiative (CSI) includes all administrative software, systems and services used by Public Libraries, Academic Libraries, School Libraries and any other type of library or eligible organization admitted to the BC Libraries Cooperative.’

Existing organizations such as CPSLD, ELN, eHLBC, CILS, MEC are not referred to in the documents; this is only proper. However, given that the current and previous PLSB Executive Directors have met with AVED to discuss the BCLC initiative in the absence of post secondary library directors or ELN representatives or even prior notice, a number of questions emerge:

* Given the comprehensive mandate defined for BCLC, what is the BCLC role vis a vis ELN?
* Could BCLC provide the same level of support as ELN for postsecondary libraries as a multisector licence negotiator? For other services?
* What is the place of the Libraries2020 collaborative framework, which has only begun to take shape through a consultative process among the library sectors themselves?
* Should CPSLD clarify its own views and preferences to AVED?
* Do our administrative reports need to be advised of the potential for increased government direction in the provision of library services to post secondary users – through engagement with BCLC, or through the revisions to the Library Act?

**Attachment A.**

**BCELN Steering Committee**

**Minutes Dec. 19, 2008 -- excerpt**

**4.1 Sitka Implementation – Update**

*Written report courtesy of B. Hyman, PLSB*

J. Van Dyk introduced B. Hyman, who presented a brief overview of the Sitka project. The rationale for this project came from the Public Library Services Branch (PLSB) 2004/05 Strategic Plan Libraries Without Walls. Many public libraries had antiquated, un-networked or non-compliant systems with no vendor support. Some lacked automation systems entirely. The BC Government, through PLSB, initiated a $1.2M FLIP grant program to assist library Federations of public and "non-public partners" with automating on standards-based, enterprise-class systems in consortial environments. In so doing, all libraries and library patrons would enjoy "equitable access to information."

After a rigorous procurement process, SirsiDynix's Horizon 8 was selected by the first of 6 participating Federations, and 74% of public libraries were ultimately planning to migrate to this platform. Three days from signing the first contract, SirsiDynix announced the cancellation of the entire Horizon product line, affecting over 2500 clients worldwide.

The open source Evergreen integrated library system, designed for consortial sharing, quickly emerged as the optimum solution, and was selected. The Association of BC Public Library Directors endorsed a PLSB proposal for a 5 year phased implementation of Evergreen in BC on 2 concurrent paths: 1. Launch a number of pilot sites; 2. Establish an Advisory Committee to determine a governance structure that would manage BC's consortial Evergreen instance. That Advisory Committee and the Evergreen project in BC ultimately became known as "Sitka."

Currently, the Evergreen software supports circulation, cataloguing, reporting and the OPAC. Acquisitions and serials will be available in Q2 2009, thanks to the Conifer consortia of Ontario post-secondary libraries (Windsor, McMaster, Laurentian, Algoma & the Northern Ontario School of Medicine).

The SITKA Team - a dedicated group of 5 FTE contractors (and growing)-has been migrating libraries to SITKA's Evergreen since November 2007;16 public libraries are currently live and working towards shared bibliographic and patron databases. There are plans to add about 20 libraries each year for the next few years. College of the Rockies will be the first post-secondary library to "go-live" on SITKA's Evergreen in Q3 2009. Northwest Community College is expected to join in 2010.

The ILS Advisory Committee's Governance Working Group lead a 17 month research, development and refinement process that saw input from at least 16 library boards, 40 volunteers (several post-secondary), and which was subject to legal reviews and privacy assessments by government and others. Based on this process, the ILS Advisory Committee recently recommended a governance structure for SITKA's Evergreen instance, to which management of SITKA will soon transfer: The BC Libraries Cooperative, currently in the process of registration as a Cooperative, was purpose-built to provide for a library community owned, operated and governed instance of Evergreen in BC. It was also designed as a flexible organization that could provide services or pursue opportunities as meets the needs and desires of the library community. Lifetime membership in the Cooperative will cost $50, and is open to any interested library in the province. Full details are available on the SITKA Website: <http://sitka.bclibraries.ca/>

Discussion

Questions were raised about post-secondary involvement in Sitka and the BC Libraries Cooperative. How, or was, feedback sought from the post-secondary sector? The presentation given at the last CPSLD meeting did not discuss governance. Documents are on the Sitka website, but were not distributed by email.

A question was raised about the intentions of the BC Libraries Cooperative with respect to the Library 2020 multi-type library initiative. While on the surface, the flexible structure inviting participation from any type of library and allowing for a variety of project areas might suggest a potential organizational home for a multi-type consortium, the reality is a very new organization in the process of registering as a cooperative, developed primarily by a small group of public libraries for the purpose of sharing an integrated library system. The post-secondary library community has not been involved in the development of the BC Libraries Cooperative, and it is not clear whether the governance structure would meet the legal requirements of post-secondary institutions. Further study would be needed. It is not likely that university libraries would consider Sitka for their integrated library system, as the Evergreen software is not perceived as capable of meeting the functional requirements of large academic libraries.

A question was raised about what is covered by the $50 fee. This fee is for membership only, not fees for services.

Further information about Sitka and the BC Libraries Cooperative and/or an opportunity to provide input on the governance structure, would be welcomed. More fulsome discussion is to be scheduled for the next CPSLD meeting.

--

Attachment B R**esponse to ELN Steering committee from Alan Carlson and J. Van Dyk**

Email from JVD Dec 22, 2008

Dear ELN Steering Committee:   
In follow up to Friday’s meeting (19 Dec 08), I’d like to take this opportunity to address some of the comments and concerns that were made regarding the newly-forming BC Libraries Cooperative.  
  
Many people have devoted many hours to the Sitka Project and the formation of the BC Libraries Cooperative. Time is precious for all of us, but these people have made this work a top priority. They have ensured that the initiative is at the highest standard possible by applying sophisticated thinking and rigorous scrutiny to every step along this vital path. Always bear in mind that some of our most constructive, talented, collaborative people are committed to this project, and they are giving freely of their time and their passion to ensure that it is successful.  
  
If there are concerns, we must address them. If there are problems, we must solve them. If there are misconceptions, we must correct them. We must all keep an open mind to the possibilities and the drawbacks, because when this initiative is a success, it will be a success for all of us. British Columbia's libraries have the potential to grow and thrive in the coming years, and our citizens will be better for it. To reach our potential we need to work together.  
  
We are committed to a highly collaborative approach, and are striving to respect every point of view and address every concern. I welcome the opportunity to continue this dialogue at future meetings; feel free to address your questions or comments to the Interim Coop Board or myself so we can be aware of your concerns. The most up-to-date information on the initiative can be found at [sitka.bclibraries.ca](https://spring.gov.bc.ca/exchweb/bin/redir.asp?URL=http://sitka.bclibraries.ca/)  
  
Let us remember that the Open Source ILS Project was launched with a strongly committed and motivated group of members who see the challenges and are prepared to do everything they can to overcome them. They have done a lot of the heavy lifting for the rest of the library community, and they deserve our continued support, appreciation and respect.  
  
Some of the specific concerns raised on Friday are dealt with below; I trust you share my concern that any misconceptions about the initiative be clarified as soon as possible to ensure that they do not become accepted as truth in our library community. PLSB staffer, Allan Carlson, has pulled together these quick responses – hopefully this information will provide you with more information regarding the governing documents. We can prepare more thorough responses to these and any other questions you may have and post them to the SITKA website in the form of an FAQ.  
  
For your reference, the BC Libraries Cooperative Rules, Service Management Agreement and related documents are all located here –  
[http://sitka.bclibraries.ca/resources/project-management-framework/ils-advisory-committee](https://spring.gov.bc.ca/exchweb/bin/redir.asp?URL=http://sitka.bclibraries.ca/resources/project-management-framework/ils-advisory-committee)  
  
**1. The Board of Directors (BOD) can abscond to the Grand Cayman with all the money**:  
The Service Management Agreement (SMA) cannot be read in isolation. The Rules and SMA must be read together to understand the scope, standards and restrictions of Members and the BOD.

Directors duties must conform to the restrictions placed upon them by Article 5.2 of the SMA, to wit, they are responsible for "managing the BC Libraries Cooperative in accordance with the powers, duties and responsibilities conferred by the Cooperative Associations Act, the Regulation, the Memorandum of Association, the Rules and this Service Management Agreement."

According to the Rules, "no part of the property of the Association may be paid or distributed to the Members of the Association during the existence of the Association or upon winding up or dissolution."

According to the *Cooperative Association Act*:

**Duties of directors**  
**84** (1) Every director of an association, in exercising the director's powers and performing the director's functions, must

(a) act honestly and in good faith with a view to the best interests of the association,  
(b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances,  
(c) act in accordance with this Act and the regulations, and  
(d) subject to paragraphs (a) to (c), act in accordance with the association's memorandum and rules.  
(2) This section is in addition to, and not in derogation of, any enactment or rule of law or equity relating to the duties or liabilities of directors of corporations.

(3) No provision in a contract or in an association's rules or memorandum relieves a director of the association from  
(a) the duty to act in accordance with this Act and the regulations, or  
(b) liability that by virtue of any enactment or rule of law or equity would otherwise attach to that director in respect of any negligence, default, breach of duty or breach of trust of which the director may be guilty in relation to the association.

(4) A director of an association who receives or has charge of money of the association must give security before entering on his or her duties, as may be considered necessary by the directors.

Absconding with the money would not only be an egregious breach of the Rules of the Association, the SMA and the Act, it would also be theft and punishable by law. This would make the Directors vicariously and personally responsible/liable. This would be no different than someone at the University conspiring with a colleague in the Finance Department to defraud the University of money. Assuming some less outlandish example, any decision of the BOD can be overturned by the Members' Council by simple referenda.

**2. BC Coop is too large in concept and therefore creates a huge liability**:  
The Coop will be as big or as small as the members decide it should be on the basis of efficacy to the members. This will be a democratic decision-making process in which all members will have a chance to vote. New services must pass a referendum with a minimum of "75% majority by voters representing 75% of the Patron Base and 50% of the Member libraries."

This process of expansion is a carefully considered and prudent process in the best interests of the Cooperative and the libraries of BC.

Regarding the number of directors, and in accordance with the Act, the Rules state:  
8.03 (1) The Association must have,  
(a) in accordance with the Act, at least 3 Directors, and  
(b) not more than 15 Directors.  
(2) The number of Directors may be changed within the limits set out in subrule (1) by ordinary resolution of the Directors.

It is reasonable to assume that any director or member would regard 3 members as insufficient representation; indeed, the Interim BOD has 6 directors.

**3. The University can't sign such an agreement**.  
Universities and colleges sign onto such agreements routinely and the corporate model of the BC Libraries Cooperative provides a solid platform that compliments existing risk management structures within the libraries and institutions who participate.

**4. By virtue of a $50.00 membership, a university or library could become liable for all the debts of the Cooperative.**  
The whole point of incorporating under the Cooperative Association Act is to limit liability of any individual library to its share capital - $50.00. In addition, every University and College, School District and Public Library is part of or is covered by a complex and comprehensive risk management plan against any vicarious liability.

**5. BOD can make an appointment without consultation with the members**.  
This is true only in the event where there are vacant places on the BOD and again, any decision by the BOD can be overturned by simple referenda by the Members – essentially, egregious appointments can be terminated either at an AGM or at any time. This is in keeping with long-established practises in many levels of democratic organization. The point here is to give the BOD the operational latitude to do what is needed for the benefit of the Cooperative while keeping it accountable to the general membership. We have all been involved in cooperative ventures and collaborative projects in the library community and are well aware of the integrity of librarians in carrying out our collective responsibilities.

**6. No Audit requirement.**  
Audits are compellable as per Rule 6.02 - this will be a standing procedure and full financial disclosure is required at each AGM (or at anytime upon resolution of the members).

**Attachment C**

**BCLA Submission re the Libraries Act**

BCLA SUBMISSION

TO THE

LEGISLATIVE REVIEW OF THE LIBRARIES ACT

MARCH 2009

The British Columbia Library Association is a non‐profit, independent, voluntary association which has as its purposes to promote and foster the role of libraries and library workers in British Columbia through advocacy, education and leadership; to provide opportunities to expand knowledge and skills through conferences, continuing education, publications and association work; to participate in formal liaisons with provincial, national and international associations; to encourage membership in the Association; and to ensure long term, stable funding of the Association.

The Association is interested in the Libraries Act legislative review from the perspective of a member organization. The Association believes other parties may more competently represent views about Governance Reform, and as a result, only a general statement is made about the need for a system of governance for First Nations.

**Guiding Principles/ General**

**The Association is in support of maintaining and strengthening the role public libraries play in a democratic society ‐ providing free and open access to resources and services**. The Act should establish the context at the beginning in a General section; currently this section is found in Part 5. Statements that include libraries as an essential literacy service demonstrate the important principle inherent in the role libraries play as a community institution. Impediments to free public access to library resources should be maintained in the Act and include as they now are:

• no charge for admission to any part of a building used for public library purposes

• no charge for using library materials on library premises

• no charge to residents and electors / taxpayers served to borrow library materials that are normally lent by the library

The Association acknowledges the BC OneCard program allows for more resource sharing among public libraries across the province. Philosophically, the Association supports further initiatives such as these, while allowing municipalities some discretion to continue to charge non‐residents and non‐taxpayers.

**Collaboration**

BCLA supports strong collaboration that exists now among public libraries and could be expanded beyond public libraries to include multi‐sector initiatives. Resource sharing initiatives may require targeted funds to

get established such as those noted in the BC Library 2020 context, or intergovernmental cooperation e.g. the Ministries of Education and Advanced Education working together to expand access to electronic resources for all provincial libraries whether public, academic or K‐ 12. Ministry funds to provide the core suite of databases is an excellent example of how library communities can work together for a common good – improved access to resources to assist the public at all stages of lifelong learning and wherever in the province they may live.

**Provincial / Public Library Services Role**

**BCLA also supports continued provincial responsibility to facilitate equal access to library resources across BC and to assist public libraries in their role in support of literacy, early childhood education, life long learning and the place to go to access government information online**. There is a need to state in the Act a provincial statutory responsibility to fund libraries under this Act for the above reasons, while recognizing the role of local support. The Library Services Branch provides coordination of libraries beyond what could happen at the local level e.g. the Evergreen/ Sitka initiative is across the province and across library type. The Association also supports and sees that it is vital for the minister to designate a director of library services who is a qualified librarian. The Director of Public Library Services Branch is a key subject matter expert who shares a common understanding of the values and principles of the library profession with other senior library staff with whom he or she must work closely in organizations across the province.

**Guidelines or Standards**

**BCLA considers guidelines for base funding and provision of resources and services to be helpful in ensuring a more equitable access to resources in all areas of the province**. While it may be difficult to establish guidelines that do not conflict with the municipal government’s ability to pay or willingness to support them, it is desirable to have a set of goals to ensure appropriate collection numbers and type, facility size, program and service offerings, staffing levels and hours of operation as well as performance measures to ensure accountability, and may also be tied to provincial funds. Identified standards should be referenced in provincial legislation, with the specifics able to be revised as the library landscape changes. Accountability measures for public library services such as story time attendance being a factor in community literacy outcome measures could be tied to provincial support. Community engagement is one mechanism that allows for reporting back to stakeholders, and others such as the Community Development tools used in Ontario may come into popular use over time. Local support for library service is not equitable across the province and legislative efforts to ensure provincial funds are not less than 20% of local budgets, but not more than 50% would ensure a basic standard.

**Diversity**

**BCLA also supports public libraries’ role in reflecting the diversity of the people of BC**. This may be as significant as ensuring library staff are more representative of the diversity of people across the province whether that be cultural, immigrant or First Nation. Diversity is also demonstrated in support for culturally diverse collections including those collections that may not be seen as traditionally library collections e.g. video games, but which assist those without strong English skills to be attracted to and use their library.

**First Nations**

**Provincial legislation needs to support the establishment of a First Nations library system.** BCLA strongly supports a First Nations library system and believe this change would further the government’s new relationship with First Nations and provide better access to library resources for persons living on First Nations Band lands. The mechanisms of how and what this governance body would be like are beyond the scope of the Association to comment.

Respectfully submitted by,

Lynne Jordon,

President, BCLA 2008‐09

(250) 413‐0354 office

(250) 896‐0450 cell

ljordon@gvpl.ca

On behalf of:

The British Columbia Library Association

Suite 150 – 900 Howe Street,

Vancouver, BC V6Z 2M4