

FAQ – HB 2243, Public Library Definition

Prepared by the Oregon Library Association

1. What is the current definition of a “public library” in Oregon?

Currently, a public library is defined as a “public agency responsible for providing and making accessible to all residents of a local government unit library and information services suitable to persons of all ages” {ORS 357.400(3)}.

More colloquially, a public library is one that the general public within a local government unit (e.g. city, county, special district, etc.) can use. Because they serve all residents, public libraries tend to provide materials and services to meet a wide variety of needs. These functions contrast with K-12 school libraries, whose services tailored to their students and teachers and typically are not open to the general public; academic libraries, whose services are tailored to their students and faculty and, in some private universities, may not be open to the general public; and county law libraries, which are open to the public but specifically focus on legal matters.

2. What is wrong with the current definition?

ORS 357.400 does not define “library and information services suitable to persons of all ages”. HB 2243 seeks to define that phrase to help ensure that all Oregonians served by a public library have access to a minimal but important set of services and provide criteria that will help governing bodies of libraries effectively plan and manage resources.

When an Oregonian walks into a public library, they deserve to have access to modern public library services. There should be Internet access, including WiFi. There should be services to encourage early literacy. There should be a curated and actively-managed collection that meets the needs of the community. And there should actually be a physical location that is accessible and has public open hours. The current definition requires none of these things. Oregonians should – and do - expect more from their public libraries in the 21st century. HB 2243 helps ensure that if an Oregonian walks into any public library in the state, they can be guaranteed that core services are provided.

3. What will the requirements be?

Specific requirements will be determined by the State Library Board through the rulemaking process. However, provisions likely will include having a facility, public open hours, an actively-managed collection, early literacy services, Internet access (including WiFi, if Internet speeds are sufficient in the area), paid staff, and support from a public entity (cash and/or in-kind). The State Library Board will work with the Oregon Library Association in crafting the minimum requirements.

4. How will communities benefit from the new definition?

In addition to ensuring access to modern public library service, we see multi-faceted benefits to an updated definition.

- *Stability:* Relying on minimal to no paid staff, limited funding, or poor collection practices results in uneven service for the public. The public deserves predictable library services.
- *Efficiency:* The lack of stability can result in inefficient use of resources. Time and effort are spent on retaining volunteers if there are no stable staff. Having a poorly-managed collection and inadequate online presence means that the public has a hard time accessing the materials they actually want.

- *Fairness:* Most of Oregon's libraries belong to consortia. Substandard libraries in consortia frequently end up making more work for other libraries, thus draining staff time and resources from the municipalities of other taxpayers.
- *Equity:* All children in Oregon deserve access to early literacy services, helping ensure that they're ready to learn when they get to school. All Oregonians regardless of income or geography deserve access to the Internet and other resources to help them apply for jobs, get access to crucial benefits, stay in contact with family, or improve their lives. Having strong public libraries that standardize early literacy as an important role will help contribute to these goals.
- *Advocacy:* Oregon has an unfortunate history of libraries closing, such as the 2017 closure of all branches of the Douglas County Library System. Citizens who are trying to open or reopen libraries in their communities can use standards to help build the case for appropriate levels of funding, to ensure the future stability of their libraries, as happened in Josephine and Hood River Counties.
- *Goal-setting:* New or renewed libraries, such as the Roseburg Public Library, North Douglas Library District (Drain), and the Lower Umpqua Library District (Reedsport) can use the requirements to help ensure that they're delivering modern public library service to their taxpayers. Existing libraries can more effectively plan and align their services with those of their peers around the state.
- *Taxpayer accountability:* By creating defined criteria for libraries, taxpayers will be able to more effectively evaluate and advocate for better library services.

5. Why is the State Library Board the rulemaking authority?

The State Library Board already has rulemaking authority over several matters affecting libraries statewide, including the Ready to Read grant program, recognition of legally-established public libraries within the state, and the State Documents Depository Program. They are backed by the State Librarian and other staff, who have a birds-eye view of all public libraries in the state through their work in early literacy, technology, statewide database licensing, and statistics gathering. With its diversity of expertise and geographic representation, the State Library Board is well-positioned to oversee these rules.

6. What impact will this bill have on current public libraries?

Most of Oregon's over 130 public libraries will be impacted positively by the legislation. Library directors and governing boards will have a new set of tools for planning, and Oregonians will know that, if they walk into a public library anywhere in the state, they can be assured of having access to modern library services. Such assurance raises the profile of public libraries generally and encourages use.

Some libraries that meet the current definition may not meet the new standards defined by the State Library Board. In many cases, these libraries are in small communities that lack the resources to, say, have many public open hours or paid staff. For this reason, HB 2243 specifically states that the State Library Board shall consider population size in establishing these standards, granting waivers to those communities that are simply too small to meet the requirements.

Even with such a waiver, however, a very small number of libraries may still not meet the standards. In these cases, the State Library will work with affected libraries to assist them to get the resources they need to meet the standards, if the libraries so desire. Libraries that do not meet the standards are not eligible to receive annual Ready to Read grant funds.

It is anticipated that the standards will include a short grace period, 2-3 years, after the bill's implementation. There are also some privately-run libraries in Oregon (e.g. Keizer, Mosier, Cannon Beach, etc.) that currently are not considered public libraries. These libraries will be unaffected by the

proposed legislation, unless the communities decide to establish public libraries. In those cases, the new standards will provide a roadmap as those communities seek to take their libraries to the next level.

7. Will any libraries close as a result of this legislation?

Oregon Library Association has reached out to all libraries in the state that might be affected by this legislation, and we do not anticipate any libraries closing as a result of this legislation.