PLACE: Kings Park Library  
9000 Burke Lake Rd.  
Burke, VA 22015-1683  
(703)978-5600

TIME: 7:00 P.M.  
DATE: October 11, 2017

6:30 P.M. - RECEPTION  
7:00 P.M. – FRIENDS’ CHOICE AWARDS

LIBRARY BOARD OF TRUSTEES MEETING AGENDA

I. PUBLIC COMMENT

II. MINUTES – September 2017

III. CHAIR’S REPORT

IV. COMMITTEE REPORTS
   A. Library Foundation – Willard Jasper
   B. Finance Committee – Miriam Smolen
   C. Ad Hoc Planning Committee – Charles Fegan
   D. Public Relations – Fran Millhouser
   E. Ad Hoc Policy Committee – Gary Russell
   F. Ad Hoc MOU Committee-Miriam Smolen

V. DIRECTOR’S REPORT
   A. IMLS Releases Annual Data and Survey Results of American Public Libraries
   B. 2017 Summer Reading Report
   C. Starlings
   D. The Uni Project

VI. CONSIDERATION ITEMS
   A. Memorandum of Understanding between the Library Board of Trustees and the Friends of the Library
   B. Update to Policy B Regarding the Availability of Service in Fairfax County and City
   C. Update to Policy G Regarding Selection of Materials

VII. ACTION ITEMS

VIII. ROUNDTABLE
IX. INFORMATION ITEMS
   A. 2018 Closures
   B. Monthly Statistical Snapshot, September 2016 (*To be handed out at meeting*)
   C. Incident Reports, September 2016
Chair Karrie Delaney called the meeting to order at 7:03 p.m.

I. PUBLIC COMMENT:

   A. Public Comment: Marie Cavanagh (attached)

II. BUDGET HEARING - PUBLIC COMMENT:

   A. Public Comment: Vera Finberg – Ms. Finberg suggested looking closely at the materials budget and not purchasing items that have already been discarded.

   B. Public Comment: Loren Hershey – Mr. Hershey likes the availability of the community rooms. He would like statistics to be looked at dealing with public use and the utility of space.

III. BUDGET FORECAST - Joseph Mondoro, Director, Fairfax County Department of Management and Budget (DMB)

   As staff in DMB turn to FY 2019, they are excited to work with current County Executive Ed Long and then acting County Executive Kirk Kincannon on the development of the upcoming budget. Similar to previous years, they are projecting a deficit for both the County's General Fund and for the Schools at this early stage in the FY 2019 budget development process. The County continues to see limited projected revenue growth, and it is likely that many important priorities for both the County and Schools will not be able to be funded.

   The Board of Supervisors was very clear in its direction in April 2017 that funding for full compensation be included for FY 2019. DMB will calculate the costs for public safety merits and longevities and general county performance increases and longevities to be included in the FY 2019 Advertised Budget. DMB will do the same for the Market Rate Adjustment.

   After concluding the presentation, Mr. Mondoro accepted questions from the Board. Trustee Ewing shared thoughts regarding the County's budget, pension reform, and the Board's prerogative to see the Library fully funded.

IV. MINUTES: Mr. Donovan moved to approve the July minutes, and Mr. Ewing seconded it. There was no discussion. The motion to approve the minutes passed unanimously.

V. CHAIR’S REPORT: Happy Birthday Charles Fegan! Thank you for all your years of service with the Fairfax County Library Board.

   Listening to the budget forecast, this puts at the forefront the library’s budget needs and responsibility to the budget and the priorities set at the January retreat. The board has established priorities to best serve the community. Ms. Delaney shared a story about how her friend was amazed at the services the library offers. The library is getting to showcase how beneficial its services are to the community even in tight
VI. COMMITTEE REPORTS:

A. **Library Foundation**: Will Jasper – The Foundation Board held its quarterly meeting and is merging two committees to form the new Development, Marketing and Advocacy Committee.

The Continuing Education Scholarship Committee has awarded $4,300 to five library staff members. The Foundation has raised $9,335 for the New American Initiative with a goal to reach $15,000. Dominion Energy Charitable Foundation has contributed a $1,500 grant for Ready To Read.

“Library Goes Hollywood” is the theme for the 2018 Jubilee on October 21, 2017 at Pohick Regional Library. The Foundation will host a book fair at Barnes and Noble in Fair Lakes on December 16, 2017. Ten percent of shoppers’ purchases that day go toward supporting FCPL.

B. **Finance Committee**: Miriam Smolen – The committee will meet September 19, 2017 at 3:00 p.m. and October 10, 2017 at 7:00 p.m. both at the Fairfax County Government Center.

C. **Ad Hoc Planning Committee**: Charles Fegan – The committee met at the end of July. Library staff presented information on the strategic plan, specifically a finalized vision statement and draft values statements.

D. **Public Relations Committee**: Fran Millhouser – The committee met in August and decided on how to focus their time and efforts. Trustees will be informed quarterly about library activities to be better advocates for the library. The committee will meet quarterly with library marketing staff. The next meeting is October 26, 2017.

E. **Ad Hoc Policy Committee**: Gary Russell – The committee has an action item up for a vote. The committee will meet on Friday, September 15, 2017 at 3:00 p.m.

F. **Ad Hoc MOU Committee**: Miriam Smolen – A draft of the MOU has been completed and was provided to the Board. Concurrently, the draft MOU was emailed to the Friends of the Library (FOL) Presidents, and it will also be posted on a new public webpage tomorrow. In August 2017, the committee had three meetings, inviting representatives from Friends’ Groups to participate. The feedback from the seventeen groups who participated and from those who sent in written comments was greatly appreciated. Feedback is encouraged by October 1, 2017 for inclusion in the October board packet as a consideration item. Goals of transparency, cooperation between the groups and responsible ownership of library assets are being incorporated.

VII. DIRECTOR’S REPORT:

A. **FY18 Market Study update**
   This is an update to provide the Trustees with new information on the special review of the Librarian job family. The library job family of Library Pages through Library Assistants and Library Information Assistants was found to be out of market and was approved for a regrade. With this...
change, the Library Assistant IV and Library Information Assistant classifications moved from S-19 to S-20, which is the current grade for the Librarian I. Library Administration requested that the Department of Human Resources (DHR) do a special review of the Librarian job family, to make sure that it too was properly aligned on the pay scale.

DHR did a custom and thorough review of the Librarian job family. Based on the information from that review, they determined that the librarian classification series is appropriately graded, based on midpoint pay ranges of surrounding and comparable jurisdictions. While Library Administration appreciates the hard work that DHR did on the custom review, it also recognizes that there are other variables to take into account when looking at ranges and scale placements, particularly across all of our library specific classifications. Library Administration has requested a second review of the librarian job family, this time considering different factors including recruitment and retention, business process requirements, and morale.

B. Assistive Technology and Disability Resource Fair
The Access Services Branch of the Library hosted an Assistive Technology and Disability Resource Fair on Thursday September 7, 2017. There was a fantastic turnout, with more than a hundred attendees, who heard a keynote speech from Karen Keninger, Director for the Library of Congress’s National Library Service for the Blind and Physically Handicapped, and participated in hands-on sessions and a vendor fair. Congratulations to Access Services Branch Manager Rose Asuquo and her fantastic staff for creating a memorable event.

C. Book Club Conference
Join book club members from around the area to learn about starting, running and enhancing book clubs while networking with fellow readers. Light breakfast snacks, coffee and box lunch provided for participants and co-sponsored by the Fairfax Library Foundation. The event will be held on Saturday September 16, 2017 from 9:00 a.m. - 1:45 p.m. Featured presenters include Yaa Gyasi, author of *Homegoing*, and Judy Gelman and Vicki Levy Krupp, authors of *The Book Club Cookbook*.

D. The October meeting of the Library Board of Trustees will be at the Kings Park Library and will kick off with the Friends Choice Awards.

E. The Library Board received the program for the Fall for the Book festival. Events will take place at George Mason University as well as at many library locations.

F. Administrative Services Director Katie Strotman is leaving for another county agency. Her position will be opened for recruitment soon and until then, the Director and Deputy Director will cover the duties of the position.
VIII. ACTION ITEMS:
A. Update to Policy W Regarding Appropriate Use of Parking Lots, Grounds and Exterior Plaza/Porches and Gathering Places

RECOMMENDATION: Library Administration recommends updating Policy W regarding trespassing.

BACKGROUND: The ad hoc Policy Committee of the Library Board of Trustees met on May 26, 2017 to discuss a number of policy updates. One policy brought forward by the committee for update is Policy W, regarding parking lots and grounds. The policy requires updates to reflect changes in law and to move the burden of handling trespass violation from branch staff to library administration. The current version of the policy and the recommended updated version of the policy are included in the Board packet.

Mr. Ewing moved to adopt the policy change and Mr. Fegan seconded it. The motion passed unanimously with no discussion.

The Following wording was approved:

Policy Regarding Appropriate Use of Library Parking Lots, Grounds and Exterior Plaza/Porches and Gathering Places

Gathering Places
1. Use of Parking Lots
   a. Library parking lots are provided for library users and staff for appropriate use. Commuter and overnight parking and any other use of parking lots by individuals who are not actively engaged in using Library facilities is prohibited.
   b. Parking lot problems associated with the above basic use policy shall be resolved by the Library Director by use of appropriate signage; police ticketing and/or towing; the installation of gates or other barriers; and/or other means.
   c. The Library Director may permit short-term exceptions to the basic use policy and may also enter into agreements that amend the policy with other public or private entities regarding use of Library parking lots.
   d. All agreements regarding use of Library parking lots that are applicable for six months or more must be approved by the Library Board.

2. Use of Library Grounds
   a. Camping is prohibited on all property administered by the Fairfax County Public Library Board of Trustees.
"Camping" means:

1. sleeping out-of-doors;
2. erecting or creating a shelter including, but not limited to a tent, cardboard box, sleeping bag, or newspapers;
3. cooking over an open flame or fire out-of-doors.

b. Overnight sleeping in a parking facility or parking lot or overnight habitation in a vehicle in a parking facility or parking lot is prohibited on all property administered by the Fairfax County Public Library Board of Trustees.

If library staff observes any person who has been notified of this rule, including notice by posted signs, acting in violation of this rule, staff shall contact Library Administration. If Library Administration is not available, the person in charge may contact local law enforcement and follow up with Administration.

3. Use of Exterior Plazas/Porches and Gathering Places
   a. Customers are to engage in activities associated with the use of the Library.
   b. Customers are to maintain conduct appropriate to the use of the Library.

IX. ROUNDTABLE:

Ms. Levy - She participated in the Adult Summer reading program. The book sale for the City of Fairfax Library and the Friends of the Virginia Room will take place the weekend of September 23, 2017.

Mr. Ewing - The Tysons-Pimmit Regional Library will have its grand reopening on Saturday, October 14, 2017 at 10:00 a.m. with a ribbon cutting ceremony. Mr. Ewing has toured the facility and it is beautiful.

Mr. Jasper - Nothing to add.

Mr. Fegan - He would like to thank everyone for the kind thoughts for his birthday. He has been fortunate to work with good people his whole life. He has worked on many boards and this is the best one. Thanks to Mr. Ewing for his comments on the budget dealing with unfunded pension plans.

Mr. Donovan - Nothing to add.

Ms. Smolen – The Friends of Oakton library are putting on a 10th anniversary party on September 23, 2017 with feature speaker David Baldacci.

Ms. Millhouser – She is interested in the statistics for the meeting room and other services such as holds. Ms. Levy said statistics on inter-library loans would also be useful.

Mr. Russell – He agreed with Mr. Fegan in thanking Mr. Ewing for his comment about pensions and the budget.
Ms. Janega – She would like to highlight some of the great programs being offered this year through the Fall for the Book. The Book Club Conference was incredible last time and she will attend this year.

Mr. Ewing - He loves what he does and as a lifelong resident wants to see the pension plan be fixed to help accommodate the budget.

Ms. Millhouser – She replied to the earlier comments about pension reform, sharing that public employees often give up other benefits for the stability and retirement funding that governmental work provides.

Ms. Delaney – She appreciates the advocacy for the system from the group and knows they will continue to advocate.

Motion to adjourn by Mr. Ewing and seconded by Mr. Donovan.

Chair Delaney adjourned the meeting at 8:19 p.m.

<table>
<thead>
<tr>
<th>Members Present</th>
<th>Members Absent</th>
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<tbody>
<tr>
<td>Karrie Delaney</td>
<td>Yearn Hong Choi</td>
</tr>
<tr>
<td>Michael Donovan</td>
<td>Priscille Dando</td>
</tr>
<tr>
<td>Darren Ewing</td>
<td></td>
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<td>Charles Fegan</td>
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<td>Sheila Janega</td>
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<td>Will Jasper</td>
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<td>Suzanne Levy</td>
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<tr>
<td>Fran Millhouser</td>
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<td>Gary Russell</td>
<td></td>
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<tr>
<td>Miriam Smolen</td>
<td></td>
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</tbody>
</table>

Respectfully Submitted:  

__________________________________________  
Jessica Hudson  
Library Director

Approved:

__________________________________________  
Karrie Delaney, Chairman  
FCPL, Board of Trustees
My name is Marie Cavanagh and I am a FCPL Librarian and a FCPLEA member. I began as a “Customer Service Associate” at Woodrow Wilson in 2012 and was promoted to Librarian 1 in 2015 and transferred to George Mason. I have been a librarian in schools, colleges and at two trade associations but I often say, “If I had known Public Libraries were so much fun, I would have applied sooner.”

I’m here to tell you about positive interactions between ADMIN and staff but also raise a concern about the reclassification of library positions.

ADMIN listened when I made a suggestion that we include a way to sign up for electronic newsletters on the library card application. ADMIN listened when I forwarded a request for collaboration from an acquaintance of mine who runs the library at the County Jail.

And, it works the other way. ADMIN asks for our opinions and suggestions and even though the suggestion to circulate American Girl dolls didn’t make the cut, it’s been my favorite so far. Staff are participating in the strategic plan and I think staff feels appreciated and listened to which absolutely increases morale.

However, I’d like to address something that is troubling, especially because it affects morale.

As you know, this year a library-specific job family was reviewed including Library Pages through Library Assistants and Library Information Assistants. The family was found to merit an enhancement which is well deserved and to accomplish this were rewarded with a reclassification upwards. Conversely, a review of the Librarian set of jobs found them to be appropriately graded.

Decisions have ripple effects. It means my friend, a youth services librarian 1, an S20, at a community branch whose duties include coaching and training her assistant, now also an S20, and preparing her performance reviews, shares the same pay grade.

Many Librarians 1 feel this decision will inevitably devalue our master’s degrees if Librarian 1 and Library Information Assistant positions are homogenized. Now they share the same class even though the job requirements are different; one requires a MLS and the other doesn’t.

Ultimately, the decision threatens the long-term goals of the library which must include the ability to retain and recruit the best candidates. I appreciate that LHR has requested a second review of the Librarian set of jobs based on a different set of criteria, including recruitment and retention, and morale.

Lots of good things are happening at FCPL and I’m confident that both ADMIN and the Board of Trustees recognizes that our continued success depends on an educated, motivated and appreciated staff. That’s why I am certain doing what’s best for the library will yield a responsible and equitable solution to the reclassification issue.
Memorandum

September 11, 2017

To: Library Management Staff
From: Doug Miller, SP&CRS
Subject: Monthly Statistical Snapshot, August 2017

Attached is the monthly statistical snapshot for August 2017.

- Circulation for FY2017 is 3% below FY2017 levels.
- Library visits for FY2017 are 6% below FY2017 levels.
- JM closed for renovation.
- TY operating in temporary facility.
- Several branches experienced power outages, phone problems, and computer issues during the month.

Please call Strategic Planning and Customer Research Services at 702-324-8322 if you have any questions.
# Fairfax County Public Library
## Statistical Snapshot
### August 2017

<table>
<thead>
<tr>
<th>Site</th>
<th>Circulation</th>
<th>% Change</th>
<th>Cumulative FY17 - FY18</th>
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**JM**

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<tr>
<th>Site</th>
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**JM**

* Estimate
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<td>Program Attendance *</td>
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<td>Database Usage *</td>
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<td>Check In / Check Out</td>
<td>657,024</td>
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<td>In-house Use</td>
<td>89,598</td>
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<td>Transfers In / Out</td>
<td>9,048</td>
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<td><strong>Discards by Category:</strong></td>
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<td>Inaccurate</td>
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<td>Low Demand</td>
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<td>Magazines</td>
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<tr>
<td>Phone Renewal</td>
<td>8,988</td>
<td>17,393</td>
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<th><strong>Community</strong></th>
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<th>August</th>
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<td>Early Literacy Outreach Office:</td>
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<tr>
<td>Number</td>
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<td>176</td>
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<tr>
<td>Attendance</td>
<td>1,497</td>
<td>2,998</td>
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<th><strong>Technology</strong></th>
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<th>Year-to-date</th>
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<tr>
<td>Internet Sessions</td>
<td>113,493</td>
<td>217,564</td>
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<td>WiFi Usage:</td>
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<td>Catalog Logins</td>
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<tr>
<td>Remote Renewals</td>
<td>325,245</td>
<td>638,881</td>
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* Estimate, data unavailable in time for issuing this report.
MEMORANDUM OF UNDERSTANDING BETWEEN THE FAIRFAX COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES AND THE FRIENDS OF THE ________________________ LIBRARY

This Memorandum of Understanding, by and between the Fairfax County Public Library Board of Trustees (“the Board”), and the Friends of the ________________________ Library, Inc. (“the Friends”), and together known as the “Parties”, is to define and facilitate a cooperative and productive relationship between the Parties. This Memorandum of Understanding shall replace all other Agreements, Memoranda of Understanding or Contracts that may be in existence between the Parties.

WHEREAS, the Friends is organized for charitable purposes to promote, raise funds for, and distribute funds to the Fairfax County Public Library (“the Library”) for the benefit and support of the Library; and

WHEREAS, the Friends is an independent, separate legal entity apart from the Board and the Library; and

WHEREAS, the Board encourages and supports the Friends as they work to increase community awareness and use of the library; as they work for library legislation or appropriations; as they encourage gifts, endowments and memorials for the library; as they provide direct financial assistance; as they raise money and campaign for new building, renovation, or expansion; and as they sponsor programs designed to add to the cultural life of the community; and

WHEREAS, Va. Code Ann. § 15.2-953.B authorizes donations to non-profit organizations that support library functions; and

WHEREAS, it is in the mutual interest of the Parties to work toward supporting, improving, and promoting the Library;

NOW THEREFORE, in consideration of the above, the Parties agree as follows:

1. Permission to Solicit Using the Name of Library:

The Board is giving the Friends written permission to use the name of the [insert library branch name] in connection with its charitable fund raising activities. The Library agrees to accept such contributions raised by the Friends subject to the terms of this Memorandum of Understanding. The Library reserves the right to revoke this written permission at any time.

2. Resources

a. The Board has made, and from time to time at its sole discretion may make, donations to the Friends of library materials that are discarded from the Library collection, pursuant to Va. Code Ann. § 15.2-953.B, and materials that are donated to the Library pursuant to Policy M. The Board may also cease making donations or providing
resources to the Friends if the Board determines that the provisions of this Va. Code Ann. § 15.2-953.B, Board Policy M, and this Memorandum of Understanding are not being met.

b. The Friends acknowledges that the Board has selected it as the recipient of such donations and resources because the Friends promotes, raises funds for, and distributes funds to support the Library. It is understood and agreed by the Parties that money received by the Friends shall be used primarily to support the Library branch or the Library system. The Board encourages the Friends to distribute funds promptly and to make plans for future distributions.

c. Nothing in this Memorandum of Understanding shall prohibit the Friends from receiving donations of materials or money from individuals or groups other than the Board and the Library, provided that those donations are used in accordance with section 2(b) above.

d. The Friends shall make all donations through the financial division of the Library Administration. In the event that a donation is designated for use in connection with a specific event (e.g. a children’s program), the Library will process the donation and coordinate directly with the relevant vendor for that program. The Friends acknowledges the importance of routing all donations and program activities through Library Administration so that the Library can ensure compliance with Fairfax County procurement, access, and insurance requirements.

3. **Organization of the Friends**

a. Incorporation: The Friends shall incorporate with the Virginia State Corporation Commission (“SCC”) as a Virginia nonstock corporation. The Friends shall provide to the Board a Certificate of Fact of Existence from the SCC or other evidence of its registration with the SCC.

b. Governing Documents:

(i) The Friends shall operate in accordance with its Articles of Incorporation and Bylaws, which shall provide that the primary purpose of the corporation is to promote, support, raise funds for, and distribute funds to the Library for the benefit and support of the Library. The Friends will file its Articles of Incorporation with the SCC.

(ii) The Articles of Incorporation and Bylaws of the Friends shall provide that, in the event that the Friends elect to dissolve, or become inactive and not hold a board meeting for the period of one year, all remaining assets of the corporation, after necessary expenses are paid, will be distributed to the Board for the benefit of the Library, or to the Fairfax County Public Library Foundation, or to another Fairfax County Friends of the Library group to be used for the benefit of the Library.
c. **Tax Exempt Status:** The Friends shall comply with all requirements of the Internal Revenue Code to become and remain an approved 501(c)(3) charitable tax exempt organization. The Friends shall promptly advise the Board if its 501(c)(3) status changes. The Friends shall maintain copies of financial records, in paper or electronic form, as required for its charitable tax exempt status. The Friends shall make such records available to the Library upon request on an annual basis.

d. **Sales Tax:** The Friends shall comply with all requirements to be exempt from payment of and collection of Virginia Sales and Use Tax.

e. **Insurance:** The Friends acknowledge that the Friends is not covered by the Fairfax County Volunteer Insurance Program. The Friends agree to consult with its own insurance agent to determine and obtain appropriate insurance coverage based on the Friends structure and activity.

4. **Communication and Coordination**

a. The Parties acknowledge the joint goal of good communication and transparency between the Board, the Library and the Friends.

b. The Library will meet annually with the Friends to discuss issues of importance to the Friends, which may include goals, concerns, strategic planning initiatives, and funding priorities, in order to work collaboratively toward the goal of supporting the Library. The Library will assign a staff member to attend Friends’ board meetings, when possible. The Board invites members of the Friends to address the Board at its meetings, pursuant to Board Policy U.

c. The Library will provide the Friends a report annually describing the use of the monetary donations made by the Friends over the previous year.

d. The Library will engage in a prompt manner with the Friends on its proposals and requests, to the extent possible.

e. The Friends shall designate a point of contact for communication and coordination of activities with the Library. Unless advised otherwise, the President of the Friends will be the point of contact.

f. The Friends will self-report to the Library on an annual basis financial information to include revenue, donations, expenses, cash/bank account balances and reserves.

5. **Term and Termination**

a. This Memorandum shall continue in effect until December 31, 2021 unless terminated before that date. The Parties may agree to extend this Memorandum of Understanding for additional two-year periods on such terms and conditions that may be mutually agreeable.
b. Either party may terminate this Agreement upon three months written notice to the other party.

c. Should this Memorandum of Understanding be terminated for any reason, the Friends will promptly separate its activities from the Board and the Library and revise its governing documents appropriately.


a. Laws: The Friends shall comply with all federal, state, and local laws, including laws governing charitable organizations and the solicitation of charitable contributions.

b. License Agreement: The Friends shall execute a separate License Agreement with Fairfax County and abide by any conditions imposed by Fairfax County with respect to the Friends’ use of Library property or facilities.

c. Indemnification: The Friends shall indemnify and hold harmless the Board and Fairfax County from and against all losses, damages, expenses, claims, demands, suits, and actions by any party against the Board or Fairfax County based on any intentional or negligent action or omission to act by any member or agent of the Friends in connection with any work or activities performed or conducted by the Friends.

d. Abrogation: This Memorandum shall not be abrogated, changed or modified without the written consent of the Friends and the Board.

e. Public Communication: The Friends shall make it clear in all of its public communications that it is not an agency of the Library or Fairfax County government. The Friends agrees that the Library is authorized to use the name and logo, if any, of the Friends for purposes relating to this Memorandum of Understanding. The Parties agree to use such names and logos, if any, only in a favorable way and in a manner as to emphasize the benefits that this relationship provides to the community. Each party agrees that it shall not participate in activities that would portray the other party in a disparaging or unfavorable way.

f. Immunity: Nothing herein shall be deemed to constitute a waiver of applicable sovereign immunity on the part of the Board.

7. Notices

Notices hereunder and reports and other documents to be furnished by the Friends in accordance with the terms herein shall be given in writing only directed to the following addresses:

1. If to the Friends:

2. If to the Board:
Every such notice shall be deemed to have been given on the date on which it is received or refused by the party to whom it is sent. Any changes of address shall be given in accordance with the terms herein, and shall not be effective until five business days after the date received.

**IN WITNESS WHEREOF**, the Board and the Friends have caused this Memorandum to be executed as of the date appearing by their signatures.

Friends of _________________________________

BY _________________________________________

Date: ______________________________

BOARD OF TRUSTEES OF THE FAIRFAX COUNTY PUBLIC LIBRARY

BY _________________________________________

Karrie Delaney, Chairman

Date: ______________________________
DIRECTOR’S REPORT
October 11, 2017 Director’s Report

A. IMLS Releases Annual Data and Survey Results of American Public Libraries
   In September, the Institute of Museum and Library Services (IMLS) released two key information products: the latest data from its annual Public Libraries Survey and a new report on the previous year's data. Please see the attached press release for more information.

B. 2017 Summer Reading Report
   Please see the attached report from Ted Kavich, Program and Educational Services Manager.

C. Starlings
   Starling by VersaMe is a device that encourages families and caregivers to engage with children age birth-4 by counting words as users read, talk or sing. Adults track the amount of words spoken with a free smartphone app, and its web-based Starling Dashboard records data for each family member, sends custom messages, and pushes out tips and activity ideas. FCPL is investigating the purchase of some of these devices, to assist families in thinking about expanding the vocabulary spoken to and around their children.

D. The Uni Project
   FCPL is purchasing mobile shelving units and seating to expand our capacity to do outreach. These collapsible and portable units will allow the Library to bring books and programs even further and wider to the greater community. They should arrive in late October and be available for use by staff soon afterwards. Learn more about The Uni Project at www.theuniproject.org.
IMLS Releases Annual Data and Survey Results of American Public Libraries

U.S. Public Libraries Offered 4.5 Million Programs Across the Country in FY 2014


Each year since 1988, the Public Libraries of the United States Survey has provided a national census of America's public libraries. The data are collected from approximately 9,000 public library systems comprised of over 17,000 individual main libraries, library branches, and bookmobiles in the 50 states, the District of Columbia, and U.S. territories.

"These trends tell a story about how public libraries are evolving to match their services, programs, and collections to the needs of their communities," said IMLS Director Dr. Kathryn K. Matthew. "We encourage the use of this information to uncover opportunities to improve library services and to demonstrate the continuing value of public libraries in American life."

"The releases extend IMLS's most complete dataset on the trends, opportunities, and resources of public libraries in communities across the nation--helping libraries, researchers, and administrators make data-driven decisions," said Benjamin Sweezy, IMLS Deputy Director of Digital and Information Strategy.

The FY 2014 report provides a national overview of trends and a snapshot of a variety of indicators for the year. In particular, it demonstrates how public libraries are faring financially since the last recession (December 2007 to June 2009) and how public library services and resources have evolved over the decade. Other key findings include:

- From 2013 to 2014, there have been slight increases in the indicators for financial health and staffing of public libraries, however, they remain below 2009 levels. Per capita operating revenue was $39 ($12 billion in total revenue), an increase of 2 percent compared to 2013 and the first revenue increase since 2009.

- Public libraries' collections are adapting to changing technology. The majority of the total collections (66 percent) were still print materials, but e-books (18 percent), physical and downloadable audio materials (10 percent), and physical and downloadable video materials (6 percent) made up the remainder of our nation's library collections. The number of e-books per 1,000 people also increased 2,140 percent between 2005 and 2014.

- Although there is a decline in the use of traditional library services, attendance at public programs is increasing. Program attendance reached a high of 332 attendees per 1,000 people in 2014, representing a 10-year increase of 34 percent and a 5-year increase of 14 percent.
• In response to the interest, public libraries offered 4.5 million programs, a 1-year increase of 5 percent and a 10-year increase of 68 percent.

• Over the past 10 years, public-access internet computers increased 55 percent.

About the Institute of Museum and Library Services (IMLS)

The Institute of Museum and Library Services is celebrating its 20th Anniversary. IMLS is the primary source of federal support for the nation's approximately 123,000 libraries and 35,000 museums. Our mission is to inspire libraries and museums to advance innovation, lifelong learning, and cultural and civic engagement. For the past 20 years, our grant making, policy development, and research has helped libraries and museums deliver valuable services that make it possible for communities and individuals to thrive. To learn more visit www.imls.gov and follow us on Facebook, Twitter and Instagram.

Direct comments or errors with your subscription to webmaster@imls.gov
September 28, 2017

Summer Reading Adventure 2017 – Report for the Library Board of Trustees

Our annual Summer Reading Adventure (SRA) remained popular in 2017. A total of 44,154 kids and teens participated in the program. 22,507 of them (slightly more than 50%) completed the reading challenge and received a coupon book incentive prize.

Support for the SRA came from the Friends of the George Mason Regional Library ($50,000 for family and school age events), the Friends of the Kings Park Library ($7,500 for teen events and materials/prizes for the Teen Cover Art Contest – see below), the Fairfax Library Foundation ($17,000 for some family events plus coupon booklet printing) and the rest of our wonderful Friends groups.

Summer events included programs with live animals, music, dance, puppets and more. The impressive attendance statistics are as follows:

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Number of Events</th>
<th>Total Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family and school age programs</td>
<td>165 events</td>
<td>11,235 attendees</td>
</tr>
<tr>
<td>Teen programs</td>
<td>22 events</td>
<td>289 attended</td>
</tr>
</tbody>
</table>

This year we ran two popular contests for teens: our 9th annual “For Love of Country” essay/poetry contest and 4th annual “Teen Cover Art Contest.”

Our SRA sponsors for this year, besides those mentioned above, included (new sponsor in Italics):
- Bob Evans
- Children’s Science Center
- Clay Café Studios
- D.C. United
- Domino’s Pizza
- Doodlehopper 4 Kids
- Eye Level Tutoring Centers
- Fairfax County Park Authority (9 different coupons)
- Fox Mill Tae Kwon Do
- GMU Soccer, Basketball, and Football
- KinderCare
- Krispy Kreme
- McDonalds

(Continued on page 2)
Michaels Arts & Crafts
Mount Vernon Estate, Museum & Gardens
NOVA Parks (6 different coupons)
Potomac Nationals
The Rappaport Companies
Rita’s Italian Ice
Shadowland Laser Adventures
Shake Shack
Six Flags
Splashdown Waterpark
Victory Comics
Yogurt City

These sponsors provided valuable coupons for free and reduced price items and fun summer and fall activities.

I would like to thank the Board of Trustees for its continued support of the Summer Reading Adventure. Please contact me if you have any questions, comments, or ideas regarding the SRA.

Sincerely,

Ted Kavich
Program & Educational Services Manager
703-324-8685
ted.kavich@fairfaxcounty.gov
CONSIDERATION ITEMS
CONSIDERATION ITEM
October 11, 2017

ISSUE: Memorandum of Understanding between the Library Board of Trustees (Library Board) and the Friends of the Library (Friends)

RECOMMENDATION: Library Administration recommends approving an updated Memorandum of Understanding (MOU) between the Library Board and the Friends, to provide additional clarity and information to both parties

BACKGROUND: The Library Board has been considering the idea of an updated MOU with the Friends of the Library groups for several years, with the process starting up in earnest in 2017. There is a current MOU between the Friends and the LBOT and many of the original components have been included in the draft updated version. The Library Board’s MOU committee considered Friends and Board of Trustee areas of interests, requirements that the Friends groups must comply with in order to be nonprofit, and requirements from Fairfax County.

The MOU committee provided a full public meeting in late May 2017, to talk with the Friends groups about high level areas of an updated MOU. Following feedback from that meeting, three Friends working sessions were provided in August 2017 to allow for Friends groups to have smaller, more in-depth discussion of those high level areas. Two informational sheets were provided to the Friends with further clarify regarding those high level areas. Two informational sheets were provided to the Friends with further clarify regarding those high level areas. After the August sessions, a draft MOU was finalized and released concurrently to the Library Board and the Presidents of the Friends groups on September 13th, 2017. Friends groups were requested to provide comments and questions by October 1st, for inclusion in the October Library Board packet. Several FOL groups requested additional time for commentary and the period was extended; commentary received between October 2nd and October 30th will be included in the November Library Board packet.

In addition to providing an open and transparent process to the Friends groups, the MOU Committee is also committed to provide transparency to the general public. A public page is available where anyone can read the minutes of past meetings, review the high level areas, read the draft MOU, and submit their personal comments.

The draft MOU update is very similar to other MOU updates approved or pursued by other County agencies. The draft MOU closely models the MOU between the Friends and the Animal Shelter, approved by the Board of Supervisors in March 2017, as well as the draft MOU between the Park Authority and its Friends groups.

Included as part of this consideration item are both the draft MOU and all commentary received by staff up through October 1st regarding that draft.
Ms. Miriam Smolen  
Chairman, Ad Hoc MOU Committee  
Board of Trustees  
Fairfax County Public Library

Dear Ms. Smolen:

Subject: Friends of Centreville Regional Library Comments on Draft MOU

Thank you for the opportunity to comment on the draft memorandum of understanding (MOU). The Friends of the Centreville Regional Library (FOCL) are dismayed and disappointed in both the tone and legalise language used in the report. We believe that it hinders communication and collaboration.

The FOCL strongly opposes portions of the draft MOU provisions relating to the requirement to register with the Virginia State Corporation Commission. There is no Federal or State requirement to do so and places an unnecessary administrative and financial burden on smaller Friends Groups. FOCL also has comments, suggested revisions, and needs clarification on other portions of the draft MOU. Please consider our enclosed comments.

Dennis R. Shaw  
President  
Friends of Centreville Regional Library Board

Enclosure - FOCL Comments on Draft MOU
FOCL Comments on Draft MOU

1. **MOU Language and Tone.** The MOU appears to be written by lawyers for lawyers. WHEREAS the Friends of the Centreville Regional Library have no members that are lawyers. FOCL requests that the Library Board rewrite the MOU in plain English so that the layman can understand it. Also, the MOU tone does not reflect that the Friends are beneficial to providing support to the library. Instead, the MOU gives the impression that the Friends are subservient and are lucky to have the privilege to accept donated books and library discards and sell them to raise money to support library programs. Furthermore, the privilege can be revoked at any time by the Board of Trustees. Dennis Hays of the Fairfax Library Advocates provided a suggested MOU that is both readable by the layman and recognizes contributions of both sides and the FOCL supports it.

2. **Planning for Future Distributions.** Paragraph 2.b. states "The Board encourages the Friends to distribute funds promptly and to make plans for future distributions." Friends cannot plan in a vacuum and should not be held accountable for delays associated with the approval processes such as IT, facilities design, procurement, or FCPL. The Library Branch Manager is the driver for what the library needs and must be an integral part of the planning process. Suggest that the wording be changed to: "The Board encourages the Friends and the Library Branch Manager to work closely to make plans for future distributions of funds consistent with the Library's strategic direction and approval processes."

3. **Friends Donations.** Paragraph 2.d. states "The Friends shall make all donations through the financial division of the Library Administration." FOCL does make most of the donations through the financial division. However, in some cases it is not practical or even possible such as purchasing gift cards for the Adult Reading Program or funding special events such as "Centreville Day" and volunteer appreciation luncheon. Suggest that the wording be changed to: "The Friends shall make all donations through the financial division of the Library Administration for items, activities, and services that are readily available through the Fairfax County procurement system."

4. **Registering with the Virginia State Corporation Commission.** Paragraph 3 requires the Friends to register with the Virginia State Corporation Commission. There is no Federal or State requirement to do so and this requirement places an unnecessary administrative and financial burden on smaller Friends Groups. IRS guidance indicates that the By Laws are a sufficient governing document as long as it contains a dissolution clause. FOCL requests that the VA SCC registration be waived. Suggest that Paragraph 3.d and 3.e be renumbered 3.c and 3.d and the current 3.a, 3.b, and 3.c wording be changed to:

"3. **Organization of the Friends**

a. Tax Exempt Status: The Friends shall comply with all requirements of the Internal Revenue Code to become and remain an approved 501(c)(3) charitable tax exempt organization. The
Friends shall promptly advise the Board if its 501(c)(3) status changes. The Friends shall maintain copies of financial records, in paper or electronic form, as required for its charitable tax exempt status.

b. By Laws:

(i) The Friends shall operate in accordance with its By Laws, which shall provide that the primary purpose of the organization is to promote, support, raise funds for, and distribute funds to the Library for the benefit and support of the Library.

(ii) The By Laws of the Friends shall provide that, in the event that the Friends elect to dissolve, or become inactive and not hold a board meeting for the period of one year, all remaining assets of the corporation, after necessary expenses are paid, will be distributed to the Board for the benefit of the Centreville Regional Library, or to the Fairfax County Public Library Foundation, or to another Fairfax County Friends of the Library group to be used for the benefit of the Library."

In the event that the VA SCC requirement is not waived, FOCL requests that the Board of Trustees, FCPL, or Fairfax County Legal Department provide and/or pay for "Registered Agent" services on a continuing basis needed to register and stay compliant with the SCC and provide a template for the Articles of Incorporation to those Friends Groups that request it.

5. Friends Financial Records. Paragraph 3.c. requires that The Friends shall make financial records available to the Library upon request on an annual basis. The draft MOU also recognizes that the Friends are an independent, separate legal entity apart from the Board and the Library, yet require the submission by the Friends of its internal financial records. This requirement should be deleted as our internal financial records need to be available only to the Internal Revenue Service.

6. Library Attendance at FOCL Board Meetings. Paragraph 4.b states "The Library will assign a staff member to attend Friends’ board meetings, when possible." The Centreville Regional Library Branch Manager serves as a non-voting ex-officio member of the Board and attends FOCL Board meetings. Please clarify whether the FCPL intends to assign additional staff to attend FOCL Board meetings. Our meetings are open to the public.

7. Reporting Financial Data. Paragraph 4.f. requires the Friends to self-report to the Library on an annual basis financial information to include revenue, donations, expenses, cash/bank account balances and reserves. Good practices dictate that charitable tax exempt organization make financial information publically available. The FOCL provides financial information on its public website. However, since the Friends are a separate legal entity, we should not be required to report our financial information to the Library. Suggest that the language be changed to: "The Friends will make its financial information publically available to include revenue, donations, expenses, cash/bank account balances and reserves.

8. License Agreement. Paragraph 6.b requires the Friends to execute a separate License Agreement with Fairfax County and abide by any conditions imposed by Fairfax County with
respect to the Friends’ use of Library property or facilities. FOCL is not opposed to signing a License Agreement for use of Library space. However, we are opposed to signing this MOU before we know what is in the License Agreement. Suggest that the Board of Trustees provide the License Agreement for our review and signature or delete paragraph 6.b from the MOU.

9. **Indemnification.** Paragraph 6.c indemnifies the Board and the Library against anything the Friends might do. However, it does not contain a similar requirement for the Board and Library. We think this means that the Friends cannot sue the Board or library, but the Board or Library can sue the Friends. This paragraph should be rewritten in plain English to reflect that it is a 2-way street or be deleted.

10. **Public Communication.** Paragraph 6.e. requires the Friends to make it clear in all of its public communications that it is not an agency of the Library or Fairfax County government. FOCL public communications is essentially limited to advertising book sales in local newspapers and on-line media where space is pretty much limited. Suggest that the first sentence in paragraph 6.e be changed to "The Friends shall not state or imply in its public communications that it is an agency of the Library or Fairfax County government."

11. **Immunity.** Paragraph 6.f states that "Nothing herein shall be deemed to constitute a waiver of applicable sovereign immunity on the part of the Board." Please clarify what this means and rewrite in plain English.

******************************************************************************
Name: Maggie Belsan

Group: FX

Role: Worker Bee

Comments: Just spent 12 hours over 3 days getting ready for our semi-annual book sale. I'm 76-years-old and I worked on heavy oversized books, was on my knees pulling out boxes to refine, etc. I do this because I value my library. I value all libraries, but this one my kids and grandkids also used. The money we make benefits our single library and some outreach programs in the vicinity. Would I mind if our money was given to other branch projects? No, of course not, but this new MOU plan seems to want to take it all and have its own discretion on how the funds are spent. I think being focused on the financial aspect of our library system, people are forgetting about the social and educational aspects, which is what we are all about and why we donate so much time and effort to ensure programs do not get cut and the public is well served in our particular branches.

*************************************************************************************
There is an elephant in the room, and a blind eye is being turned to it. That elephant is stomping out any possibility of FCPL becoming the great good institution that this community deserves. That elephant is aggressively stopping works and words of goodwill from being done and heard.

The elephant: a thirty-year iron-fisted regime’s legacy. Although the past thirty years had moments of great accomplishment, the end was marked with purposeful destruction in the name of the cost savings, the budget cuts demanded by the County.

- This legacy is marked by a weakened administration hampered by de-professionalized staff positions. This was very eloquently addressed in the last Board meeting by a brave Librarian who spoke before you: more is at stake that name changes – by replacing librarians and the skills they possess with lay staff, there is the gradual but real loss of reference, information development, and research as resources to the public. Virtually every section of the library, including administration itself, was similarly decimated: evaluative surveys do not comply with national standards, acquisition of library materials is treated as simple bulk sole-sourced purchases, and so on in every function. Any attention brought to the decline in depth and variety of services over the past 20 years was met with either retaliation to the person bringing up the subject or dismissal that such skills are not needed since the advent of the Internet – often comparing the library to a book store. Libraries are not book stores however. Book stores are not in business of providing verified and unbiased information nor upholding any standards other than commercial profitability.

- This legacy is marked by separating all library-connected persons from the national discussions, advancements, and even awareness of critical issues facing library services. For library staff, participation in regional, state, and national professional associations, which are also the mechanism for continuing education, required individuals to pay all dues, attend conferences on personal leave time (unless presenting for FCPL), and made access to professional journals a personal expense.

- This legacy is marked by the Library Board relying solely on the materials and reports provided by the library director. There is no mechanism for individual exploration of an issue or practice as it relates to either the community or national norms. Liaison to various operational groups was ended, as were annual reports to the Library Board from the various sections of library service— their accomplishments, aspirations, challenges all unheard by the Board.

- This legacy is marked by the ugly accusations against Friends of the Library, including a nationally broadcast attack by the director flatly stating, “Friends and no friends of the library.”

- This legacy has resulted in a weakened Foundation, its director reporting to the director, and not able to pursue direction from its board. Designated gifts and grants were turned away as categories, only undesignated funds for the “system gift fund” for use by the director and a scholarship, minimal program support became allowed with few exceptions. The mechanism for tracing gifts was dismantled – so that, for example, if a memorial gift for to enhance a branch or
materials on a subject area were given, there no longer was the practice of bookplating and acknowledging the gift.

Make no mistake: administration, staff, Friends, and Board are all people of good will. But the elephant has created barriers to their working together, pitting them one against the other in a contentious lock of wills which can only end in defeat for all and the further weakening of the library beloved by all.

What to do, especially in the current dispute about Friends and warring MOU’s which bear absolutely no semblance to nationally –tested and proven examples? Stop. Simply stop. Now. It’s destroying everyone. Stop. No “ just one more edit.” Not now. This is not a contest. There is just one goal: a unified, strong, community-engaged, fiscally secure, and trusted, capable information-, education- and recreation-supporting library.

And, in the meantime, before developing another MOU, one based on real factors, we can address these issues: I

- Strengthen the administration and staff of the library, based on needs not cost first. Library services need to be grounded on the changing community needs. The intersection of unmet needs and literacy/resources identifies the place where the library must be, whether alone or along with partners, to provide good outcomes. Outcomes, positive changes, not outputs, raw production numbers unexamined for changes they make. No more surveying “people who use and like us” but facing the challenges through awareness on the community.

The library needs to look at changing priorities and unmet needs of the community. One very current example: there is an acute awareness of weather changes at an unprecedented level. The people of Houston were caught flat-footed, with the majority without flood insurance – because no one knew there was a danger. For the sake of example, I found that the County and FEMA have recently updated flood plain maps for Fairfax. I also found that I am in a risk area and that was not the case when I bought the house. Flood insurance is separate insurance. The County created the maps, makes them available on the County website and the information stays just there. None of my neighbors in my informal survey knew of the maps nor of their risk projections. It wouldn’t be expected that most people just browse through the County website and casually discover flood plain maps! This is a place for the library: publishing, promoting, gaining attention for County information through sponsored programs or other mechanisms, just as it does with books on particularly current and relevant topics. Having access to that information can lead to measurable outcomes. This is the place the library makes a difference. The library does not have to work alone, even in this instance. Partnerships can form with other County agencies, banks, real estate associations, and so on.

Outcomes position the library to not only be relevant but to attract private support. Reference librarians recognize these areas. They hear the questions and trends. Listen and empower them. Learn, too, from other libraries in the vanguard, such as the Brooklyn Public Library, San Diego Public Library, and others with which FCPL has much more in common than a suburban bedroom sprawl – Fairfax left that field 20 years ago. Look at other near examples, like the Computer Clubhouses, strongly supported by the Northern Virginia Technology Council and MIT.

To admin: partner, grow. Have the County Demographer make annual presentations to the Library Board. These measures will not only strengthen the library, it will position it for increased
support. Let’s set the goal to systematically identify unmet needs where information action by the library will make a difference.

Further, there can be a systematic combing of reports of other library success and failures, distributing those reports to staff, Board, and Friends – such as the recent report from Brooklyn in the New York Times, “Libraries Can Be More Than Just Books”, https://www.nytimes.com/2017/09/18/opinion/libraries-affordable-housing.html And be sure that every member of the Board of Supervisors gets a copy along with directors of other agencies, FCPS Board, Office of Public Private Partnerships, community influencers, Arts Council, and at times local press. Am I suggesting a dedicated information/communication office – not just one that sends press releases and event calendars for library users? Exactly. Headed by a strong information librarian with communications background. Be a presence in the local press, radio stations, TV news, but create an awareness of what can be.

This is not a new concept, but it is one used in virtually all private corporations – an alert and awareness service provided to staff to keep them able to compete. Often these companies call staff who do this information managers – but they are nearly always librarians by education, oft sent to library school by the company. No funds for such an office?? Maybe not from the County. Maybe from the Friends? Maybe from a research and demonstration grant? Maybe in cooperation with George Mason University, Marymount, Catholic University with advising from faculty and support staffing from internship programs? I guarantee that it’s possible. Partnerships work.

- Strengthen the Library Board of Trustees. Sure, the members serve without pay, but they should not be asked to serve without information as well – both from within the library and from regional, state, and national organizations. Exactly why is not every trustee an enrolled member in United for Libraries, the American Library Association division for members of Boards of Trustees, Friends, Groups, and library Foundations? Why is not every new trustee made aware of this and other resources? This is something that can be supported: the top membership fee for a board is $125 annually.

The Board is responsible for establishing policy for the sole organization in the County which by definition actively serves every resident in the County. Every single one. If the Board serves without compensation, it needs to at least be given support – not simply the director’s monthly “Board Package.” Support means office, dedicated staff for research directly under the Board, not the library director, constituent communication (not the limited speaker- for- 5-minutes communication, which serves a purpose, but it’s not enough) Would anyone here tolerate being unable to pick up the phone and call the School Board Office and get a live person? Any other County Board? Planning Commission? Zoning? This lack of office has led to the disempowerment of the Board. It hears, sees, and knows only one voice – unless there are ones clamoring with frustration unable to communicate with the library’s administration and/or board and takes anger to the Board of Supervisors – and then they get branded as troublemakers maligning our great library. This is one of the legacies. It’s a bad legacy. Constituents should be able to contact the office of the Library Board directly during normal business hours. Their concerns and congratulations and offers (all three after all do present themselves) should be directed and resolved or brought forth for public discussion at the Board meetings as appropriate. This is the way a County with twice the population and as demographically diverse as the City and County of San Francisco should conduct itself. Over the years many of your predecessors have expressed
frustration themselves on this matter. The Board needs staff and office. The County Board of Supervisors appointed the Library Board, and now it needs to support it.

- Strengthen the Foundation. At its inception, County/Library support of the Foundation was intended to be sustained only to “get the Foundation on its feet.” And indeed, there is some legal question on whether it is wise to have a government entity supervise/control an independent 501 (c) 3 corporation. There are grant entities which specifically do not award grants to governments. Even very casual surveys of library foundations confirm that those with high success are themselves independent of the library control. The library retains the rights to turn away donations and grants of any kind, but there is another factor at play as well: foundations with empower the community leaders on their boards to bring forth the best ideas, partnerships and visions in many cases. They are by nature not focused on operations but on long term direction. Foundation boards represent, ideally, a cross section of representation of business, finance, arts, education, social services, academic, and many other community sectors. Their ideas are best taken not as buttressing current operations but as contributing to the trajectory of the library in the community it serves. That has not been the case for the Fairfax Foundation, but I believe it can and could be. For that to happen the Foundation has to fulfill its original intent as an independent corporation – and that will take some effort and expense for it to happen. Membership not only in United for Libraries, but strengthening staff to re-instate the ability to write grants, partner/ collaborate with other agencies and organizations will be positive steps in that direction. As a first measure, in addition to membership in allied professional groups, I would suggest interviews with successful library foundations to better understand their structures, staffing, guidelines, and measures. As currently constituted, the library director controlled all communication to the Library Board. At a minimum, the channel should be Foundation to Board directly.

- Strengthen the Friends! The Friends are friends. Theirs is a proven friendship of commitment and contributions, both in time and in funds. Elephant stomping threw a lot of dust obscuring the fact that the future of the library does not rest on public funding but upon the commitment, skill, time, and monies from the Foundation and the Friends. We all know that in our bones, as surely as we know anything. We have seen it in threatening stances from the County, we have seen it in virtually every “public” cultural, educational, arts, literary, and library institution in the country. Each year public funding is more squeezed, leaving two choices: diminish the institution or seek private funding. There is no disagreement there. So as with the Foundation, making the Friends stronger, not more “controlled”, is essential.

Although I stated earlier that this is not the time to adopt a “new” MOU, and dozens of concerns are exhibited in the drafts, I will comment to some extent. The very combative language of many of the drafts is injurious to discussion and actually to the very existence of Friends. More than one member of a Friends group has indicated the intention to resign – seriously and permanently. There are issues in some of the drafts which are quite questionable, e.g. insurance. The library buildings are county property, and I would assume that there are county guidelines and coverages – for example, the many craft fairs and farmer’s market in government centers, at the special presentations by non-county employees (author appearances, etc.) , the use of county meeting rooms by a wide variety of community groups, sales by athletic team supporters, bake sales by PTA groups, the list is nearly endless where there are private and volunteer programs on county property. There are some serious issues on Library liability which have never been answered – for
example, where/what coverage for injury is there when the library is open and the parking lot and sidewalk icy? I suggest all these issues be referred to the County attorney’s office and not be part of the interaction between the Friends and the Library Board of Trustees.

I did a cursory review of 30 Library/Library Friends MOU statements, and although a thorough review is certainly in order, I do have the following observations:

- The tone and language of all, no exception, of those I reviewed was one of mutual benefit, purpose and accord.
- *All* expressed the vital role of Friends
- *All* began with clauses outlining what the *Library* provides to the Friends, not the reverse. The library, in various wordings, named discarded library materials (not exclusively books, but also outdated computers and other equipment as well) for re-sale, space for working and sorting, for the larger libraries (of which FCPL would clearly be one) office space and equipment, increasingly permanent “store” spaces for continuous sales of not only used books but other items as well, frequently new books, souveniers, refreshments, and so forth. More than a few Friends have independent websites (as indicated by .org) and publications. Large library groups also had online catalogs with literary-related gifts, cards, etc. I could not find any library MOUs suggested such restrictive space, workroom, and other constraints as now exist in FCPL. Storage was specifically provided – not requiring Friends to construct separate storage spaces.
- *All* indicated the role of advocacy.
- *All* indicated that Friends were independent organizations.

I noticed that the FCPL drafts proposed separate MOUs for each branch. Although I understand that as each is a separate corporation, I would propose that part of strengthening the Friends might by a unified FCPL Friends MOU with the Library Board of Trustees (as a policy matter I think this is appropriate). In this case, the Friends could form a unified collaboration to provide support to all and secure agreements for all. To that end there needs to be a Friends of the Library office and staff to be able to fulfill office and publication matters. It is normal for charitable organizations to have such support as part of their overhead. This office would also serve to house the document files of the Friends groups.

To make this umbrella group truly effective, I have two additional suggestions: (1) it should have the ability to invite other non-branch affiliated Friends to form and join, e.g. Friends of Genealogy, etc.; (2) the addition of an attorney to represent the Friends as needed on all internal and intra-agency matters as well as external matters. Additionally, each and all the Friends need to be free to form MOU agreements with other agencies – one example which came up in my scan was the affiliation formed between the equivalent of our county public works, where there Friends engaged in raising funds and contributions during renovations for additional equipment, furniture, furnishings, landscaping, etc. with naming rights to the donor organizations.

Some of you know that I worked for organizations serving libraries in many varied circumstances. Some of those libraries no longer exist. Their funding simply ended. Their welcome in their communities ended. Some of those libraries were in the United States. Not here. Don't let it happen here please. The words of a former Fairfax County Executive still echo. He said that in hard times, parks and libraries are no longer needed. He shut them down before and would do that again. Parks and libraries are a miniscule part of the County budget, even so smaller each year.

We can do it, but only together. ******************************************
In the over ten years I have been on the board of the Friends of the Great Falls Library (FGFL), we have had almost no contact with our Trustee or other Trustees. Now there has been a flurry of activity, but none directed at improving our support of the Fairfax County libraries and communities. These communities are about as diverse a group as one can imagine, and the attempt to standardize the respective library Friends groups and increase central management is more likely to be a hindrance than a help. It is significant that in all the discussion that has recently gone on, no failures or serious operating problems have surfaced.

The current MOU version (September 2017 Friends MOU draft) is an improvement over past drafts but remains unacceptable. The tone also remains legalistic and adversarial, not an agreement between allies engaged in a common purpose. Moreover, it shows a surprising lack of trust in the managers of the individual libraries, who are hardly mentioned in the document although in reality they are the primary interface between the individual Friends groups and FCPL system.

Possibly the most onerous requirement is 2d, which require all purchases, no matter how small, are to go through the financial division of the Library Administration. This bureaucratic nightmare is a waste of both county and Friends resources. It also greatly limits spontaneous events. It would make much more to have a dollar threshold, say $250.

2c./4f. Request for financial data is also of concern because it is unconstrained. Why can’t the requirement be for the Friends groups to provide a copy of their IRS 990 or equivalent?

5a. Why the 5-year time limits?

6a. Requirement that Friends groups obey the law - a bizarre and insulting requirement.

As suggested earlier, this “one size fits all” MOU may not be the best approach, particularly if county lawyers and accountants are doing most of the drafting. We need a simpler document, which recognizes the co-dependence of the parties and their shared goals.

John Reeder
Treasurer, FGFL

*****************************************************************************
Comments on the draft MOU

- General comment-would like to see the language cleaned up; changing directives to guidance where appropriate.
- General comment-this document can set the stage for relationships between FOL groups and the Board, and would allow for no misunderstandings; focus on clarity.
- General comment-the tone of the language is too legal; it should be updated to be more plain language.
- Section 3Bii-remove the portion that states “or become inactive and not hold a board meeting for a period of one year” and replace the removed language with something more defined, such as “If there are no FOL members left to make decisions, all remaining assets...”.
- Section 4F-remove the segment “cash/bank account balances”.
- General comment-if there are additional areas that FOL groups would like to see added to this document, would the Board be willing to do addendums specific to each FOL groups needs/requests?
- General comment-requested copy of a licensing agreement to review *(Library Board’s Mt. Vernon at Home agreement provided 9/27/17)*

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To Whom It May Concern,

I am writing to share my comments on the draft MOU that was provided to Friends groups on September 13th, 2017. I find this draft to be skewed even further in favor of the county, while offering only bare bones, non-committal interpretations of the Friends requests in exchange.

Specific examples are as follows:

1) The provision granting the board the right to cease providing resources should it decide that VA code, or the MOU are not being met would place the Friends longevity entirely at the mercy of the county. This single addition shatters any remaining trust, or hope for a mutually beneficial agreement. I recommend this language be removed in its entirety, and never proposed again.

2) The self-reporting clause is far too detailed, and still mentions reporting of bank balances and cash reserves. There has yet to be a reasonable justification for why the county needs this information. Kingstowne Friends is amenable to reporting, but not at this detail. I recommend that "to include" be replaced with "for example", and that you allow groups to furnish the information they are comfortable providing.

3) The licensing agreement that used to be a paragraph/policy in the previous draft MOU now seems to be its own agreement the Friends are expected to sign. The Friends are already far too concerned over an unfavorable MOU to then have to also comb over a separate licensing agreement. I recommend that this provision return to its state in an earlier draft.

4) The inclusion of a unilateral indemnification clause is extremely troubling to the Friends. The Friends request the same consideration, with the inclusion of a clause that the county will indemnify the Friends in return.

5) The introduction of unilateral termination by either party seems to render a lot of other provisions unnecessary. We are interested in hearing why this provision is only being proposed now.

6) The provision concerning funds on dissolution conflicts with many Friends current bylaws. I recommend that the MOU officially defer to Friends bylaws insofar as what happens upon dissolution.

7) The language granting the county rights to Friends logo and brand is extremely troubling. It is even more troubling when paired with language demanding agreement not to portray each other in a disparaging way. What is the rationale behind including this language? I recommend that it be removed in its entirety.

Finally: we feel that the extremely vague agreement of meeting annually to discuss issues of importance which may include goals is a fraction of what the Friends requested. Friends requested to be officially included in the long term planning process. I recommend wording this provision in the manner originally requested by the Friends.

All in all, this most recent draft is extremely disappointing given the degree of outreach that was performed. I sincerely hope that the above provisions are modified or removed, and that future revisions of the MOU will be far more balanced.

Best, Peter, President: Friends of Kingstowne Library

********************************************************************
Dear Mr. Lutz:

I have been a volunteer for the Friends for many years on the sale of used books, logging typically 3-4 hours a week on Wednesdays and once a month another 4-6 hours on the Kingstowne monthly sales. This is sometimes physically grueling -- emptying bins full of donated books; sorting through them to help the head librarian discover books that can go directly to the shelves for patrons to enjoy; weeding out books that are not salable (mildewed; falling apart; smelling of cigarette smoke, and the like); categorizing the books, storing them in the back room based on categories; restocking the used book shelves; pricing gems; setting up monthly sales, and so forth. I also manage Amazon book sales of books that command far higher prices than can be expected from trying to sell them at the monthly events.

So I am primarily concerned that the MOU fully and explicitly acknowledge that the monies I help raise stay with the Branch (save for Library Central share of credit card sales) and are controlled by joint arrangement between the Branch head librarian and the Friends organization for the benefit of the Branch.

The MOU is somewhat vague on this, particularly with respect to:

"d. The Friends shall make all donations through the financial division of the Library Administration. In the event that a donation is designated for use in connection with a specific event (e.g. a children's program), the Library will process the donation and coordinate directly with the relevant vendor for that program. The Friends acknowledges the importance of routing all donations and program activities through Library Administration so that the Library can ensure compliance with Fairfax County procurement, access, and insurance requirements."

What is meant by “donation”? If the Friends want to buy a copier for the Branch that the head librarian says meets a need, does the purchase have to go through the County procurement system? And subject to second guessing by bureaucrats at Library Central in Fairfax (do you really need a copier)? Or purchase of shelving for Used Book Sales? Or purchase of fliers for used book sales? Or purchase of postage and boxes for mailing used books that an Amazon buyer has ordered? Or can the Friends buy independently of that system? Are the Friends of the Kingstowne Library a subsidiary of the County or an independent actor whose hard work is meant to benefit the Branch and who should have some say in how the monies are used? What exactly is the mechanism by which the Head Librarian and the Friends collaborate — that is what is missing from the MOU.

Michael Miller
Friends of Oakton Library
Comments on Draft MOU dated September 13, 2017
Respectfully Submitted on September 22, 2017

The Oakton Friends agree the draft MOU shows a willingness on the part of the Board to listen to
Friends’ concerns and make accommodations. We acknowledge and appreciate the spirit of
cooperation.

Listed below are our comments, by section.

WHEREAS, the Friends is organized for charitable purposes to promote, raise funds for, and distribute
funds to the Fairfax County Public Library (“the Library”) for the benefit and support of the Library; and

Comment: the Friends of Oakton Library exist primarily to benefit the Oakton Branch as stated in our
By-Laws, so will need confirmation that Paragraph 2 allows for this primary purpose.

1. The Board is giving the Friends written permission to use the name … in connection
   with its charitable
   fund-raising activities .... The Library reserves the right to revoke this written permission at any time.

Comment: Under what condition(s) would the Library revoke this permission?

2.b. …. money received … shall be used primarily to support the Library branch or the Library system.

Comment: Is this where Friends are given leeway to make donations to the Foundation, Fall for the
Book, etc.? Will need confirmation that is the purpose of the word ‘primarily’.

2.d. …shall make all donations through the financial division of the Library Administration.

Comment: If the Friends are a separate entity, have insurance and use other documents such as
contracts, we are within our rights as a corporation to donate and expend (especially smaller
purchases, time-sensitive purchases, book sale supplies, etc.) outside the County procurement process
for the benefit of the Branch and with concurrence of the Branch Manager.

3.b The Friends will file its Articles of Incorporation with the SCC.

Comment: This should say: The Friends will comply with SCC regulations.

3.c. The Friends shall make such records available to the Library upon request on an annual basis.

Comment: Please define “Library”. Meaning that the Library position that is authorized to request
financial records should be stated. A scenario of multiple requests from various positions should be
avoided.

This section is redundant with regard to 4.f. Please state the annual reporting requirement in one
section or the other.
4.b. The Library will meet at least annually with the Friends ... The Library will assign a staff member to attend Friends’ board meetings, when possible.

Comment: In this section, who is “The Library”? The Director, a Trustee, the Branch Manager?

4.e. The Friends shall designate a point of contact for communication and coordination of activities with the Library. Unless advised otherwise, the President of the Friends will be the point of contact.

Comment: Insert:

4.__. Unless advised otherwise, the Branch Manager will serve as the point of contact for the Friends.

4.f. The Friends will self-report to the Library on an annual basis...

Comment: Report to whom? Please state a specific position e.g. Director, Trustee, Branch Manager.
Note: Please see comment for 3.c and put the clarified financial reporting issue in one section or the other.

5.a. This Memorandum shall continue in effect until December 31, 2021...

Comment: The term should be a period of time from the date of full execution by all parties. Because, importantly, the MOU will need to be re-signed when there is a change in Friends Presidency and/or change in Chairman. Suggest this must be accomplished within 30 days of any such change.

6.b. License Agreement: The Friends shall execute a separate License Agreement...

Comment: Sample license agreements should be made available to the Friends before requesting agreement to this provision. Examples: Friends work room inside a library, Friends separate outdoor storage space, FCPL book warehousing space.

Comment: Insert:

6.__ Nothing in this section shall prohibit the Friends from using office space at the discretion of the Branch Manager. (e.g. outside of the Friends room we are currently allowed a drawer for office supplies, a shelf for indoor plant watering supplies, part of a cabinet for refreshment supplies)

6.c. Indemnification:

Comment: It is inequitable for the Friends, whose assets are exponentially less than County assets, to be expected to indemnify the Board and Fairfax County without reciprocity.

The Friends and the Board and Fairfax County shall indemnify and hold harmless one another from and against all losses, damages, expenses, claims, demands, suits, and actions by any party against the other based on any intentional or negligent action or omission to act by any member or agent of the Friends in connection with any work or activities performed or conducted by the Friends relating to the County or the Library or the Board.

6.e. Public Communication
Comment: Do the Friends have the right to use the FCPL logo in its communications?

6.f. Immunity: Nothing herein shall be deemed to constitute a waiver of applicable sovereign immunity on the part of the Board.

Comment: The Board has no claim to sovereign immunity so this must be removed.

General Comment: The draft MOU potentially removes the Branch Manager and the Director from involvement with the Friends as neither position has stated duties. To what purpose?

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Sherwood Friends Concerns re Friends/LBOT MOUs

This memorandum is provided based on comments provided by several members of the Friends of Sherwood Library and not formally by the Friends Board. The Board has been unable to review these comments and will submit an updated submission following the October LBOT where we are told all comments provided to the Board will be made available for our consideration as well as the Board. The Friends Board will respond prior to the end of October as communicated by Miriam Smolen, MOU Committee Chair.

It is our understanding that the September 13, 2017 version of the MOU will come to the Board as a Consideration Item in October along with comments from Friends groups and the public. No discussion will be permitted. It will be resubmitted as an Action Item the next month with discussion and possible adoption or rejection. However there is no mention of any effort by the Board's MOU Working Group to review and respond to any comments and concerns. We have a number- some minor, some major.

We plan to meet with our Board Member and strongly encourage him to support either holding the Consideration Item until the MOU Committee can review community input and make needed improvements or at a minimum insure the Action Item is referred back to the MOU Committee for improvement rather than trying to "fix" any issues in general discussion by the full, partially briefed Board in November.

Overview: For many years the Friends Group at Sherwood Library has worked to enhance the "library experience" for our community. This includes direct support through the FCPL financial system for upgrading internal physical facilities such as new computer stations, "soft furniture" for public areas (twice), major improvements to all conference rooms, additional study carrels, and many more specific items for tens of thousand dollars (over $70,000 in recent years), plus continuing support for formal programs through FCPL to enhance adult, teen and children literacy and other activities. We have also provided significant support for local activities at Sherwood Library that do not go through the FCPL financial system, and basically could not be done effectively under that system. In addition, essentially all support of local community activities to increase use of the library, recognize volunteers, support local outreach programs, etc. as recognized in the Board encouragement and support for such activities (WHEREAS 3) are directly supported.

Comments/Concerns by section.

Introduction: Switch order of WHEREAS 2 and 3. Consolidates overall nature of the partnership between Friends and Board.

1. Permission to solicit Using name of Library: Why the last sentence? Already covered under Item 5. Delete.

2. Resources: Item a. No problem. Much is irrelevant to us re library owned used books as we have not received any for years. Board Policy M covers public donations. Items b and c. No problem. Item d. Major problems! The opening dictum that all donations must be made "through the financial division of the Library Administration" is a non-starter. And conflicts with the opening principles of the MOU, i.e. WHEREAS the Board encourages and supports the Friends as they work to increase community awareness ....and sponsor programs designed to add to the cultural life of the community". All formal library programs are routinely processed through FCPL, such as those outlined in the Overview above, in coordination with the Branch Manager. Reimbursements to staff and others for
snacks and items for local library programs, volunteer recognition, landscaping, community outreach, book sale expenses, etc. do not and are not compatible with Library Administration procedures. The Board website information indicates that this be addressed within Section 4 calling for self-reports on an annual basis. However this clause only has a single fiat! **Must be re-written and clarified as to what needs to go through FCPL finance.** Also not covered here or elsewhere in draft MOU is status or procedure re Library Foundation which co-supports a number of activities with FCPL. We have always sent our support for these activities directly to the Foundation. Are these now FCPL formal programs?

3. Organization of the Friends: Item a. Still not clear on reason why incorporation needed. Needs clarification as it will take considerable effort to do all the paperwork. We expect to need assistance with process. Item b. Will need to amend current bylaws if the Board and Library Foundation must be explicitly included. More general bylaw clause covers existing Friends groups or a successor Sherwood Organization. Item c. No problem with requirement to maintain 501.c(3) status with appropriate records except for last sentence - "The Friends shall make such records available to the Library upon request on an annual basis". Unclear what is reason for Library to examine 501.c records of independent organizations. **Delete. The basic information is to be included under self-reporting in Communication and Coordination, Item f.** Item d. Our current tax exempt status letter expired and will have to figure out how to do as corporation. Item e. Accepted but unsure what we will actually do.

4. Communication and Coordination: In general most items are fine. But questions re implementation of some items. General concern there is no mention of Branch Managers in any aspects of this section, just Library. Current MOU has Branch Manager as principal contact and source of desired program activities, liaison with Administration, etc. Over the years they have provided valuable, knowledgeable and indispensable communications with Library Administration to both the Friends Board and our members with participation in our internal and public meetings. **Query - What role for Branch Managers in all this or only Administration?** Why not language similar to Friends contacts, e.g. Branch Manager unless advised otherwise?

Not needed in MOU but reasonable protocols for coordinated reports, meetings, need to be developed as we enter the new era.

5. Term and Termination: In general principles are fine. However, unclear why such short term renewals-every two years! Reason? Most/all Friends are long term activities. Item c. Not sure what this means? If terminated all activities cease.

6. Additional Provisions: Item a. A given. Why include? Item b. Need to see a draft license agreement before commitment to "any" conditions, etc. This could be a nightmare if over zealous conditions are proposed. Item c. Indemnification - **where is the parallel clause for the Friends from the County or Board?** Item d. Abrogation. Okay- probably covered in earlier clauses. Item e. Awkward wording-need a communication editor. Item f. What purpose or reason for inclusion? Lawyer stuff?

7. Notices: Assume more than one person/position can be identified. As volunteer organizations Friends do not have nine to five offices and schedules, vacations, etc. sometimes cause communication issues in the short term At a minimum two contacts should be included as needed.
Dear Trustee Smolen:

The Fairfax County Library Advocates appreciate the time and effort you and your fellow Trustees have devoted to meeting with representatives of various Friends Groups in recent months to discuss the County's proposed rewrite of existing MOUs. But, while some progress toward a consensus has been made - for example, the ill considered "3X" proposal having been eliminated - overall the draft MOU remains unacceptable in its present form. After careful review, it is obvious the proposed MOU does not serve the interests of the Friends, our volunteers, the public, our respective libraries, the County or, for that matter, the Trustees.

There are problems of tone and substance with the draft, which we understand are being addressed by multiple individual Friends Groups and thus we won't repeat.

The goal of the Advocates is to support and strengthen the Fairfax Library system. We believe this can best be accomplished by encouraging close collaboration between everyone who believes in this goal - professional staff, our political leadership, the public, the media and all the irreplaceable volunteers like yourself and the other Trustees, the Friends and the hundreds of individuals who give unstintingly of their time and energy to make Fairfax Libraries the cornerstones of our community.

With a modicum of mutual respect and a collaborative spirit, the Trustees and the Friends could reach a mutually beneficial conclusion to this effort in one of several ways.

1. Keep the existing MOUs. The current MOUs have served all parties well for over a decade now. In a single page they capture everything needed for a successful and productive relationship between the Trustees, the Friends and the Library Administration. (see attachment 1)

2. Adopt a new draft MOU. Fairfax is not the only jurisdiction with Friends groups. Examples of best practice abound. Attachment 2 is basically our current MOU plus recommendations from the American Library Association.

3. Start over. But this time include the Friends at the beginning of the process, not the end. With good will on both sides, a new draft could be developed in a short afternoon.

Again, our thanks for your service and dedication to the Fairfax Libraries. We appreciate how difficult it can be to deal with multiple stakeholders, and hope our suggestions will be taken in the spirit of working together we intend.

Best regards, Dennis

Dennis Hays
Chairman, Fairfax Library Advocates
APPENDIX A

MEMORANDUM OF UNDERSTANDING BETWEEN THE ____________________ FRIENDS ORGANIZATION AND THE BOARD OF TRUSTEES, FAIRFAX COUNTY PUBLIC LIBRARY

Purpose of Friends of the Library Organization:

The Library Board encourages and supports Friends of the Library organizations (FOL). “Friends of the Library” are civic-minded men and women who know that quality library service is important to the community and who organize into groups to support, improve, and promote the library. Friends are organized with one or more of the following objectives:

- To increase community awareness and use of the library;
- To work for library legislation or appropriations;
- To encourage gifts, endowments, and memorials for the library;
- To provide direct financial assistance;
- To raise money and campaign for a new building, renovation, or expansion;
- To sponsor programs designed to add to the cultural life of the community; and
- To do volunteer work in the library on specific projects designated by the Director.

Requirements:

- All Friends of the Library groups shall conduct their fiscal affairs through non-profit, non-stock 501(C)(3) tax exempt corporations.
- Each FOL group shall be structured through articles of incorporation and bylaws designed to support, assist, and promote the activities of the branch or department.
- Each FOL group shall have:
  - A statement of purpose outlining its program activities and related utilization of library facilities,
  - Recognition that the Fairfax County Public Library endorses a policy of Open Meetings, Open Records, Affirmative Action, and its Code of Ethics, and expects Friends Groups to understand, cooperate, and comply with such policies.
- Friends gifts to the system will be considered in accordance with the Library Board’s Policy M. “Policy Regarding Gifts to and Alliances with the Library System.”
- FOL groups have the authority to sell discarded library materials in accordance with the State Code.
- FOL financial records will be maintained in compliance with the group’s by-laws and articles of incorporation.
The Branch Manager will serve as the primary representative of the Fairfax County Public Library in coordinating activities of the Friends of the Library.

- The President of the FOL will be the primary liaison for the Friends.

Agreed to this _________________________ day of _________________________

By ________________________________________ Chairman, Library Board

________________________________________ Library Director

________________________________________

President, FOL _________________________ Branch Manager

_____________________ Library

05/17/07
Memorandum of Understanding  
Between the  
Fairfax County Library Board of Trustees and  
The Friends of the ____________ Library

The Fairfax Friends of the Library organizations are committed to supporting  
the County’s libraries through donations of volunteer hours and financial  
support for selected initiatives. The Friends’ mission is to enhance library  
services to promote literacy and the transmission of knowledge and culture in  
our community.

The Library Board recognizes the important role of the Friends groups as an  
essential component of the Library system. Specifically, theLibrary Board of  
Trustees represent citizen control and governance of the library. The Library  
Director represents the administration and management of the  
library. Friends of the Library represent citizen participation and assistance  
to the library.

This MOU summarizes how Friends and Trustees approach these goals.

It is therefore the policy of the Library Board to encourage and support Friends  
of the Library organizations. “Friends of the Library” are civic-minded men and  
women who know that quality library service is important to the community and  
who organize into groups to support, improve, and promote the library and  
literacy.

In order to achieve countywide consistency and fiscal accountability, all  
Friends of the Library groups shall conduct their fiscal affairs through non-  
profit, non-stock Virginia 501(c)(3) tax exempt corporations. Each organized  
group should be structured through articles of incorporation and bylaws to  
support, assist and promote the activities of a Library branch or department.

Friends are organized with one or more of the following objectives:
a. To increase community awareness and use of the library
b. To work for library legislation or appropriations
c. To encourage gifts, endowments, and memorials for the library
d. To provide direct financial assistance
e. To raise money and campaign for a new building, renovation or expansion
f. To sponsor programs designed to add to the cultural life of the community
g. To volunteer to work on specific projects proposed by the Branch Manager
h. To provide community involvement and participation during the planning and construction phases of renovations of existing buildings and the construction of new buildings.
i. To engage in advocacy and public education in support of a vibrant, constantly improving library system to best serve our fellow citizens.

The Friends endorse and will comply with Fairfax County’s policy of Open Meetings, Open Records, Affirmative Action, and general code of Ethics.

Each Friends’ Group will develop with its respective Branch Manager a statement of purpose outlining expected program activities and related utilization of Library facilities, personnel, utilities and equipment.

Each Friends’ Group will designate a coordinator or liaison to be the point of contact with the respective Branch Manager. The Branch Manager or designated representative shall be an ex
officio member of the Friends Board and shall have authority to administer this agreement on behalf of the Fairfax County Public Library. Friends Groups will receive appropriate staff support.

Each Branch with a Friends Group will provide public display space for Friends membership brochures and promotional materials. The Library will also provide adequate space for book storage and sorting, book sales, and office needs.

Funds raised through various Friends initiatives will be used to support the Fairfax Library System, the Library of Virginia, Library based educational and cultural programs and literacy and enjoyment of reading throughout the broader community.

Branch Managers will periodically present “wish lists” or budget requests for Friends consideration. The Friends’ Officers and Board will discuss and vote on these requests.

The Library Board will include the Friends in the long-term planning process to ensure that the Friends are aware of the goals and direction of the Library, and are involved in the preparation of major efforts in community and public relations. The Library Board will invite a representative of the Friends to speak at each of the Board’s scheduled meetings.

The Library Board will share with the Friends strategic initiatives as they develop and offer suggestions as to how the resources of the Friends can further these initiatives, especially in presenting periodic "wish list" items that might interest specific donors.

Friends' gifts to the system will be considered in accordance with the policy stated in the Policy Manual, Section M, "Policy Regarding Gifts to and Alliances with the Library System." Friends Groups have authority to solicit, retain, and expend funds they determine are appropriate to their program goals.
With respect to the donation of library materials to Friends organizations: In accordance with the Virginia Code 15.2-953-B, the Library will donate library materials to Friends’ organizations for sale to the public. Revenues from such sales will be used to support the programs and services outlined above. When a sale is coordinated and operated solely by the Friends’ organization, all proceeds accrue to the sponsoring Friends’ organization. If the sale is an "on-going" event, i.e., sale of donated books by the staff on a continuous basis, the proceeds are divided with 35% retained by the library system and 65% retained by the Friends organization.

This Memorandum of Understanding will be in force unless and until modified by mutual agreement.

The Library Board and the Friends believe the Fairfax Library System to be a cornerstone of our community that provides a vital and essential service to help educate, inform, empower and entertain all of our citizens, whatever their situation.
A MOU is a mutual agreement between equal parties. But while the proposed MOU recognizes that the FCPL Friends are "an independent, separate legal entity" it then proceeds to dictate to the Friends in a completely one-sided manner - as if we were more like vassals than equal partners. Certainly, this version is better than the utter train wreck of heavy-handed financial coercion which began this process but the tone of condescension and paternalism which has proved toxic throughout this process remains unabated. Repeated threats that the Friends receipt of donated materials and even our use of our own names as Friends can be revoked on the whim of the Library Board make that unequal footing crystal clear.

There is no need to stipulate that FCPL Friends should primarily support FCPL. That has never been an issue. But FCPL Friends also support the FCPL Foundation and have contributed materials to worthy charities in the Metro area including a variety of community and youth centers, after school programs, literacy programs and even some FCPS teachers who have requested materials. Indeed, FCPL managers have passed numerous requests from such entities on to their branch Friends. The MOU should absolutely NOT discourage such efforts.

While having to route contributions through the County financial channels makes sense in many cases, there are numerous occasions where Friends contribute everything from refreshments for events to gardening supplies which it would be at the very least impractical and in some cases impossible to go through the County to pay. There needs to be room left for those situations.

The provision that the Friends, as an independent separate entity, must report all of our financial information is excessively intrusive and completely unnecessary. It is a perfect example of the disrespectful paternalism pervading this document and this entire process. The branch managers each attend the board meetings of their respective Friends groups. They are present when the treasurers of those groups make their reports and distribute handouts on current finances. There is complete transparency there where the manager who actually makes the annual requests to that branch Friends group for funding is kept aware of the basic funds available and being earned. There is no need for Big Brother/Sister Fairfax County or FCPL Trustees to all have that information reported to them by the FCPL Friends. Of course, the branch managers have always been able to pass on any information they receive in Friends board meetings.

FCPL Friends already comply with state and federal requirements in terms of registrations and financial reporting. I have heard widespread concern from other Friends about the push for additional registrations and insurance - both about the costs/burden for smaller groups as well as the non necessity. I do not believe that additional requirements beyond those already in place for decades are reasonable.

As Friends are a primary partner for FCPL, I suggest the Trustees provide a place in every meeting to hear from the Friends - regardless of the regular guidelines for public comment. The same should be true for FCPLEA - as it has been for several year until recent ill advised curtailing of FCPLEA comments. You need more communication from both Friends and frontline staff - not less.

The business about Friends needing to "license" our presence in County buildings seems unfriendly - if not downright hostile. Do PTA's have to license their presence in FCPS buildings? Talk about making FCPL Friends feel like guests rather than partners.

Why is the indemnification clause strictly to protect the County and the Library Board with no equivalent clause to protect the Friends? Again, the one-sided nature of this document and this process rears its ugly head.

I am troubled by this statement: "Each party agrees that it shall not participate in activities that would portray the other party in a disparaging or unfavorable way." Who defines portraying in an unfavorable way? Does that mean mere criticism or disagreement with policy? FCPL went through a wrenching experience just a few years ago in which a substantial portion of FCPL Friends, staff, retirees and general public profoundly disagreed with a direction being pursued by FCPL's Director and Library Board. Indeed, it was that very opposition which stopped those plans and changed the entire future
trajectory of FCPL. If such a clause had existed at that time then the Director or the Board could have declared that the Friends were portraying them in an unfavorable way. Such censorship and trampling of the Friends right of advocacy for what we think is best for FCPL can never be included in any MOU accepted by FCPL Friends.

Finally, in spite of repeated suggestions that FCPL adopt the sort of MOU model advocated by the American Library Association which gives EQUAL responsibility/commitments to the Trustees AND the Friends, this document remains massively one-sided with little sense of mutuality or partnership between equals. You will also notice that the ALA model does not use all the off-putting and intimidating legalese this MOU committee is so fond of.


At the end of the day, you have put forward a MOU which I know several of the FCPL Friends will never sign as is. So then what? What is the ultimate goal here? To force the ultimate dissolution of the library Friends? To so insult, disrespect and alienate us that we walk away? It remains a puzzle to me that folks who devote countless hours of their time and talents in support of FCPL are seemingly viewed with so much suspicion and even outright hostility. We are the best friends a public library could have yet we are treated more like unwelcome guests. We are rightly the partners of FCPL - the first and best connection between FCPL and the community - yet we are treated more like feudal serfs to be dictated to rather than those to be worked respectfully alongside of. This is truly a failure of vision and a tragic lost opportunity on all sides.

Charles Keener, TY Friends Board member (and FCPL retiree as of December after 43 years).

***************************************************************************
29 September 2017

Ms. Miriam Smolen  
Chair, Ad-hoc MOU Committee  
Board of Trustees  
Fairfax County Public Library

Dear Ms. Smolen -

We appreciate the opportunity to give feedback at the sessions which covered the MOU-in-progress, and for this latest iteration of the proposed Memorandum of Understanding. This demonstrates the process for interacting with Trustees has improved markedly from years past. We also appreciate your personal time as a volunteer in trying to improve the support provided to our libraries.

As you know, the Friends of the Reston Regional Library (FRRL) have operated continuously for the past 30-plus years, growing steadily with a current regular volunteer force of over 100, and more than 360 members. Most Friends volunteers have had longstanding service over many years and dedicate hundreds to thousands of hours per year. They do this because they believe in education and literacy, and the local representation of that in the Reston Regional Library. And our Reston Friends are all in favor of a cooperative, mutually respectful relationship with the Board of Trustees to the benefit of our Branch and the entire library system.

However, this draft of the MOU still does not incorporate much of the feedback provided, nor does it reflect the spirit of partnership the Friends groups believe should exist between us and the library system. For example, unlike the version we have seen circulating around as a proposed alternative, the latest Board of Trustees draft MOU doesn’t follow any of the recommendations put forth by the ALA (American Library Association) in their guidelines for relationships between library systems and Friends groups.

From what we have heard, our comments (attached) may be similar to those expressed by many of the Friends groups -- but these are intended to represent Reston alone. We believe each group should be allowed to speak for themselves, as each have differing circumstances and concerns which might be affected by a “one-size fits all” approach to the MOU. With that in mind, we also suggest considering a final MOU which uses more general language, and then encouraging the Board of Trustees and library administration to work with the individual Friends groups on any concerns specific to their organizations.

Other section-specific comments follow:

Preamble: The Friends groups, including FRRL, are not organized solely for the benefit of FCPL. This is counter to the requirements by the IRS for 501c3s. Rather, we are an educational non-profit organization which has supported and will continue to support literacy programs and many community educational projects, including but not limited to the Reston Library and FCPL system. We recommend updating this section to reflect adherence to the IRS 501c3 regulations.

1. Permission to use library name. Under what circumstances would such permission be revoked, and what is the recourse? This subjective language is open-ended.
2. Many interpret the statement about withholding donations as an implied threat. Again, what circumstances would cause this halt of donations? This type of statement implies a lack of trust and partnership, and could arbitrarily be applied to any statements made as advocacy for the FCPL system or under Friends’ volunteers First Amendment rights.

2b and 3b. As previously noted, the primary purpose of FRRL mirrors the educational purpose language used by the IRS to define 501c3’s. If and when FRRL dissolves, the FRRL board (per IRS regulations) could disburse remaining funds to any valid 501c3 charitable organization. Update this section accordingly.

3a. FRRL happens to have previously incorporated with the Virginia State Corporation, but this is not a legal prerequisite to seeking IRS 501c3 status. Smaller Friends groups could be harmed by the costs of such a blanket requirement, and this is not a legal requirement at the state or federal levels.

3c. FRRL applied for and was granted IRS 501c3 status. We have maintained records for their satisfaction, and will make our annual federal form 990 available upon request.

4F. “The Friends will self-report...”. FRRL is an independent organization. We already file Federal form 990 which covers yearly financial and governance information. Having other reporting requirements are not legally required and would be burdensome to our all-volunteer staff, and merely reporting the balances would be an invitation to take such numbers out of context and not take into account location-specific needs/issues or longer-term planning for which funds have been earmarked. We have open meetings, with complete transparency to our members and to the general public, and always specifically invite our branch manager to attend, so a discussion of finances can be undertaken in context.

6A. It’s not necessary to attempt to codify the adherence to laws; we assume that responsibility as an independent organization. In general, the proposed MOU ignores the essential nature of Friends groups like FRRL as independent organizations. As such, any provisions relating to how funds are allocated, where they are directed (subject to IRS 501c3 educational charity guidelines, of course), and reporting are inappropriate. The Reston Friends comply in every way with all federal and state licensing, permitting, and filing requirements of which we are aware.

6B. Signing a separate licensing agreement to use the internal space is fine, but agreeing to do so without knowing the terms in advance is not appropriate.

6E. Arbitrary, ambiguous and subjective words like “favorable”, “disparaging” or “unfavorable” are completely open to interpretation in the eye of the beholder. This section is unnecessarily inflammatory and should be deleted.

The proposed MOU is disappointing in the overreaching burdens it attempts to place on independent Friends organizations, as well as in its tone, which reflects more of a commercial contract (with attendant pejorative enforcement clauses) than a collaborative document between two parties whose interests should be fully aligned. The end goal should be “how do we together support and strengthen Friends groups (who in turn support the library system) and recruit new Friends volunteers to provide sustaining support to the library in the future?” Nothing in the proposed MOU addresses this simple question. The Friends groups are unique
in resources, approaches, and philosophy, and are a natural constituency that the FCPL system and Trustees are needlessly alienating. If the “final” MOU retains many of the concepts highlighted here, it would be unacceptable to our community of volunteers, and we would be unable to sign that version.

Therefore, on behalf of the Friends of the Reston Regional Library (FRRL) Board of Directors, we look forward to continuing discussions in the hopes of reaching joint agreement on a memorandum of understanding acceptable to both parties -- one which proceeds on the basis of mutual respect, trust, and our joint dedication to supporting our libraries and their important missions.

Sincerely,

Brian Jacoby
President, Friends of the Reston Regional Library
CONSIDERATION ITEM
October 11, 2017

ISSUE: Update to Policy B Regarding the Availability of Service in Fairfax County and City

RECOMMENDATION: Library Administration recommends updating Policy B for grammar edits and language updates.

BACKGROUND: The ad hoc Policy Committee of the Library Board of Trustees met on September 15, 2017 to discuss a number of policy updates. One policy brought forward by the committee for update is Policy B, regarding availability of services in Fairfax County and City. The policy requires updates to correct spelling and wording errors, as well as to remove extraneous examples. The current version of the policy and the recommended updated version of the policy are included in the attachment.
Policy Regarding the Availability of Service in Fairfax County and City

The entire resources of the Fairfax County Public Library are available to all borrowers. Collections are developed for the reading abilities and special interests of children and young people, as well as adults, and Library personnel are available to provide guidance if requested. Parents are responsible for supervising the children's reading.

1. State law, Code of Virginia 42.1-55 requires that "The service of books in Library systems and Libraries receiving state aid shall be free and shall be made available to all persons living in the County . . . "
   a. To borrow free from Fairfax County Public Library, a person must either reside, work, attend school, own property in the County or City of Fairfax, or be a registered borrower with any public library system participating with Fairfax County Public Library in a local, regional, or multi-state program of reciprocal borrowing privileges.
   b. A fee may be charged directly to a jurisdiction for Library service via a contract.
   c. Nonresidents and transient borrowers shall be charged a fee or deposit for Library privileges according to a schedule determined by the Library Director.

2. As determined by the Director, acting in accordance with Trustee Policy, the use of the Library or its service shall be limited when excessive demands of groups or individuals tend to curtail service to the general public. Such demands may include those made by students, puzzle contestants, and others whose demands for staff time, available materials, or space would prohibit attention and service to other individuals or groups.

3. As determined by the Director, acting in accordance with Trustee Policy, the use of the Library or its services may be denied for due cause. Such cause may be failure to return materials or to pay penalties, destruction of Library property, disturbance of other patrons, or other objectionable conduct on Library premises.
Policy Regarding the Availability of Service in Fairfax County and City

The entire resources of the Fairfax County Public Library are available to all borrowers. Collections are developed for the reading abilities and special interests of children and young people, as well as adults, children, teens and adults and Library personnel are available to provide guidance if requested. Parents are responsible for supervising their children's reading.

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[insert approval date]
CONSIDERATION ITEM
October 11, 2017

ISSUE: Update to Policy G Regarding Selection of Materials

RECOMMENDATION: Library Administration recommends updating Policy G for grammar edits and language updates.

BACKGROUND: The ad hoc Policy Committee of the Library Board of Trustees met on September 15, 2017 to discuss a number of policy updates. One policy brought forward by the committee for update is Policy G, regarding selection of materials. The policy requires updates to correct grammar errors and to update phrasing, as well as to expand on the re-evaluation of formats. The current version of the policy and the recommended updated version of the policy are included in the attachment.
Policy Regarding Selection Of Materials

The selection of library materials will be based on the Library's mission to meet the educational, informational, and recreational tastes and needs of the community and its citizens. Funding for library materials should not fall below 20% of the Library's annual total expenditure.

1. The Library will develop collections of merit and significance, whether acquired by purchase or by gift. Each item of material will be considered in terms of its value to the collection and the audience for whom it is intended. Reading and language abilities of the citizens will be considered.

2. Materials to be evaluated may include a variety of currently appropriate formats. These will include a variety of books for young people and adults, in hardcover and paperback editions; financial services, database services, access to the Internet, large print books, periodicals, newspapers, recorded books, compact discs, videocassettes, films, audiotapes, microforms, maps. The Library provides equipment to access these materials for people with disabilities and to maintain these collections.

3. Materials will be evaluated according to objective standards. Flexibility, open-mindedness and responsiveness are required in the evaluation process. Consideration will be given to expanding knowledge, changing social values, technological advances, and cultural and language differences where appropriate. As growth and change occur in these areas, the Library will re-evaluate materials which were not acquired.

4. Some materials may be judged primarily in terms of artistic merit, scholarship or their value as human documents; others will be selected to satisfy recreational and entertainment needs.

5. Different viewpoints on controversial issues will be acquired, including those which may have unpopular or unorthodox positions. The Library recognizes that those materials which offend, shock or bore one reader may be considered pleasing, meaningful or significant by another.

6. To avoid unnecessary duplication, consideration will be given to materials available to the public through other area libraries and community agencies.

7. All the Library's circulating collections will be accessible to all borrowers, regardless of branch location, through an efficient reserves system. Materials the Library has not selected may be able to be borrowed from other libraries nationwide through interlibrary loan.

8. Recognizing that a materials selection policy can result in complaints from the public who may not understand the reasons why certain items have been included or excluded in the collection, the Library has procedures for reconsideration of the item in question (Policy S). Any patron has the right to question the purchase of an item for the library collection.

12 Library Bill of Rights, Addendum 12
13 Freedom to Read Statement, Addendum 13
14 Free Access to Libraries for Minors, Addendum 14

4/12/00
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6. To avoid unnecessary duplication, the availability of consideration will be given to materials available to the public through other area libraries and community agencies or reputable online sources shall be considered.

7. All the Library's circulating collections shall be accessible to all borrowers, regardless of branch location, through an efficient reserves system. Materials the Library has not selected may be able to be borrowed from other libraries nationwide through interlibrary loan.

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12 Library Bill of Rights, Addendum 12
13 Freedom to Read Statement, Addendum 13
14 Free Access to Libraries for Minors, Addendum 14

Update date 4/12/00
INFORMATION ITEMS
### FAIRFAX COUNTY PUBLIC LIBRARY CLOSINGS

#### Calendar Year 2018

<table>
<thead>
<tr>
<th>Holiday Observed</th>
<th>Day</th>
<th>Fairfax County Public Library</th>
<th>Fairfax County Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>Monday</td>
<td>January 1, 2018</td>
<td>January 1, 2018</td>
</tr>
<tr>
<td>Martin Luther King Jr.’s Day</td>
<td>Monday</td>
<td>January 15, 2018</td>
<td>January 15, 2018</td>
</tr>
<tr>
<td>George Washington’s Day</td>
<td>Monday</td>
<td>February 19, 2018</td>
<td>February 19, 2018</td>
</tr>
</tbody>
</table>
| Easter                      | Sunday | April 1, 2018
Branches closed              | (Sunday not a County holiday) |
<p>| Memorial Day                | Monday | May 28, 2018                 | May 28, 2018              |
| Independence Day            | Wednesday | July 4, 2018                | July 4, 2018              |
| Labor Day                   | Monday | September 3, 2018            | September 3, 2018         |
| All Staff Day-tentative      | Friday | September 14, 2018           | (Not a County Holiday)    |
| Columbus Day                | Monday | October 8, 2018              | October 8, 2018           |
| Veterans Day                | Monday | November 12, 2018            | November 12, 2018         |
| Thanksgiving Day            | Thursday | November 22, 2018            | November 22, 2018         |
| Day After Thanksgiving      | Friday | November 23, 2018            | November 23, 2018         |
| Christmas Eve (full day)    | Monday | December 24, 2018            | December 24, 2018         |
| Christmas Day               | Tuesday | December 25, 2018            | December 25, 2018         |</p>
<table>
<thead>
<tr>
<th>Branch</th>
<th>Type of Incident</th>
<th>Number of Incidents</th>
<th>Brief Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CE</td>
<td>Stalking</td>
<td>1</td>
<td>Customer complained of a man taking pictures of young girl.</td>
</tr>
<tr>
<td>CH</td>
<td>Verbal Abuse *</td>
<td>1</td>
<td>Customer cursing at staff while rendered assistance at copier.</td>
</tr>
<tr>
<td></td>
<td>Building Emergency *</td>
<td>1</td>
<td>Fire alarm sounded, clearing the building.</td>
</tr>
<tr>
<td>FX</td>
<td>Camping</td>
<td>1</td>
<td>Regular customer found sleeping in front of library.</td>
</tr>
<tr>
<td></td>
<td>Theft of Personal Property</td>
<td>1</td>
<td>Painting by local artist missing.</td>
</tr>
<tr>
<td></td>
<td>Building Emergency *</td>
<td>1</td>
<td>Fire alarm sounded, clearing the building.</td>
</tr>
<tr>
<td></td>
<td>Theft of Library Materials</td>
<td>1</td>
<td>Bar codes and covers from items were found, the books missing.</td>
</tr>
<tr>
<td>RR</td>
<td>Erratic Behavior</td>
<td>2</td>
<td>Customer stomping through the children's area yelling; Customer displaying paranoid tendencies.</td>
</tr>
<tr>
<td>SH</td>
<td>Camping</td>
<td>2</td>
<td>Evidence of camping found on sidewalk outside emergency exit.</td>
</tr>
<tr>
<td>HE</td>
<td>Disruptive Behavior</td>
<td>1</td>
<td>Customer feeling harassed by another customer.</td>
</tr>
<tr>
<td>KP</td>
<td>Disruptive Behavior *</td>
<td>1</td>
<td>Heated argument between customers outside the building.</td>
</tr>
<tr>
<td>KN</td>
<td>Building Emergency *</td>
<td>2</td>
<td>Water leak in the ceiling; Small mulch fire extinguished by staff.</td>
</tr>
<tr>
<td>LO</td>
<td>Child Unattended *</td>
<td>1</td>
<td>Unattended 14 year-old girl seeking assistance.</td>
</tr>
<tr>
<td></td>
<td>Customer Complaint *</td>
<td>1</td>
<td>Three teenage girls expressed concern for their safety.</td>
</tr>
<tr>
<td>OK</td>
<td>Building Emergency *</td>
<td>1</td>
<td>HVAC system not working.</td>
</tr>
<tr>
<td>RB</td>
<td>Substance Abuse *</td>
<td>1</td>
<td>Customer stumbling around and smelling of alcohol.</td>
</tr>
<tr>
<td>TJ</td>
<td>Verbal Abuse *</td>
<td>2</td>
<td>Customer became verbally abusive with staff member; the same customer became verbally abusive to staff in presence of police.</td>
</tr>
</tbody>
</table>

**Total Incidents September 2017** 21

* Police, Fire Department, or FMD notified