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State and Federal Legislation for Libraries

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Library Legislation:
Some General Considerations

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IT IS NO EXAGGERATION to assert that some of the most exciting developments in the field of librarianship are currently being debated in the halls of Congress and in the legislative chambers of many of our states. Library legislation has taken on new dimensions as well as a pressing significance in the library world of today. Many substantive changes have occurred in the library laws of this country in recent years. In some states the general laws governing public libraries have been completely rewritten. In other jurisdictions new concepts of librarianship have been introduced and enacted into law which will serve to illuminate and influence the future path of library development throughout the land.

Any general discussion of the subject of legislation may be prefaced by the observation that legislation does not originate in a vacuum. Most legislation, if not all, is deeply rooted in the social, economic and political soil of society, for law and legislation are merely tools to produce social results. Roscoe Pound, former dean of the Harvard Law School, stated this idea clearly when he wrote that legislation is asked to put what has already been worked out in experience into the form of legal precepts. It follows from this generalization that library legislation is not something that is static. It is in a constant state of change and evolution and hardly a legislative session either at the state or federal level is permitted to pass without some library law being enacted. The periods of greatest productivity in library legislation are those when new ideas are injected into the social crucible for the promotion of libraries. To be more specific, however, the term “library legislation” or the more encompassing phrase “library law” has three connotations corresponding to the three basic areas of the law: a) constitutional law, b) statutory law, and c) administrative law.

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Constitutional law as applied to the American legal system is the body of law that is to be found in the federal Constitution and in the constitutions of the fifty states. A constitution is the highest expression of the law because it emanates from the people who are the source of all power in the United States; therefore, as such, a constitution is superior to the will of the legislature. The legislature which is created by the constitution cannot change or alter any of the provisions in that document. This must be done by the people.

Statutory law consists of the compilations and codes of law that have been enacted through the instrumentality of a legislative body: the legislative body may be Congress, a state legislature, a county board of supervisors, a city council, a village or township board, or a town meeting. The legislative acts of Congress and those of a state legislature are generally referred to as statutes, whereas the legislative acts of a city council and similar bodies are generally denoted as ordinances. But in the eyes of the law, both of these terms constitute the statutory law.

Administrative law is that field of law that governs the functions of administrative agencies. Many administrative agencies are authorized by statute to make rules and regulations. These rules and regulations which boards and commissions formulate are sometimes referred to as quasi-legislation but nevertheless they have the binding effect of law. An example in point is the board of directors of a public library which is an administrative agency clothed with the power of making rules and regulations governing the operation of the library. The rules and regulations which the library board establishes have the effect of law and to that extent the library board is a lawmaking body.

To round out this brief analysis, it may be helpful to observe, also, that these three areas of the law are vitally affected by judicial decisions that interpret and construe the meaning not only of the provisions to be found in the constitutions of the federal government and of the fifty states, but of the entire body of statutory and administrative law as well. As early as 1803 in the famous case of *Marbury v. Madison*, Justice John Marshall proclaimed the doctrine of judicial supremacy. As a result of this doctrine, the Supreme Court of the United States and the supreme courts of the fifty states pass on the constitutionality of legislation and are the final arbiters on the meaning of the laws contained in the three areas designated as constitutional law, statutory law and administrative law. The significant thing to remember about the doctrine of judicial supremacy is that the courts in the process of
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interpreting the law are at the same time "making" the law. Thus often what the courts have declared negates what the legislature has proclaimed.

Constitutional provisions have a direct bearing on library legislation. Although some fifteen state constitutions refer to libraries, only two constitutions, those of Michigan and Missouri, contain provisions that are of broad general significance. Michigan has had a constitutional provision relating to public libraries since 1835. The present constitution adopted in 1962 declares: "The legislature shall provide by law for the establishment and support of public libraries which shall be available to all residents of the state under regulations adopted by the governing bodies thereof." This is an extremely important provision because it imposes a mandatory responsibility upon the legislature to provide for the establishment and support of public libraries. In the case of the Missouri Constitution, the article relating to public libraries is also of vital concern because it gives sanction to the principle of state aid for public libraries.

Constitutional provisions such as these are highly desirable, and whenever any state is in the process of revising its organic law, the librarians of that state would be well advised to place before the constitutional convention a proposed article relating to libraries. At the time of this writing a constitutional convention was in session in the state of Illinois. The Illinois Library Association was instrumental in having the following article introduced:

Since the use of library resources is an essential element in the educational process, it is hereby declared to be the policy of the state to promote the establishment and development of libraries designed to provide for free and convenient access to such materials for all its people without regard to location, institutional form or educational level, and to accept the obligation of their support by the state and its subdivisions (and municipalities) in such manner as may be prescribed by law.

There are other state constitutions such as those of Arkansas and Oklahoma which contain rather detailed provisions describing how county and municipal libraries may be organized and prescribing the maximum tax rate that may be levied. This is not good practice, the reason being that a constitution should be reserved for broad guiding principles rather than for procedural detail. Furthermore, from the standpoint of efficient governmental operation, it is much easier to alter or repeal a legislative act than it is to change or remove a con-
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institutional provision. Whenever circumstances permit, it would be well to have such detailed provisions eliminated from state constitutions and incorporated into a general library law.

Turning now to statutory law at the state level, we find that library laws fall into two broad categories: 1) those relating to public libraries, and 2) those relating to state libraries. Every state has one or more general laws governing public libraries. In some jurisdictions these are grouped together in a separate chapter of the state statutes or code under the heading “Libraries.” In other states these general library laws will be found in the municipal or educational code. In some cases the general library law is so framed that one act covers all forms of public libraries such as city, village, township, county, district, regional or school district. In other jurisdictions there may be a separate law for each of the governmental units.

One of the key provisions in this kind of general library law is the grant of power from the legislature to the local governmental entity such as a city, village, township or county authorizing it to establish a public library. There are three different types of such grants. In some of the laws, the grant is made to the corporate authority, that is to the city council, village board, or county board of supervisors, for example, empowering these bodies to establish a public library. In other jurisdictions the law provides for a referendum of the legal voters to determine whether a public library is to be established. In still other states, the law authorizes the establishment of a public library through a petition addressed to a corporate body which has been signed by a certain number or percentage of the legal residents.

Another key provision is the authorization to levy taxes for library purposes. It should be noted that this grant of power to levy taxes is made to the corporate authority of the local governmental unit and not to the library board. There is one exception to this, however, in the case of a library district which is an independent governmental entity. In such an instance the district library board of directors is granted the power to levy taxes.

The provision for the levy of taxes is generally stated in one of two ways. About three-fourths of the states provide for a maximum tax rate for library purposes stated in terms of so many mills on every dollar of assessed valuation. In the remaining jurisdictions the law provides that the municipal authorities may appropriate funds for library purposes in such amounts as deemed necessary.

A third major provision in the law is a description of the plan of
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government for the public library. Provision is made for a board of directors of a specified number to be appointed or elected for a given term of years. Usually the law enumerates the powers and duties of the board.

In addition to these three key provisions, such a law contains many other items. Almost every general library law of this type has a provision declaring that the public library shall be forever free for use by the inhabitants of the governmental unit involved, subject to such reasonable rules and regulations as the library board may adopt. Another common provision authorizes the library board to accept donations of money, personal property and real estate by gift, by will or by a trust for the benefit of the library. Equally common is a provision authorizing the corporate authorities to provide suitable penalties for persons committing injury to library property, or for failure to return books belonging to the library. An extremely valuable provision is the requirement that the proceeds of the library tax shall be deposited in a special fund to be designated as the “library fund,” which is not to be intermingled with other funds of the corporate authority. Most laws also authorize the library board to extend the privileges and use of the library to non-residents upon such terms and conditions as the board may prescribe. Finally, it should be noted that these laws contain provisions which relate to the acquisition of land, the erection of buildings and the methods of financing such construction, particularly the manner in which bond issues are to be floated.

A study of the general laws relating to public libraries in the fifty states indicates a strong pattern of uniformity. But a closer scrutiny reveals many variations in the provisions relating to the establishment, to the financial support and to the governmental management of public libraries.

At this point the question may occur: Why is it necessary to invoke the legislative authority of the state in order to make it possible for a public library to be created? The answer to this inquiry is to be found in the nature of our government. Although we make reference to three levels of government in this country—that is, federal, state and local—strictly speaking there are only two levels, federal and state, for local government is a part or subdivision of state government. Under the Constitution of the United States which is the fountainhead of all legal authority, the powers that have not been expressly delegated to the national government, nor prohibited to the states, are reserved for the states or the people. The federal Constitution says
nothing about local government. It is completely silent on the subject of cities, villages, towns or even counties.

Local government then is an arm of state government. Cities and other municipal corporations such as towns, villages, boroughs, townships and counties are creatures of the state. They are created by the state and they can be dissolved by the state, subject of course to such limitations as are provided in the state constitution. It is clear that whatever legal power cities enjoy is derived from the state. Since a city or other unit of local government possesses only such powers as are granted to it by the state, then it follows that in order for a city to provide public library service on a tax-supported basis, it must first obtain the necessary legislative authority from the state to engage in such activities.

Let us now move to the other major body of statutory law which is the legislation relative to state libraries. Every state in the union has a law which provides for the establishment of a state library or a state library agency, describes the manner in which it is to be governed and defines the scope of its functions. The governmental authority created to operate the state library and the functions which it is required to perform differ considerably in the fifty jurisdictions, and this is, of course, reflected in the laws.

From time to time it has been suggested that a model state library law be drafted. This has proved to be difficult, however, precisely because the legal authority and the functions of the state library vary so drastically among the states.

Before leaving the subject of state library legislation, we cannot neglect to mention the legal provisions that deal with state aid. The rationale for state aid is founded on the principle that education is a primary function of state government, and since public libraries are part of the educational system, it follows that the state has a direct responsibility for their financial support. An inventory of state-aid legislation for the extension of public library service reveals that some thirty-five states provide funds for this purpose. There is a wide diversity, however, in the laws governing the distribution of such funds. Nevertheless, several broad patterns have evolved which are common to groups of states.

The plan that has received the widest attention is that of New York. State aid in the Empire State is provided primarily for the development of cooperative library systems on a completely voluntary basis. This plan has now been in operation for more than ten years,
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and in a recent evaluative study, it was found to be effective. A number of states such as Illinois, California and Michigan have borrowed the basic features of the New York act.

A second pattern of state aid is that represented by the Pennsylvania plan. In the Keystone State, the state library agency is empowered to designate the district library centers that are to be established; they in turn contract with the public libraries of the district area for supplementary services. Rhode Island, Massachusetts and New Jersey in general follow this scheme.

A third pattern that might be identified is that represented by Maryland which provides direct state aid to public libraries in order to achieve a prescribed minimum per capita expenditure. Pennsylvania and Illinois also have this feature built into their state-aid programs.

The crucial stumbling block in attempting to broaden and improve public library service is the fact that none of the governmental bodies to which the public library is attached is a logical unit of service. For the most part the public library is chained to a political unit that is not large enough to support a modern library adequately. Moreover, it is becoming increasingly clear that the legal boundaries of a city, village or county are often artificial and have become meaningless insofar as public library service is concerned. Official statistics show that there is a wide variation in the quantity and quality of library service that is made available. They also indicate that the kind of public library to which a citizen has access depends not on his reading needs but on the wealth of the community in which he happens to reside. Yet it is recognized that books and ideas must move as freely in a democratic society as do vehicles of transportation, and it is for this reason that municipal boundaries must not be permitted to impede the flow of books. It is believed that through the instrumentality of state aid, the inequities and barriers that have developed can be removed. State aid serving as a stimulant can help to improve library service and make it available to all citizens of the state.

The federal government was a latecomer in the field of general library legislation. More than a century and a half elapsed before Congress enacted what might be considered the first general library law at the national level. It was the Library Services Act of 1956 that heralded the beginning of a series of legislative enactments that were ultimately to involve all types of libraries. President John F. Kennedy gave library development a strong initial impetus. In his message to Congress on January 29, 1963, dealing with education, he referred to
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libraries in direct terms no less than six times, and outlined three specific proposals for strengthening and improving libraries. It was the first time in the history of this country that the presidential spotlight had been focused with such intensity on library problems. Never before had libraries received such attention and recognition at the hands of the chief of state of this land. This was truly an unprecedented performance.

The amount and extent of federal library legislation enacted during the past decade is impressive and includes the following major measures: Library Services and Construction Act; Elementary and Secondary Education Act; Higher Education Act; Higher Education Facilities Act; Medical Library Assistance Act; and the Library Depository Act. All types of libraries have come within the purview of federal law. Moreover, library education has experienced the munificence of the federal purse. Despite attempts to curb federal expenditures, it is inevitable that Washington will play an increasingly prominent role in the future development of libraries. Sharing of federal revenues with the states may supplant the categorical grant-in-aid, but it is quite certain that federal funds will be employed in the establishment of national networks of information, making scientific and other research data quickly and easily accessible to students and investigators across the land.

In this introductory statement, we have attempted to indicate the major substantive areas of library legislation. One salient fact emerges and that is that library service has become a concern of government at all levels with each having its specific role to play. The papers that follow in this issue summarize and analyze critically the current status of library legislation as it affects the various types of institutions.
New Directions for Public Library Legislation

HENRY T. DRENNAN

The federal interest in public libraries which has been expressed through legislation has significantly contributed to change; it is a major factor in that development. Public libraries, however, as they enter the decade of the 1970s and as we foresee their course in the next ten years, will continue to maintain their center of responsibility within local government. The states and the federal government will share a sustaining role but their major policy thrust will be more toward assisting local public library authorities to attain change, suitably and swiftly, in response to the needs of an educated society.

Two or three major policy priorities of the Nixon administration will dominate the public interest in the immediate future and will affect public library legislation. The administration and the Congress have been aware and are moving strongly to focus federal programs upon the severe problems of an unbalanced urban ecology. Among the means which the administration favors are a rigorous examination of priorities, a set of devices to focus federal programs upon their goals, and various procedural policy positions to strengthen the capacity of state government.

Setting priorities is likely to be a painful process whether for an individual householder, a local public official, or a national administrator. The heavy financial demand of commitments in Vietnam now tends to depress all priorities and to force some worthy programs near or below the cutoff point.

Even in the best of all possible worlds where there would be perfect information, the priority choice would be difficult. Unfortunately a general characteristic of our social programs is their resistance to any very informative assessment of their saliency and effectiveness. Re-
search is needed to perfect the information which would allow the
deduction of a reasonable set of priorities.

On February 14, 1970, former Commissioner of Education, James E.
Allen, announced that research is the business of a proposed new arm
of the Office of Education. The administration will urge the Congress
to create a National Institute of Education. Until now education has
been marked by a minimum of funds devoted to research. As Allen
noted: "Effective educational reform and renewal can hardly be ex-
pected in an educational enterprise that devotes less than one-half
of one percent of its annual budget to research and development."

The proposed National Institute of Education will make a beginning
in shedding a steady light on our country's educational effort and
establishment. According to Allen, the Institute "would concentrate
the same degree of skill, attention, and resources on educational re-
search that the National Institutes of Health have brought to medical
research." The Institute will support a continuing examination by
scholars from disciplines of psychology, biology, the social sciences,
and humanities as well as education. Some of the tasks the Institute
will assume are: concentrating attention on improving our ability to
evaluate and assess educational programs; researching the pressing
problems of state and local school systems; experimenting with alterna-
tive educational models; and training educational researchers.

The administration also proposes a national commission on school
finance. It is believed by some that "a major barrier to the achieve-
ment of fundamental reform in American education is the high degree
of instability, uncertainty, and inequity in the financial structure for
education." Public officials, librarians and members of governing
boards agree on the rationality and the soundness of the financial
structure of education. The fact that during the past decade 60 per-
cent of all public libraries reported spending less than $10,000 annually
on all operating expenditures and that one of the most distinguished
public libraries, the New York Public Library, in February began to
conduct its annual campaign for survival, speaks to the need for ex-
amining the structure and solvency of one of education's principal
supporting members.

Research, in the administration's view, is an instrument that can
provide us with information for the intelligent selection and ranking
of priorities, but it is not sufficient to draw up the order of battle. The
administration proposes to strengthen the posture of federal programs
by two processes: coordination and consolidation.
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Two shaping devices have been created to these ends. Both are important; however, neither is well known, and each will influence public library programs with a federal component. Coordination is to be substantially strengthened through the instrumentality of the Intergovernmental Cooperation Act. The precursor of the act was the comprehensive planning section of the Demonstration Cities and Comprehensive Planning Act. The idea in that first federal appearance was a response to the agonizing realization by both federal and state officials that the proliferation of federal programs was, because of their multiplicity, not reaching the public interest. Comprehensive regional planning was a first mandated step to bring federal grant programs together, closer to actual program operation at the regional level.

As a consequence of the act, regional planning agencies were selected throughout the country by the Department of Housing and Urban Development to perform review functions in metropolitan areas. Their review would provide appropriate comments on projects proposed for federal assistance before the Bureau of the Budget could grant final approval. Two developments, beyond the usual problems of beginning, hampered the mandated review function. The planning was not comprehensive in that it did not offer complete geographic coverage; more importantly, it did not involve any significant degree of state oversight of those programs which could have a central effect on orderly state development. In the initial selection of programs to be reviewed under the Demonstration Cities and Comprehensive Planning Act, public library construction was selected to come under comprehensive regional review by the Bureau of the Budget (BOB). Second thoughts at the Bureau of the Budget deleted the Library Services and Construction Act, Title II (Construction) from the list of mandated review programs. The public library construction title was not amenable to regional planning review and to the final BOB clearance because under the law it was conducted at the state's discretion.

The principle of comprehensive planning was continued and expanded in the Intergovernmental Cooperation Act of 1968. To this was added the important concept of state executive discretion. Comprehensive planning review now is required for any agency of state or local government applying for assistance under Title II of the Library Services Act. (Now, under the Intergovernmental Cooperation Act, it is one of the mandated programs requiring planning review.) The proposing agency must notify the planning and development clearinghouse of state government (or in some cases of the metro-
politician area] of its intent. A summary description of the project will accompany the notification to the state. The state clearinghouse will notify the appropriate state agencies and local governments concerned. The clearinghouse will also coordinate comments upon the project and evaluate the state, regional, or metropolitan significance of the project.

In the case of programs operating under state plans (e.g., all titles administered under LSCA) required by the federal government, the Intergovernmental Cooperation Act requires that the governor be given an opportunity to comment on the relationship of the state plan mandated by the federal government to either the comprehensive state-wide plan or other state plans and programs devised entirely at the state level.

Two things seem apparent here: the desire to key federal projects in with orderly state development and to provide the state executive with a means for valid scrutiny of the federal programs operating within his jurisdiction. In the past, state governors and legislatures have complained that federal programs have acquired a mastery of their own over state government objectives—professional and interest groups have allegedly determined or altered state priorities. The Intergovernmental Cooperation Act is directed toward returning executive discretion to state governors.

There is another weapon in the arsenal of executive discretion. The act empowers the governor to select the state agency of his choice to administer federal grant components. This may prove a provision well worth watching, particularly for public officials and for the profession interested in library service. Library service as a supporting arm of education and information runs through all state and local governments. Will the state governor choose in some cases to assign all federal library programs to the single customary agency, or will he select some titles of the Library Services and Construction Act to be administered by other operating departments, e.g., health or welfare? The answer is not yet known and so the issue is still undecided. The issue relates, of course, not only to the organization of state government but to the formation of supporting constituencies within the state.

Responsibility can only be exercised if there is capacity to make a choice. The Intergovernmental Cooperation Act aims to assure capacity for choice through the incorporation of federal programs in the state-wide planning scheme (if the state wishes) by assuring that state governors must review the federal plans operating in their states.

Consolidation of federal programs is a second policy thrust of the
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administration. The discussion of consolidation in the next few paragraphs is brief; however, its brevity is not because of its unimportance, but because it has yet to assume a substantial legislative shape.

Consolidation may in theory be a single payment (and procedure) covering all federal assistance grants to state government, but it is unlikely that it will take that form. More likely, consolidation will group generically similar programs in unique packets. For example, all of the Library Services and Construction Act titles could be put into one, as is evident in present legislation pending before Congress: S. 3549 H.R. 16365. The advantages sought are reduction in the burden of paperwork, simplification of procedures, reduction in the number of consultative boards—in short, economy and efficiency. In our library example, the interest nature of the political process will probably not accede absolute discretion to the states for the expenditure of funds. Discretion may be modified at least to some degree by the identification of national goals to which those at the state level charged with program design should respond.

If consolidation is adopted, it will have the important effect (beyond economy and efficiency) of transferring the setting of priorities from the national level to the state level. The creation of specific program intent in legislation at the national level is currently a complex political process. In a sense, a priority is set in legislation by the specificity of the federal law and by the regulative limitations on the purposes for which the funds may be expended. The degree to which consolidated legislation carries some mandates for particular purposes or relaxes any such purposes will determine the nature, in the case of our example, of the degree to which the political process at the state level will set priorities. In the case of public library legislation, will emphasis be given to public library construction, to coordination of libraries by networking, or to special services to handicapped persons? Those under consolidation would became priority items for decision making at the state level. To some extent the decision-making process is transferred from the national level to the state level and responsibility moves to state government.

At this point we can only speculate upon the result of pending consolidation legislation. Strongly aided by their professional associations, librarians, in their participation in the political process, have tended to be more successful with legislation on the national level than on the state level. Federal assistance for public libraries began in 1957. At least one-third of the states have yet to enact corresponding law.
Beyond economy and efficiency the most striking effect of consolidation could be the devolution of decision making and priority determination to state government, with a consequent reconstruction of client constituencies.

Thus far, this article has touched rather generally on the initiatives the administration is taking to assist state government in its capacity to deal with difficult social problems; it has said little about public libraries. The assumption, it is hoped, is that all of us understand that public libraries share in the fortunes of state governments and participate in changing the relationships among our three levels of government.

Do public libraries share in the federal interest? Are they comfortably encapsulated within some segment of that interest in education? The answer should be easy, but it could be complicated. It is easy to say that public libraries are a recognized participant in the federal interest through their long association with the U.S. Office of Education and fortified by a close relationship as a participant in a federal grant program for the past thirteen years.

The strongest identification that public libraries may currently have with the federal interest is their ability to increase equal educational opportunity. High on the Office of Education's list of purposes is equal educational opportunity. This is no mere rallying cry. It is a specific goal the Office intends to reach. The capacity of an institution to reduce educational inequality will now contribute to its place within the federal interest.

In attaining the goal of equal educational opportunity, the Office of Education, like the rest of us, confronts a world notorious for its miserly allocation of resources, time and money. Former Commissioner Allen, speaking candidly, recently went to the present heart of the matter: "We may as well face up to the fact, however, that this commitment [to education] is not in the very near future going to be expressed in terms of large sums of additional money." The administration then will favor institutions whose programs promise to achieve the maximum reduction of inequities with the minimum expenditure of resources.

Two social data, race and low income, contribute overwhelmingly to the problem. The urban place, the central city, is the classic site for the most apparent inequities. Like the pigeon, the public library is an urban institution; the city is its original habitat. Like the urban school, the public library remains in a landscape made strange by social dis-
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location, but it does endure. Its resources and staff maintain the potential for aspirational change, but along with its sister municipal agencies it is eroding under the common problem of urban social blight.

What federal legislative directions do urban public librarians see as necessary to assist them in maintaining a presence for reading in the city? How should the federal interest be expressed? First, they would favor a specific share in the allocation of funds to metropolitan libraries. Disregarding the political difficulties of such an allocation, there are historical precedents. In the original Library Services Act, the funds were directed to developing library service for a particular segment of the population with admittedly inferior library facilities: rural areas with population aggregates of 10,000 persons or below. Metropolitan librarians feel that such a support floor is the first step necessary to make readers of urban nonreaders.\(^4\) It is the necessary condition to implement the Office of Education's Right to Read Program through a reading agency controlling 91 million books.

A second legislative device that in the opinion of some metropolitan librarians could assist urban libraries, is the opportunity for greater flexibility of use in federal support funds. Program consolidation, a concept the administration is now considering, could achieve this. The freedom to transfer program allocations would insure flexibility in response to rising needs. It would allow annual consideration of priorities closer to the operational level of the state and local government. Consolidated legislation could fulfill that desire. Discretionary financing is another suggestion of metropolitan public libraries, i.e., the commissioner of education could be empowered to hold in reserve a mandated portion of the appropriation for public libraries to initiate or sustain programs of special promise or merit.

None of these legislative ideas is new: funds directed to a particular area of need were a principle of the original Library Services Act, flexibility in funding is implicit in the concept of consolidation, and discretionary use of funds has a precedent in the Vocational Education Act. However, to accept these principles would require changed thinking within the present public library constituency.

People seldom abandon an institution or commitment unless they are forced to do so. Yet there may be alternative routes to solutions. Here are two suggestions, but first consider the phrase "urban development." Many urban public librarians participate in a wide range of activities that are occurring outside of the formal educational structure. These activities can be placed under the rubric of "urban development."
HENRY T. DRENNAN

Remedial reading centers, tutoring stations, and preschool story hours for bilingual children have appeared on the urban library scene as a portion of the activities of an arising urban institutional coalition. These activities supplement but have not yet been structured to mesh with the formal educational structure. They are not completely compatible yet one cannot help but feel that they offer much promise in two areas.

First, they are innovative. Their successes may be modest but they relate to the concept that most education occurs outside of the schoolroom. Secondly, they relate the public library to a coalition that is replacing the health, welfare, and recreation coalition that largely administered these kinds of supplementary activities outside of municipal government. To describe the supporting base for urban social welfare is a nearly impossible task because it is constantly changing. Many of the activities historically assigned to the private sector are now in a private/public amalgam that consists of all kinds of groups substantially evolving from Economic Opportunity Programs, from activities within the Model City sector, and from municipal departments. Participation by the library administrator in this new coalition puts him in touch with new leadership and puts him on a peer relationship with municipal department heads who are working with him on the stubborn problems of the city. Programmatically the public library is appearing in activities funded by the Department of Housing and Urban Development, such as in the Model Cities programs in Atlanta, Brooklyn and so on.

This article is not intended to review the various sources of federal funds for public libraries. That task has been well done by Herbert Carl and the staff of the Division of Library Programs. But public librarians should take a wider view of federal opportunities. The Department of Housing and Urban Development is specifically charged with urban problems. Public librarians, particularly metropolitan librarians, may have been failing to examine the possibilities of relating themselves to a program with these stated responsibilities. Some opportunities for legislation accessible to specific urban problems may be more available than they suspect.

The kinds of specific legislative concepts that urban librarians desire cannot obtain general support until they are incorporated into an operative consensus of the library profession. Such a consensus may be arising but it has not yet emerged. Until it has, it would not be amiss to take a wider view of federal legislation. Some problems
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cannot be solved immediately by working within their perceived boundaries; they may be solved sooner by stepping aside and seeking approaches that exist outside the conventional definition of the problem.

References

2. Ibid., p. 11.
3. Ibid., p. 6.
School Library Legislation at the Federal Level

LOUISE SUTHERLAND

When the monumental Elementary and Secondary Education Act (ESEA) was passed in April 1965, it seemed that the school library would at last have its day in the sun. Long the stepchild of the library profession, and regarded by some school administrators as an appendage to the educational process rather than an integral part, the existence of the school library was formally recognized by the wording of Title II of the act which made possible "a program for making grants for the acquisition of school library resources, textbooks and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools."¹ This recognition was expressed in a more concrete form by the appropriation of $100 million to carry out the purposes of the program for the first fiscal year.

It is true that the proportion of funds allowable under Title II was small in relation to the total amount of money in the act. Also, the program was limited in its application since it would not pay the salary of a librarian, would not provide for the professional training of a librarian, and would not remodel a classroom and equip it for library use. But it did begin to make possible the immediate purchase of books, periodicals, films, filmstrips, recordings, microfilm, slides, tapes, transparencies, and any other type of printed and published material that would be used in classroom instruction. These materials were for the use of children and teachers in both public and non-public schools in the fifty states, the District of Columbia and the outlying areas—Guam, Puerto Rico, the Virgin Islands and the Trust Territory of the Pacific. Funds were allocated to states on the basis of the number of children enrolled in public and private schools in relation to the total number

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of children enrolled in such schools in all of the states. Each state submitted to the Office of Education for approval a plan for the operation of the program within that state. The plan designated the state agency responsible for administering the plan, and funds were distributed within the state according to a relative need formula spelled out in the plan.

While there was of necessity considerable variance in the plans submitted, the relative need formulas generally were based on such factors as the number of children enrolled, the economic status of the children, the existing library resources, the ability and effort of the localities to provide such resources, the exceptional requirements of children and teachers because of special instructional programs, cultural and linguistic needs of children and teachers, and available staff to organize collections and provide services.

Only public agencies could hold title to materials, which must be loaned to public and private schools in an equitable manner. In states where loans to private schools from public agencies are not allowed, arrangements to serve children and teachers in these schools would be made through the U.S. commissioner of education. Selection was a matter of state and local concern. Qualifications from the federal government were that materials should be suitable for children and teachers in elementary and secondary schools, that with reasonable care and use they should be expected to last more than one year, and that they would not be used in religious instruction or worship.

Each state was to develop criteria to insure the purchase of quality materials which were categorized as "school library resources," "textbooks," and "other instructional materials." "School library resources" and "other instructional materials" differed from each other only in the method of handling within the school. Those materials completely cataloged and processed were considered "school library resources"; the same materials, not completely cataloged and processed were considered "other instructional materials." Each state set its own percentage of materials to be purchased in each category. The costs of ordering, processing, cataloging and delivering the materials were later allowed as a part of the total acquisition cost. Finally, Title II funds were to be used to supplement existing state and local funds, and by no means to supplant them.

The Title II program has been relatively free from some of the headaches that may plague federal programs. The program limitations built into the act which allow the acquisition of only printed and pub-
lished materials have at the same time protected it from the administrative errors which sometimes arise because of legislative ambiguities. The clear definition of eligible items has been a help. From an educational viewpoint it is difficult to explain why an art print is an eligible expenditure and a piece of sculpture is not; however, the fact that the sculpture does not fall into the realm of "printed and published materials" eliminates it as a possible purchase.

At the onset of the program it was thought that the participation of private school children and teachers as beneficiaries of the program might become a problem, but it did not. On the contrary, for the first time in many states it has brought representatives of public and non-public schools together in a planning and sharing situation; it has made both sectors aware of mutual needs, and has brought about an aura of understanding that can only come from sharing a common goal, which in this case is making an abundance of materials available for the use of children and teachers. Only two states did not accept the responsibility for administering the program for the private schools and, as directed by the legislation, the participation of the children and teachers in these schools was insured by arrangements made by the U.S. commissioner of education. The major administrative problems have been due to late funding and financial uncertainties. While the regulations specify that periodic reviews of the state's administration of the program by the Office of Education is necessary, budgetary limitations at the federal level have curtailed visits to states to confer with program coordinators. At the state level it has been difficult to maintain staff without the positive assurance of continued financial support. The "five percent of the total amount obligated under projects approved . . . or $50,000, whichever is greater" provision for state administration has been termed inadequate by the states even in the years of greater funding. The saving factor for many states was that they already had in operation well-designed programs headed by experienced library consultants and were able to use the 5 percent administrative money to add additional needed personnel with specific competencies, such as graphic artists and audio-visual specialists. Some states used very little of their portion for administration, preferring to divert even those funds to the acquisition of materials.

The act was a five-year measure. The authorization for Title II for the first year was $100 million with an increase in each of the next four years to reach $200 million for fiscal 1970. The actual appropriation for the first year was $100 million, the same amount as the authori-
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Funds were increased slightly in the following year (fiscal year 1967) to $102 million and decreased slightly in the third year (fiscal year 1968) to $99,234,000. Available figures for the first three years of the program show 11,680 new public school libraries were established which served 5,598,541 school children. Of the new libraries 10,277 were in elementary schools, and 1,403 were in secondary schools. New libraries as such cannot be established in private schools with Title II funds, but over 5 million private school children participated in each of three years on a loan basis. The total number of participating elementary and secondary children in both public and private schools rose each year, with 43,425,773, 44,638,011 and 45,320,552 benefiting in 1966, 1967, and 1968 respectively.

Fiscal year 1968 saw 181 personnel in administrative or supervisory positions in state departments of education with full-time responsibilities for the Title II program, plus 275 full-time supportive non-professional staff members. For the three years the total sum of $280,177,903 was spent for 71,132,544 books, periodicals, textbooks, audio-visual and other printed materials.

Through an amendment which was added in November 1966, Indian children and teachers in elementary and secondary schools operated by the Department of the Interior became eligible beneficiaries of Title II. As a result, at the end of the first year of participation all existing libraries in schools operated for Indian children had been expanded, eight new elementary libraries had been established, and approximately 47,000 children in 231 schools had benefited. The allocation for the first year was $125,161.

The most spectacular feature of the Title II program has been the special purpose grant portion which thirty-two states have employed during the four years of program operation. Its goal was to demonstrate the effect that a sufficient quantity of suitable instructional materials of all types made available and accessible to children and teachers by a creative librarian would have on the quality of instruction that the children receive. The form of the special purpose grant varied from state to state, and in some cases within the state. The most usual was a pilot or demonstration program which was open to visitors in the hope that they would receive inspiration and direction in planning their own programs.

Since Title II could provide only materials, other features of an exemplary instructional materials program such as an adequate facility, a sufficient competent staff, and equipment necessary for the use of
audio-visual materials were furnished by the local education agency. Other programs focused on special groups of children such as the handicapped, the academically talented, the emotionally disturbed, children in state institutions, children in early childhood programs which were a part of the regular state-supported education program, and children to whom English was a second language. Still other programs were built around in-depth collections of special subject matter material, such as local history, or culture of another country, and around newer types of media such as microfilm or film loops. There were enrichment programs featuring the humanities, or sometimes specifically art or music. Many of the programs focused on reading and reading problems.

The special purpose programs have received much publicity and have attracted observers from a wide geographic area. These visitors run the educational gamut from personnel of the state department of education, local school superintendents, curriculum supervisors, principals, and media specialists, to technicians and aides; they have also included members of lay groups serving on advisory committees, and parents interested in improving the educational opportunities of their own children. The wealth of materials provided by these projects has made true individualized instruction possible in many cases. The materials center concept has been strengthened and expanded. An additional benefit is that the librarian has been drawn into the instructional picture where all too often she has not found a place.5

Other federal programs have contributed greatly to the success of the special purpose grant programs. Title I of ESEA which gives assistance to educationally deprived children has been a heavy investor in reading programs and has provided facilities and personnel in many projects while Title II has provided materials. Title III of ESEA which provides supplementary centers and services to develop imaginative and exemplary instructional programs has funded media projects each year, some of which have included dial-access information programs, film and tape programs, and resource centers to which Title II has contributed special purpose funds.6

In other areas of cooperation, Title V of ESEA which strengthens state educational agencies has provided additional supervisory personnel to aid in implementing the program. The earliest form of assistance comes from Title III of the National Defense Education Act which has for a number of years provided equipment and materials for educational programs and continues to do so. Training of library
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personnel has been greatly assisted by short- and long-term institutes funded first under NDEA XI and, since 1968, under Title II-B of the Higher Education Act. These institutes have been administered by the Division of Library Programs in the Bureau of Adult, Vocational and Library Programs in the Office of Education. Since 1965, 2,621 school librarians have attended institutes funded by NDEA XI, and 1,612 school librarians have attended institutes funded by Title II-B of the Higher Education Act with an estimated 500 to be trained by fiscal year 1970 funds, making an impressive total of over 4,700 school librarians who have received initial training or have updated competencies to meet the rapidly changing demands of the school media center.

In fiscal year 1969, the Title II program funds were reduced from approximately $100 million for each of the three previous years to $50 million. Many states lost supervisory and clerical staff as a result of the decrease in funds. The special purpose program was also affected in that states could no longer set aside a sufficient amount to fund these more costly programs and continue with the aspects of the program required by the over-all needs of the state's children.

For fiscal 1970, Title II finally emerged from the struggle over the federal dollar with $42.5 million in spending authority. Accompanying passage of the 1970 appropriation measure was a new feeling of security about the program itself, stemming from the fact that it had survived a strenuous budget-cutting process, and that it had preserved its identity in a year of the consolidation and melding of many other programs. Another positive aspect was that on the heels of this regeneration the President, in reaffirming his support for the Right to Read Program, asked Congress to appropriate $80 million in 1971 for Title II of ESEA as one of the two programs which were directly aiding it. This new tie may well call for a more direct focus on needy children, wherever they may be, on inner city schools where there is an urgent need for educational stimulation and reform, and on children to whom English is a second language. Be that as it may, it appears that federal support for school library programs will continue, if not in its present form then in another.

In August of 1959 the twenty-fourth annual conference of the Graduate Library School of the University of Chicago had as its theme, “New Definitions of School Library Service.” At this conference, which examined educational goals and the direction in which the school library seemed to be moving, Mary Helen Mahar, at that time specialist for school and children's libraries in the Library Services Branch of the
Office of Education, presented a paper entitled “The Role of the Federal Government in School-Library Development.” Her paper examined existing legislation affecting school libraries, although at that time assistance to school libraries was not specifically mentioned in any law. After a thorough analysis of the implications for school libraries in the Library Services Act of 1956, and the National Defense Education Act of 1958, plus the assigned responsibilities of the Office of Education for school libraries, her conclusions were that “in school-library development the federal government has made available assistance in the strengthening of school libraries, the professional education of school librarians, the supervision of school libraries, and research concerned with school libraries. These are broad areas with which the school-library profession is concerned in bringing about the quality of school-library service to education in which we all believe.”

Nine years later, in 1968, Frances Hatfield, Supervisor of Instructional Materials for Broward County Schools in Fort Lauderdale, Florida, in six pages in School Libraries charted federal programs in existence at that time which had implications for school libraries, although only one—Title II of ESEA—mentions school libraries specifically. She charges school administrators and librarians to keep themselves informed of legislation which can help them develop and extend their own programs. She mentions in connection with this “local responsibility for coordinating the use of funds from the various Acts in order to have well-rounded media services for all types of schools.” In essence she echoes the stance of Mary Helen Mahar, that legislation does not have to be specific to be of assistance in developing and strengthening library programs. With the growing emphasis on “accountability”—the showing of measurable results of federal investments in education—coupled with the demands for funds for new programs to deal with such drastic needs as drug education and environmental problems, her point is only too well taken. Every available funding source will need to be utilized and coordinated in order to develop programs which will offer to all children the kind of library services that they deserve. This also is a problem that cannot wait.

Title II does not claim to have solved school library problems. It has never had enough money to accomplish this. One point makes this clear: to date it has provided an average of only one book plus per child and one piece of audio-visual material for every five children. Often its funds have come too late in the year to allow for the best planning of its use. It has spotlighted the nationwide needs and in-
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equities in school library programs. In spite of the 10,277 new elementary libraries established since 1965, there are still fifteen states with more than 50 percent of their elementary schools lacking some form of centralized library service. But it has emphasized the need for library personnel to the extent that librarians are being employed as fast as they become available; it has been responsible for the addition of media and library courses in many teacher training institutions; it has sparked local effort to find additional funds for materials; and it has done much to enable the school library to take its place in many instructional pictures as an integral part of the total program, rather than as an optional unknown on the periphery of the educational universe.

References


Federal Legislation Affecting College and University Libraries

EDMON LOW

At any given time legislation at the national level is an excellent mirror of current social concerns. These, of course, are many and varied—financial and material assistance to underprivileged and minority groups; equal rights for all for education, for opportunities in the labor market, in voting and in use of public facilities; control of crime in the streets and organized crime throughout the country; the use of drugs and their immediate and long term effects; relations with other countries and defense of our own; and education for all ages and at various levels. All of these concerns are typical of a very large number which result in legislation enacted each year.

Of these concerns, education has been assuming an increasingly important role, especially in the last decade. As our whole society and way of life become more complex, more individuals with better training are required to cope with its problems, and in turn more research is needed to provide these people with the necessary information to guide them in their work. Indeed, so necessary have training and research become to date, and with every indication that the need for them will be even more pressing in the future, it is the belief of many, including this writer, that education and its attendant research will become the biggest and most important business in this country for the remainder of this century.

The burden of most of this advanced training and research will be carried by the institutions of higher education—the junior and community colleges, the senior colleges, and the universities. This is true because of the nature of this training, but the burden will become heavier as an ever larger number of people seek such training. It is obvious that the enrollment of our public schools will increase as the

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population of the country increases and there are more children to care for; also the percentage of the enrollment remaining until graduation will increase when a better understanding of how to deal with dropouts is achieved and this will further swell the already burgeoning annual group of graduates.

This increase in public school enrollment, which in itself would increase the enrollment in college, when coupled with the rising percentage of high school graduates going to college, indicates a doubling of college enrollment within the next two decades. Also, as enrollment grows, graduate work and the amount of research done will also increase.

All the above is noted to point up the fact that much more generous funding in the future must be available for colleges and universities if they are to assume this burden. Also, since the library is an integral part of an institution of higher education and its responsibility and burden of work rise as the institution itself expands, it must therefore also share in this increased funding. This obvious fact somehow often seems to be forgotten in the face of many other demands for money.

The financial plight of institutions of higher education grew increasingly desperate during the 1960s. Growing enrollments, rising salaries for personnel, much needed plant improvements and new construction, and generally higher costs of operation made demands that institutions found very difficult to meet. With many private schools, it was the drying up of sources for additional endowment funds and the rather static return on the funds they already held which made it almost impossible to meet the demands; with the publicly supported institutions, it was the growing competition for the public dollar at the state and local levels with the public schools, welfare programs, and local and state units of government. There was great opposition to increasing taxes, complicated by an antiquated tax structure based, in many cases, primarily on property taxes and which resulted in an insufficient number of public dollars to meet the demands of these groups.

In such a competition for the public dollar, institutions of higher education do not do very well, partly because their work is not basically well understood, but primarily because they are not numerous enough, compared with these other groups, to be a large voting power. All indications are that the percentage share they will receive in the future at the state level will be less rather than more and that their woes will be compounded as time goes on.
In the light of these problems of both public and private institutions of higher education, many, including this writer, believe these must be treated in the future as a national, rather than a state or local, problem. The newer technologies will increasingly permit, and even demand, that the intellectual and physical resources of institutions be coordinated or joined together in many areas without regard for political boundaries. This will almost necessitate national funding and such can be well justified by the fact that the trained manpower and beneficial results of research will be disseminated throughout the country for the benefit of all. Much equalization of educational opportunity also is needed in many areas which can best be achieved in this manner. Thus we may expect to find this social concern for education represented by requests for federal legislation to deal with this as a national problem. This concern was of course quite evident in the sixties, and the question in the seventies will be not whether the federal government should become involved, but rather the extent of such involvement and how such support should be administered.

In the 1960s the support was mostly in the form known as “categorical” aid. Thus the National Defense Education Act at first dealt mainly with scholarships, then gradually was broadened to include institutes, equipment for programs, and minor remodeling. The Depository Library Act of 1962 was designed to correct an imbalance in the distribution of depository libraries and laid the basis for acquiring a broader range of material published outside the Government Printing Office and hitherto unavailable to depository libraries. It almost doubled the number of depositories and also created regional depositories to aid smaller depository libraries and non-depository libraries in their service to the public.

Following the above came the Academic Facilities Act in 1963 which provided for buildings for colleges and universities, first in the categories of the natural sciences, mathematics, foreign languages, and libraries, and later amended to make the application general to most types of buildings. This was a milestone in federal legislation relating to higher education in that it provided assistance to both privately and publicly supported institutions of higher education—a political thicket the Congress had been very careful to skirt in previous bills. The list of college and university library buildings constructed under this act is impressive indeed.

The Vocational Education Act of 1963 (PL 88-210) was designed to encourage vocational education in colleges and technical schools. It
has been amended at different times but has been particularly important to junior and community college libraries in providing money for acquisition of materials.

In 1965 the Medical Library Assistance and Hospital Construction Act (PL 89-291) resulted in major strengthening of libraries in this field and in buildings for these libraries. It did for them much the same as the Higher Education Act and the Academic Facilities Act did for college and university libraries.

The Higher Education Act of 1965 was the last major piece of legislation enacted in the 1960s for higher education. It provided for aid to developing institutions, for community action programs, for student assistance and, most important to libraries, for aid for acquisition of library materials, for money for scholarships and fellowships for library training, for institutes, and for funds to the Office of Education to be used by the Library of Congress to establish its highly significant National Program for Acquisitions and Cataloging.

The above acts are cited to emphasize two points. The first is that this legislation grew out of and mirrored the concerns of the day about higher education—the need for eliminating the lag in scientific education and research in comparison with other countries, so vividly thrust on our consciences by Sputnik in the late 1950s; the growing interest in better health for all the population, resulting not only in greatly increased support for medical training and research but also finally in the passage of Medicare; the importance of vocational training for large segments of our population; the need for buildings and other facilities for institutions of higher education to enable them to successfully carry on their work; and the growing necessity for direct financial support for various areas of institutional activity—all these became topics of national concern both within and without the Congress.

The second point is that these acts were all categorical in nature; that is, each act was directed to a certain category of activity in institutions of higher education, such as buildings, libraries, medical schools, or vocational education. As far as higher education was concerned, the 1960s were a decade of categories, not one of general aid.

This trend now appears to be changing, at least for legislation in the "talking" state, i.e., possible legislation being proposed but not yet introduced as actual bills. There is now apparently general sentiment among educational associations, such as the American Council on Education, the Association of State Universities, the American As-
association of Junior Colleges and others, for "block grants" to institutions, i.e., grants of money for facilities or operations with no strings attached. It must be remembered that these are associations of institutions, not of personal members such as those who comprise a large part of the American Library Association, and they are represented in meetings by the presidents, deans, or other administrative officers. These men have long believed that funds should be given to them without restrictions on the basis that each president presumably knew best where his institution needed strengthening most. Categorical legislation by its nature tends to decide the area of emphasis instead of leaving the choice to the individual administrator.

This rather lengthy discussion of legislation and its trends relating to institutions of higher education as a whole has been given because each library in a college or university is a part of the whole institution and is affected by the same legislation, often becoming a kind of sub-category in broader categorical legislation. Thus, the Academic Facilities Act, which was rather broad categorical legislation for buildings, when first introduced provided for only three categories of buildings—natural sciences, mathematics, and foreign languages—to which the category of libraries was added at the urging of the American Library Association. Similarly, Title II-A of the Higher Education Act provided aid for libraries among several other categories included in the bill. This trend toward "block grant" legislation, as opposed to categorical aid, is therefore of tremendous importance and concern to college and university libraries; in fact, it was the general disregard of libraries in their institutions by many presidents or other administrators, under pressures for higher salaries, need for better facilities, and rising costs of increasing enrollments, that led to categorical legislation on their behalf in the first place.

It should be noted that the adoption of "block grant" legislation in one bill does not necessarily preclude categorical legislation for libraries in another; indeed, it is the belief of this writer that we should strive for both. Many presidents, however, seem to doubt the advisability of this procedure, believing that the introduction of a request for categorical aid would diminish the possibility of securing general aid. A member of the Congress, who is very knowledgeable about legislation and also a firm friend of libraries, has expressed his disagreement with this view by likening the art of legislation to fishing with a trotline. This is a line stretched across a stream below the surface of the water with many hooks attached at intervals with various kinds
of bait, all of which are supposedly attractive to fish. The fact that a large fish (i.e., the block grant) is caught on one hook, says he, does not cause all other smaller fish (the categorical grants) to disregard the other hooks because one has been caught; rather, the one that is caught, by his thrashing around and waving the other hooks, actually attracts other fish to the line. Likewise, when one bill is enacted, the education members of Congress receive in regard to it and the stimulation of their interest in the subject in general makes passage of related bills easier than before. In other words, keep out many legislative hooks at all times, both for general and special projects. The rather remarkable success of the American Library Association in the past dozen years has been due to a considerable extent to a very astute application of this principle.

In lobbying for and securing passage of legislation, it must be recognized that college and university librarians are often not as free as public librarians to work for legislation in which they are interested. It often happens that one or two designated individuals, possibly the president or a vice-president for public relations, are the only ones who are allowed to approach legislators about bills. These restrictions are usually imposed with relation to state legislators primarily, but no distinctions are made between state and federal so the librarian’s hands are tied. Unless his president is willing to take up the cudgels for library legislation, a task he may not wish to undertake because of its being categorical legislation, he gives no help in an area which could be of material assistance to his institution. This problem is unusually acute when he is a constituent of a senator or congressman who is on a key committee for the particular legislation.

The problem of discerning the trend of legislation in any field for the future is difficult at any time and even more so with the advent of a new administration, particularly if it represents a change in parties, which is the case at the present time. In addition, the President and the majority in Congress represent different parties which confounds the situation further, and, to further complicate things, this is an election year. Thus any indicators are unusually suspect and even the President himself will be feeling his way along and changing or adapting programs as the political winds dictate. However, even without a good crystal ball (which is very much needed), a few remarks about apparent trends in legislation in relation to college and university libraries seem to be in order.

The first which may be noted is the failure, both in budget recom-
mendations by the President and in appropriations by the Congress, to fund programs up to the authorized amounts. This trend began in the last administration as war expenses mounted and domestic programs were restricted. Many unfamiliar with the ways of Congress do not realize that there are two consecutive steps which must be taken to secure appropriations for library programs.

The first step is that of authorization. A program such as aid for college and university libraries is presented to the appropriate committees of Congress—education and labor in the House, labor and public welfare in the Senate—which hold hearings, decide on the value of the program and what seems to them a reasonable amount of money to support same, and recommend passage to the Congress. This is known as authorization. The sponsors of the program must then go back to the appropriations committee of each house and try to secure actual appropriations of money equal to that authorized by the original bill. This is usually called funding.

As this article was being written, hearings were under way by the House Subcommittee on Appropriations for the Department of Health, Education and Welfare for the fiscal year 1970-71 on the funding of library programs authorized by the Library Services and Construction Act for public library assistance and of programs authorized by the Higher Education Act for acquisition of materials by college and university libraries, for library training and research, and for the National Program for Acquisition and Cataloging of Materials by the Library of Congress. These appropriations will be made under authorization already granted by the above acts, but we do not know as yet how much will be appropriated. We do know that $90 million has been authorized for the year 1970-71 for materials for college and university libraries and that the budget recommendation by the President for this item is $9.9 million, which is only 11 percent of the amount authorized. Similarly for the same period, $38 million is authorized for library training and research—scholarships, fellowships, institutes, and library research—while only $6 million or 16 percent is listed in the President’s budget. This great discrepancy between authorization and appropriation, which has been growing each year, is of major concern to librarians in this field.

A second trend is the tendency to delay appropriations until long after the fiscal year has begun and in the meantime to operate on the basis of the “continuing resolution.” A continuing resolution is authority to continue operations at the same rate of expenditure as was in
effect at the end of the previous fiscal year. For instance, on March 5, 1970, President Nixon signed the appropriation for HEW for the fiscal year 1969-70, a date when the year was already two-thirds past. This obviously makes short-range planning for even one year almost impossible and the wise expenditure of money for any special project or research designed to last for the full year extremely difficult.

An alternative plan now being proposed is that of "advanced funding," where money, instead of being appropriated at a point well within the year in which it is to be used, is provided a year or more in advance. Thus, instead of the appropriations committees working (as they were at the date this was being written) on appropriations for the fiscal year July 1, 1970 to June 30, 1971, they might well be working on those for 1971-72. If this were true, if deliberations then carried forward past July 1, 1970 to September or October of this year, no harm would be done. Many economists and also members of Congress believe that, in view of the complexity of the federal budget and the length of time necessary for hearings, such a procedure will eventually be adopted.

Another apparent tendency is for the President to try to obtain discretionary power as to whether or not to expend all funds appropriated. Of course this is not popular with the Congress which believes it alone has constitutional power to determine the amount and purpose of expenditures. With the great power of the President, however, and the fact that with appropriations for many programs various decisions are left to the administering agency in an executive department under control of the President, since it is very difficult for the Congress to impose its will effectively in this regard. This new tendency for control of expenditures by the President, which was started in the last administration and is now being pursued more vigorously by President Nixon, is certainly a new factor to be reckoned with in the future.

There appears to be a reluctance on the part of this administration to support education in general at the level of the previous administrations. Of special concern to those in the library profession is the fact that of all educational appropriations for this fiscal year and in the budget proposed by the President for the coming year, the percentage of reduction for libraries has been greater than that for any other educational activity. And of equal concern to college and university librarians, the percentage of reduction of funds for their libraries, particularly for the acquisition of books and materials, is much greater than for any other phase of library activity. For instance, in the HEW
appropriation bill for 1969-70 signed on March 5, 1970, appropriations for the Library Services and Construction Act were reduced by the President by 15 percent while those for college and university libraries were reduced 53 percent. A similar reduction is in the President's budget for 1970-71. This, coupled with statements by the budget office and the administration that books and libraries will have a low priority in this administration, is indeed alarming.

A similar condition exists in connection with library training and research. In the appropriation mentioned above, $6,833,000 appropriated by the Congress was reduced to $3,900,000 by the President, a reduction of 43 percent instead of the 15 percent imposed on the other library items. Also in the budget submitted for 1970-71, only the money necessary to continue the fellowships for the doctoral programs already embarked on was included, and in the bill submitted by the President to the Congress on March 25, 1970 for the extension of the Higher Education Act, which is due to expire June 30, 1971 and which authorizes the appropriations for such items, no money was included for scholarships or fellowships for library training. In view of the manpower needs of libraries and the excellent record of the library schools in the use of these scholarships to date to bring back able people to the schools for additional training, this tendency can only be viewed with alarm not only by library schools but by directors, trustees, and friends of libraries everywhere.

The Academic Facilities Act of 1963 provided for buildings for colleges and universities and, as noted above, a goodly portion of funds provided under this act have been devoted by the presidents to library buildings. During the present administration no money has been made available for construction under this act nor does the budget for the coming year provide for any. It is to be hoped that when the President believes inflation is under control funds again will be made available to colleges and universities for this very important need.

There appears to be a tendency to abandon the requirement for matching federal grants with local money which was a policy followed notably in connection with the basic grants for library materials and with all types of construction. The abolition of this requirement of course will be popular with college administrators. Whether or not it is the best procedure is open to question. Certainly the matching brought much more money to libraries for materials and apparently with construction evoked much local support in the way of donations.
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for private institutions and bond issues or increased taxation for publicly supported ones which would not have been forthcoming otherwise. The writer believes that if this policy continues the schools and libraries ultimately will be poorer as a result.

Much is being said at the present time about grouping all library programs—school, public, college, state, and special—into one over-all bill. This is in the “talking” stage now but a bill may emerge later in 1970. Such an arrangement may have certain advantages in administration—all under one agency, fewer people to deal with in planning new legislation or adjusting old, and the possibility of more consistent guidelines for all—but there are real disadvantages as well. If the trotline theory mentioned above is valid, then this arrangement means there is only one hook on the line, albeit a big one; if this fails to land a fish, all is lost; if more hooks had been on, some may have been successful.

The second disadvantage is visibility of total amount. It is always more difficult legislatively to get a large amount in one place than to secure several separate smaller sums, even though the smaller amounts added together may really be substantially larger than the single large amount. In other words, one is likely to get less money, although at first glance it would seem there should be no difference.

A third and final disadvantage is diminution of support for a single bill. Each bill in Congress always has a certain interested group of supporters. Public school people support the Elementary and Secondary School Act; public library people, state librarians, and trustees support the Library Services and Construction Act; junior colleges, public schools and technical schools are for the Vocational Education Act; medical associations work for medical library assistance and hospital construction; and college and university personnel lobby for the Higher Education Act and the Academic Facilities Act. If library provisions are in each of these, each group automatically works for libraries also, a total support impossible to obtain for a single separate library bill. It is the belief of many familiar with the legislative process that such grouping into one library bill ultimately would be to the disadvantage of libraries.

The tendencies noted above all sound rather discouraging to librarians, as indeed they are. The writer is pleased, therefore, to bring to attention what promises to be an encouraging development, namely, the reorganization of the Office of Education. “Library Services” is being raised to the bureau level, a status it has never had before. The

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assistance commissioner who is to be in charge of this bureau is yet to be named but it is hoped that it will be a librarian or someone with an understanding of and interest in library problems.

The general attitude of the President toward education and libraries is always of much importance. Consequently, President Nixon’s message to the Congress this year on higher education was awaited with much interest as an indication of what his position would probably be during the remaining years of his administration. It was sent to Congress on March 20, 1970 and was definitely disappointing to the higher education field, including libraries. Development of junior and community colleges is encouraged to some extent, but with little promise of money; loans are substituted for scholarships; and assistance to institutions in general is limited to special grants for “support of excellence, new ideas, and reform.” Libraries are not mentioned. It is probable that Congress will not follow this outline, but only time will tell.

Legislation for any large ongoing program such as higher education and for libraries, when looked at in the long run, may be likened to the stock market in that one thing is sure, it will be cyclical in nature, going both up and down. It depends on the public concerns of the day, the personal interest and commitment of key influential members of Congress to the program, and the attitude of the President and other executive officers of the administration.

In retrospect, the sixties were a golden age for library legislation and for the development of libraries. Stalwarts in the Congress, men of great influence and with a devotion to libraries such as Lister Hill and Wayne Morse in the Senate and John Fogarty in the House, sympathetic presidents, and a rising concern for higher education on the part of the public all combined to make the 1960s a productive decade. Now these men are gone, the nation and the Congress are divided and disturbed by war abroad and domestic problems at home, the universities and colleges are torn by strife on their campuses and their public image is damaged considerably, and critics are heard on every hand. The 1970s do indeed look rather discouraging.

In perspective, to refer to the previous analogy of the stock market, when things are going well, it is hard to believe there will be a recession; when reverses occur, it takes faith to believe recovery will eventually come and this is certainly a time for librarians and educators to have faith in their respective missions. Just as the flowering of libraries and library legislation in the 1960s was due to a considerable extent to the planning and work in the preceding fifteen
years after World War II, so now we can plan and work for the time when more resources will be available for domestic programs and when the public will realize again that education is the major business and concern for this country. In turn, when this time comes, let us be sure as librarians that we have programs prepared, members of Congress informed, and presidents and administrators of colleges and universities convinced that the three cornerstones of an institution of higher education are buildings, faculty, and the library. This is the challenge to librarians of the seventies and beyond.

References

Laws and Regulations Affecting Federal Libraries

PAUL HOWARD

Federal libraries are governed by laws which are usually enacted for the purpose of establishing and operating government programs and which affect libraries only because they happen to be part of the agencies established to carry out these programs. By implication these laws usually allow for establishment and operation of libraries and other service organizations which are chartered through issuance of internal regulations.

In addition to this type of law and regulation there are general laws and regulations affecting government operations in such areas as procurement, personnel, publishing, dissemination of information, etc. These dicta are often of great importance to libraries since they control the ways in which they may operate. Frequently the success or failure of a library program will depend upon how such laws and regulations are interpreted by managers, personnel officers, procurement officers, or librarians.

The most convenient sources of information about laws and regulations affecting federal libraries are William S. Strauss’s *Guide to Laws and Regulations on Federal Libraries* (New York, R. R. Bowker, 1968, 862 p.) and Leslie K. Falk’s *Procurement of Library Materials in the Federal Government* (FLC Publication No. 1, Washington, D.C., Federal Library Committee, 1968, 42 p.). The first of these is a pioneer work which, in spite of some omissions, is the most complete collection of basic legal documents relating to federal libraries ever compiled. The second in its narrow field illustrates how firmly government operations are embedded in law and regulation and how small operations are forced to conform to general regulations designed for other purposes.

Paul Howard retired as Executive Secretary, Federal Library Committee, Library of Congress in February 1970.
This article will deal with those laws and regulations which have been enacted or promulgated within the last two years and which are directed at federal libraries or which affect their operations to such an extent as to require attention by federal librarians or students of federal library programs. Two laws of a general nature which, while not aimed specifically at the operation of federal libraries, are still of importance are the Federal Revenue and Expenditures Act of 1968 (82 Stat 251) and the Tax Reform Act of 1969.

The first of these inaugurated an austerity program which has since been intensified. Among its provisions was a prohibition against filling more than three out of four vacancies occurring in any government agency. Federal librarians have felt that this has been particularly hard on library programs which they believe have been understaffed to begin with. However, this restriction has not been nearly as severe as those imposed by more recent budget cuts as reflected in appropriation acts. For example, one library with a complement of fifty employees has in one year suffered reductions in force of seven, then three employees; it expects to lose an additional five in the spring of 1970. The closing of a number of military bases throughout the nation includes the closing of libraries which serve them. The far-reaching effect of laws which reduce appropriations is much greater than often appears on the surface. Reduction in funds for the Department of Health, Education, and Welfare and the Department of Defense has resulted in reduction of several hundred people at the Library of Congress. Thus, although appropriation acts are not generally included in discussions of library laws, they cannot be ignored in the federal government.

The Tax Reform Act of 1969 (PL 91-172) contains a provision which may seriously handicap libraries, archives, and museums in building historical collections. Tax deduction allowances for the gift of personal papers and other self-generated works are restricted. The full effect of this restriction will not be fully known until the Internal Revenue Service and perhaps the courts have had an opportunity to review and interpret those provisions. However, such federal libraries as the presidential libraries, the Library of Congress, the Smithsonian Institution, the military academies and all others which maintain archival and historical collections are likely to experience greater difficulty in obtaining gifts of personal records from former officials or their estates.

On January 17 and 18, 1970 the Library of Congress presented a status report to the Association of Research Libraries which included
a section on "Legislation Relating to the Library." Before the end of January some changes had been made in the status of the legislation but the report remains concise and factual and therefore the section on legislation is included below.

Legislation Relating to the Library

LC Appropriations for Fiscal 1970

With the passage of the Legislative Branch Appropriations Act (P.L. 91-145) and its signature by the President on December 12, 1969, the Library of Congress received operating funds for fiscal 1970 amounting to $43,856,300, an increase of $2,143,400 over fiscal 1969 appropriations.

The total provided $19,061,500 for LC salaries and expenses, an increase of $1,042,200 over last year's amount. This included an increase of $185,000 for space rental costs, an increase of $100,000 for preservation activities, bringing the total for preservation to $1,292,500, and $1,600,000 for the LC automation program.

For the Copyright Office an appropriation of $3,124,000 was made, an increase of $136,200. The Legislative Reference Service received a total of $4,135,000, an increase of $315,000; and the Catalog Card Distribution Service received $7,728,000.

Funds for the purchase of books for the general collections were increased by $85,000 to a total of $750,000, and the sum for purchase of books for the Law Library was raised by $15,000 to a total of $140,000. For the provision of books for the blind and physically handicapped $6,997,000 was appropriated, $329,000 above fiscal 1969. For the Public Law 480 Program $1,603,000 in U.S.-owned foreign currencies and $199,000 in hard-dollar support were made available.

Under appropriations for the Architect of the Capitol, $1,047,000 was appropriated for structural and mechanical care of the Library buildings and grounds, and $350,000 for furniture and furnishings.

Library of Congress James Madison Memorial Building

Also included in the appropriation made to the Architect of the Capitol was the sum of $2,800,000 for final plans and specifications for the proposed third building for the Library of Congress. This appropriation, however, was made contingent upon enactment of a new authorization reflecting the increase in building costs. S. 2910,
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which increases the authorization for the new building from $75,000,000 to $90,000,000, was passed by the Senate on October 15. Hearings were held on it before the House Committee on Public Works and it was ordered to be reported favorably with a minor amendment, but in the rush for adjournment the bill did not reach the floor of the House and was held over for the Second Session of the 91st Congress.*

Title II-C Appropriations

Since funds for the National Program for Acquisitions and Cataloging, administered by the Library of Congress, are provided by transfer from the Department of Health, Education, and Welfare and since its appropriation bill was not approved before the adjournment of the First Session of Congress, operation of the program remained dependent on a continuing resolution. The conference report (No. 91-781) on the HEW appropriation bill provided a total of $6,737,000 for the Title II-C program, in contrast to the FY 1969 appropriation of $5,500,000 and an Administration request of $4,500,000 for FY 1970. The conference report was approved by the House of Representatives before adjournment but not by the Senate, which deferred final action until after the start of the Second Session to forestall, it was stated, a pocket veto by President Nixon who had indicated that he would not sign the measure.

Supergrade Positions

The Librarian is authorized to assign 16 additional positions in the GS-16, GS-17, and GS-18 range following passage of P.L. 91-187, which was signed by the President on December 30, 1969. This law, designed to strengthen Government operations through recruitment and advancement of distinguished professionals, increases the LC allotment of supergrades to 44.

Tax Reform Act of 1969

Enactment of this legislation (P.L. 91-172) is expected to result in a sharp drop in the number and value of gifts of personal papers made to the Library of Congress and to other educational institutions. The status of the LC as well as other libraries as a recipient is not changed—it retains a “most favorable” status under Section

* Since this was written the Congress has approved the $90 million authorization and has Appropriated funds for the first phase of construction.

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170 of the Internal Revenue Code—but the incentives to prospective donors are greatly reduced. Under the new law gifts of tangible personal property, especially of personal papers and other self-generated works, may be subject to more strict rules for determining the actual amount that may be claimed as a charitable contribution. Until the new provisions have been subjected to interpretation by the Internal Revenue Service and rulings by the courts, however, the situation will not be entirely clear.

Copyright Law Revision

After extensive consideration of many proposed amendments, the Subcommittee of the Senate Judiciary Committee which has had before it the copyright revision bill, S. 543, approved the bill with a number of amendments on December 10, 1969. The bill as amended is expected to be considered by the full Senate Judiciary Committee early in 1970.*

Of particular interest to libraries are the provisions of the amended bill pertaining to library photocopying. The amended bill retains the general provisions in the original bill on fair use. It also retains, in substance, the provision permitting libraries to reproduce manuscript materials in their collections for purposes of preservation and security, or for deposit for research use in other libraries. To these it adds new provisions permitting libraries to make single copies of copyrighted works, without regard to fair use, in the following two situations:

(1) For the purpose of replacing a copy that is damaged, deteriorating, lost, or stolen, if an unused replacement cannot be obtained at a normal price from commonly-known trade sources.

(2) For the purpose of supplying a copy requested by a user, even of an entire work, under the several conditions (i) that an unused copy cannot be obtained at a normal price from commonly-known trade sources, (ii) that the library has no notice that the copy will be used for any purpose other than private study, and (iii) that the library displays a warning of copyright. But this provision for supplying a copy to a user does not extend to musical, pictorial, graphic, or sculptural works or to motion pictures or other audio-visual works.

* This has been delayed and chances for passage now seem dim. (August 1970)
Another new provision would excuse a library from any liability for unsupervised use of reproducing equipment on its premises, as long as a copyright warning is displayed on the equipment.

In all other cases, copying would be governed by fair use; and another new provision would permit a court to excuse a librarian from liability for damages if he overstepped the bounds of fair use in copying when he reasonably believed that he was acting within its bounds.

The amended bill includes the earlier provisions for the establishment of a National Commission to study the problems relating to the use of copyrighted material in computer systems and in machine reproduction. These provisions have been amended to reduce the size of the Commission from 23 to 13 members, one of whom would be the Librarian of Congress, and to expand the scope of the Commission's study to cover new kinds of works created by the new technological devices.

The fifth in the series of copyright extension acts, Public Law 91-147, was approved December 16, 1969. The effect of these acts is to continue until December 31, 1970, all renewal copyrights in which the 56-year term would otherwise have expired between September 19, 1962 and December 31, 1970.¹

Two recent pieces of legislation affecting medical libraries and the National Library of Medicine as reported by that library are:

1. *Establishment of the Lister Hill National Center for Biomedical Communications*

Public Law 90-456, 90th Congress, S.J. Res. 193, dated August 3, 1968 designated the proposed National Center for Biomedical Communications. The Center was established as an organizational entity of NLM by the Secretary, HEW on September 18, 1968.

The objectives of the Lister Hill Center are to:

—speed the flow of new knowledge to application so as to rapidly improve medical care;

—apply communications technology to undergraduate and graduate medical education;

—offer better communications for the continuing education of health professionals;
—facilitate the development of new knowledge; and
—improve the understanding of the public with respect to
healthful living and preventive medicine.

2. Extension of the Medical Library Assistance Act

The original Act of 1965 provided for 5-year support of medical
library service by means of assistance in research and develop-
ment, improving library resources, developing regional library
programs, and supporting biomedical publications.

On July 10, 1969 the House of Representatives passed Bill
HR 11702, “Medical Library Assistance Act of 1969,” which
extends the act for three years, authorizes funding to the Na-
tional Library of Medicine in the amount of 21 million dollars
for each of the three years, and provides for separate authori-
izations for the various Library programs.

The Senate Committee on Labor and Public Welfare reported
out on October 16, 1969 a modified version of Bill HR 11702
that was passed by the House. Its proposed title is “Medical
Libraries and Health Communications Assistance Amendment
of 1969.” The Act would be extended for three years. It pro-
vides for funding increases during each of the three years to
a level of 35 million dollars, and provides for changes in author-
ization for extramural support programs. The Senate passed
this bill on October 20.²

Operating regulations within the federal government are an exten-
sion of the law and serve federal agencies much as statutes and ordin-
nances serve local governments. There are, in reality, three levels of
such regulations: 1) general regulations applying to the executive
branch of the government as a whole, issued by such agencies as the
Executive Office of the President (executive orders), the Civil Service
Commission (personnel handbook, standards, etc.) and the General
Services Administration (procurement regulations, etc.); 2) depart-
mental regulations (secretarial orders, departmental manuals, etc.);
and 3) bureau or other unit regulations (manuals of procedures,
memoranda, etc.). Libraries in the federal government are affected
much more directly by regulations and their interpretation than by
law. Regulations are changed much more frequently than are laws and
in reality establish the mission, the functions and the procedures of
federal libraries.
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Two recent amendments to the Civil Service Commission Personnel Handbook will have a long-range effect upon the status of federal librarians. In November 1968, the commission included librarians in a group of professionals for which acquisition of a masters degree is automatically qualifying, without experience, for a grade 9 level position (beginning salary $9,320). Then in June 1969 it issued an internal instruction which was followed by a revision in the Personnel Handbook X118 providing that a job allocated to the 1410 (librarian) series automatically carries a level II knowledge requirement. Level II knowledge requirement is possession of a masters degree or its equivalent. At the same time, the commission has abolished librarian registers in its ten regional offices and established a single national register of librarian applicants in Washington. These actions should have a permanent and profound effect upon the quality of library staffs and library service within the federal government. By attrition, the 52 percent of federal librarians without masters degrees should be gradually replaced by fully trained librarians. With a starting level of grade 9, the grades of experienced librarians should also be raised so that more rewarding career opportunities should attract highly qualified professionals to the federal library service.

At the same time, the General Services Administration (GSA) has extended the mandatory provisions of its specifications for library furniture from applying to the Veterans Administration (VA) only, to apply to the Department of Defense as well. These specifications which were originated by the VA shortly after World War II have been the subject of critical study by the Federal Library Committee’s Task Force on Physical Facilities and have been judged by that body as being unsuitable for contemporary library use. However, GSA feels that if a greater demand for furniture manufactured under these specifications is not generated, manufacturers will not be willing to agree to supply the government’s requirements. An effort is being made to determine the government’s real needs and to develop standards which will meet those needs. The Federal Library Committee, with the cooperation of the Army Research Office and Corps of Engineers, is actively engaged in a project which, hopefully, will result in a regulation more responsive to library requirements.

The two examples above show how general regulations can affect not only the operations but the basic character of library service in the federal government. Departmental regulations are usually more directly concerned with details of library operations and are more
voluminous. It will be impossible within the limitations of a single article to list and describe all departmental regulations which have been initiated or revised within the past two years and which control the nature, the scope, and the programs of federal libraries.

Army regulations affecting libraries have been extensively revised in the last two or three years. The basic document governing the army-wide library program (AR 28-85) was reissued in 1968. Changes included a new mission statement which is more specific on the actual programs to be supported by the post library covering information, education, career development and the profitable use of leisure time. The organization ordered places emphasis on army-wide and command-wide library programs and organization into systems. It is interesting that censorship in army libraries is strictly forbidden by the new regulation. This is further emphasized in AR 210-10 change 1, issued in February 1969, which makes more specific the responsibilities of installation commanders to make available a wide range of viewpoints on public issues.

AR 230-2 is a completely new document setting up policies for the administration of personnel (including librarians) paid for from non-appropriated funds. Its chief purpose is to establish comparable working conditions and fringe benefits for non-appropriated funds (NAF) personnel as for personnel paid from appropriated funds. This will affect 80 to 100 army librarians in Europe.

The army civilian personnel regulations (CPR 950-21) establish an army-wide civilian career program for librarians with special provisions relating to program coverage, intake, training, and registration and referral. This has been revised within the army but recent Civil Service Commission changes have made the grade structure obsolete and a new revision is needed.

Air force regulations AFR 212-1, air force library service, are being revised and are scheduled to be published February 6, 1970. The regulations consist of three sections: a) air force library service in general; b) administration and operations; and c) air force library personnel. They cover academic and technical as well as base libraries.

On December 19, 1968 the Secretary of the Interior issued secretarial order 2917 which created the National Library of Natural Resources. This national library is to differ from other national libraries in that it will be a network of more than sixty-five libraries already existing within the department. At the same time, the departmental library which for twenty years had been supported by assessments upon the
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bureaus and offices served, requested and obtained a direct appropriation for operation of the Natural Resources Library. New regulations in the Department of the Interior departmental manual will be designed to implement the new program.

This article (written in January 1970) represents a summary of recent laws and regulations which affect the operation of federal libraries and which have not been previously reported. It does not include appropriations except those that have significance beyond ordinary continuing operations. It should be noted that policy decisions affecting library programs are recorded as frequently in departmental regulations as in statutes.

References

The United States Office of Education as an Initiator of Library Legislation

RAY M. FRY

It is a peculiar fact of life that an average citizen—assuming he is not a mythological creature—often thinks of a legislative proposal as arriving full-blown on the floor of Congress. This way of thinking disregards a gestation period which may extend for several years (and this seems to hold true particularly for education legislation) while the executive branch is involved in the nurturing of a proposal for consideration by Congress. Resulting proposals have been as complex as the Elementary and Secondary Education Act and the Higher Education Act of 1965. It is certainly appropriate for librarians to be aware of representative procedures and activities which can take place in a federal agency—in this case, the U.S. Office of Education (OE)—in the preparation of a library-related legislative proposal.

There is no one account of the complete interactions between Congress, the White House, the Bureau of the Budget, the other appropriate federal agencies, the assortment of special advisory committees, and the concerned associations and individuals in their involvement in the passage of any current education legislation. Even the words “library legislation” are not always clear, as very significant grant aid has been given to librarianship under legislation in which libraries are seemingly only a small part of the total picture. A particular administration proposal does not always remain unchanged since significant changes can be made at different levels in the process. A comprehensive, scholarly report of the entire library legislative process which would include the influence of key individuals—librarians, congressmen, U.S. officials, and others—who have been at the right place at the right time would be useful. This brief article can only highlight a few past and some current activities and interactions affecting librarianship.

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OE is only one of the many federal agencies involved with library legislation. Each federal agency is quite unique in its organization, its planning, and its administrative processes, although all may have somewhat similar procedures in the preparation of legislative proposals. A comparison might be in the differences and similarities in the passage of legislation in the different states.

In the total legislative process, the activities of Congress usually occupy the limelight. In referring to a claim by some authorities that the founding fathers designed the process to prevent rather than to pass legislation, a former congressman, presently a Washington legislative consultant, wrote: "The legislative process is, indeed, an obstacle course—complete with live ammunition! En route through the labyrinth, a proposal is strengthened or weakened, perfected or destroyed, compromised or gutted, depending on one's point of view."! The fact still remains that the legislative process is a bulwark of our representative system.

An extremely comprehensive study of the Office of Education which includes a great deal of information on its legislative involvement was made by a congressional committee. Chaired by Congresswoman Edith Green of Oregon, the Special Subcommittee on Education of the House of Representatives' Committee on Education and Labor, produced an interesting study of OE which will be referred to in this article as the Green report.2

What is the legislative process? The Green report notes: "In essence, the legislative planning process is one of collecting and screening ideas and proposals. The Office of Education reports that there is no lack of ideas, but that the problem is finding proposals which meet educational needs and simultaneously pass the tests of practicality, such as administrative feasibility, budgetary considerations, and political acceptability."3 In a 1966 Allerton Park Institute on federal library legislation Edmon Low made four significant points:

(1) legislation of any sort must first be an idea in the mind of an individual or of a group and then be formulated on paper as a proposal; (2) the completed bill always represents the work and thinking of many individuals both in and outside of Congress and often is radically different from the original proposal, as was the case with the Higher Education Act; (3) several years, some say the average may be as much as ten, may well elapse from the proposal of legislation to the passage of the completed bill; and last and most important from the standpoint of this paper, (4) the impact on the
thinking of the people involved, librarians, presidents, and educators as well as laymen and Congressmen, as hearings and discussions on a bill are held which provide information and expose different points of view, is very real and significant.\textsuperscript{4}

OE does not produce legislation. This is a function and responsibility of Congress. However, though not in the limelight, OE is involved in the preparation of legislative proposals, a process which can be extremely time-consuming. New thinking is required on existing problems—problems which are often thought of as having no possible solution. The interaction among librarians, association members, legislators, government officials, and others is crucial in producing viable results.

With the growing magnitude of educational needs in our country, the federal role in education, including libraries, has grown. The initial and key library legislation was the rural public library program, the Library Services Act (LSA), passed by Congress in 1956. The success of this act was an influential factor in the passage of other library legislation.

The Office of Education’s role in the passage of LSA was negative. The kindest description is that the agency showed a “lack of general enthusiasm” toward the legislative proposal. Credit belongs to the American Library Association whose battle began even before the original Public Library Demonstration Bill was first introduced in 1946 by Senator Lister Hill of Alabama and Representative Emily Taft Douglas of Illinois. Those early days had their moments of human interest. In his book, \textit{Public Libraries for Everyone}, Hawthorne Daniel writes that “a number of especially well-informed librarians” (which included Ralph M. Dunbar, Ralph R. Shaw, and Paul Howard) met in Carl Milam’s Washington hotel room in the spring of 1944 to firm up the long-considered legislative proposal which would eventually end as the LSA.\textsuperscript{5}

The Office of Education soon became more officially involved. To illustrate the complexity and variation in OE’s legislative and planning process, the Green report used the reply of Samuel Halperin, former deputy assistant for legislation of OE, when he was asked to trace the development of the different titles of the Elementary and Secondary Education Act of 1965 (ESEA).

Halperin’s response covered the last title of the act first and worked backwards. The answer, incidently, for each title was quite different. His exact, but somewhat grammatically uneven answer for Title II,
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the title which made millions of dollars available to the states for school library resources and instructional materials, follows:

Title II, the need for additional instructional materials, that also came out of Dr. Harris' Bureau at that time, but we in the Office of Legislation looked very carefully at the proposals then circulating on the Hill, particularly a proposal by Congressman Carey of New York. He had a bill up there; we looked at it and thought it was a pretty good idea. We made very substantial modifications in it before it got to the Hill. In that process, by the way, we consulted with many groups. The Bureau of the Budget, of course, had views; the Attorney General had views on constitutionality questions.6

This was the complete statement on Title II of ESEA. It should be clearly understood that each person connected with legislation such as this would have had a somewhat different experience and would have reported on it in a different manner than Halperin. (For historical purposes, the Dr. Harris mentioned in the statement was Arthur L. Harris who was then OE's associate commissioner for educational assistance programs.)

The passage of major legislation can have a great effect upon the agency to which it is delegated for administration. The passage of ESEA, plus the influence of some other forces, was responsible for a massive—and what has been described as traumatic—reorganization of the Office of Education. One of the purposes of this reorganization was to enable OE to function better in its planning and evaluation role. Recommended reading on this subject is the study, ESEA: The Office of Education Administers a Law, by Stephen K. Bailey and Edith K. Mosher, published in 1968 by the Syracuse University Press.7

The Higher Education Act of 1965 (HEA), together with the Higher Education Facilities Act of 1963 (HEFA), very significantly assisted the development of librarianship in the United States. HEA, in particular, had an involved legislative history; Edmon Low in the previously cited 1966 Allerton Park Institute paper, touched on historical aspects of the passage of this legislation.8 Passage of HEFA—an important bill because it was the first major legislation providing federal funds for both publicly and privately supported schools—paved the way for passage of HEA and ESEA. The rationale apparently was that buildings were considered less controversial than materials when confronting the church-state issue. In a 1962 congressional hearing, Low was able to authorize ALA approval for Senator Yarborough's

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request to insert a provision in the proposed HEA legislation stating federal grant support could not go to a seminary or any institution whose major purpose was training individuals for the ministry of any faith. This is another example of appropriate people at the appropriate place at the appropriate time.

Richard H. Leach in a paper for the National Advisory Commission on Libraries stated: “Library-aid legislation has come about chiefly at the initiative of Congress, or perhaps better put, at the initiative of lobbyists active in behalf of libraries, rather than as part of any Executive program or drive.” In its chapter on planning and evaluation the Green report was specifically concerned with the part that educational associations play in the legislative process. The report of this Special Subcommittee on Education indicated that there was a great variance in the degree of participation of national associations in the legislative process. It was the impression of the subcommittee that the national associations were generally satisfied with the relationships that had developed.

Certainly, over the years the relationships of OE units and staff concerned with library planning and development have been close with the various library associations and groups, particularly with the American Library Association’s Washington legislative office. Carma Leigh’s paper, “The Role of the American Library Association in Federal Legislation for Libraries,” given at the 1966 Allerton Park Institute, is recommended reading on this point.

Any historical account should also give consideration to the many advisory committees—many directly associated with OE—which often answered directly the question of federal assistance to libraries. A Presidential Advisory Committee on Education in 1938, chaired by Floyd W. Reeves, endorsed federal assistance in the training of school librarians as well as a program of library services for rural areas. The study by Carleton B. Joeckel, Library Service, a report prepared for the consideration of that Presidential Advisory Committee on Education, is a landmark study in the history of federal aid to libraries.

After the passage of LSA, a series of OE advisory committees on the library programs of OE met annually. Their recommendations, focused on LSA, greatly assisted OE in the administration of this legislation. No committees were established for the Library Services and Construction Act (LSCA), passed by Congress in 1964, expanding LSA. Two new OE library advisory committees were created in connection with the programs under Titles II-A and II-B of the Higher
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Education Act. These still-active committees are the Advisory Council on College Library Resources and the Advisory Committee on Library Research and Training.

Lastly, the National Advisory Commission on Libraries, funded under the research section of Title II-B of HEA, was responsible for the most comprehensive study of federal involvement in library services. The 1968 final report, with the preliminary studies, has many direct and indirect implications for federal legislation. The findings and recommendations deserve the close attention of all concerned with library development in the United States.

The contributions of national library associations and advisory committees to OE planning and legislation are significant. Less glamorous and usually less publicized operations are the daily activities in which the federal offices are directly involved in preparing legislative proposals. The interactions involving OE under the Johnson administration are documented, critically but fairly, in the Green report in the chapter on planning and evaluation. Here, it can be pointed out, that the administration of each president has distinct characteristics and differences as contrasted to previous administrations. There are, however, basic interactions and activities in all of them in the preparation of legislative proposals as they are readied for congressional consideration.

The activities focused on legislative proposals within OE (including regional units as well as headquarters units) intermesh with the operations of appropriate staff and units within the Department of Health, Education, and Welfare (DHEW), the Bureau of the Budget (BOB), and with White House special assistants and other advisors. A detailed, closely coordinated schedule is followed on a year-around basis so that actions and reactions can take place in logical sequence. Operating within this structure, the legislative proposals are normally a by-product of the planning and evaluation operations which take place at all levels in OE and DHEW.

Legislation—and this bears constant repetition—is rarely, if ever, born in isolation. Its existence from the standpoint of the administration is tied directly to the consideration of national priorities and goals, the evaluation of existing conditions and present assistance programs, the consideration of alternative approaches in reaching objectives, and the careful study of fiscal feasibility in funding programs. The Green report recommended a general broadening of the OE planning system, stating that “the staff for the entire Office of Education in the
planning and evaluation function was quite small and underbudgeted. This situation has been improved to some degree by the increased number of contracts with outside organizations, institutions, and individuals for evaluation activities.

The Office of Legislation in OE has the primary responsibility for developing and preparing new legislative proposals, and working with the DHEW over-all legislative unit, the appropriate congressional committees, other governmental agencies, national associations, and advisors at various levels. As brought out by Halperin's remarks on ESEA, the legislative process usually involves collating ideas for legislation and then preparing a formal legislative proposal. Prime source material for this proposal comes from OE's Office of Program Planning and Evaluation which works with the planning and evaluation staff of the various bureaus and sub-units of the bureaus, the regional offices, and the other units of OE. There is direct and clear involvement of the Office of Legislation in the presentation of any OE testimony before congressional committees.

Trends in the past months have included increased strengthening of the relationship between OE and various units of the Office of the Secretary of DHEW. These DHEW units include the Office of the Assistant Secretary for Education, the Office of the Assistant Secretary for Legislation, the Office of the Assistant Secretary for Planning and Evaluation, and the Office of the General Counsel. These units are interacting on the planning cycle and are involved in legislation with OE's Office of the Commissioner; Office of the Deputy Commissioner; Office of Legislation; Office of the Deputy Commissioner for Planning, Research, and Evaluation; and Office of Regional Office Coordination. There are planning and evaluation inputs from the National Center for Educational Statistics and the National Center for Educational Research and Development. Key OE officials—the Commissioner of Education and the Deputy Commissioner for Planning, Research, and Development—have formal offices at both the OE and DHEW levels, greatly assisting problems of cooperation and coordination.

A second trend that should be mentioned is the upgrading and strengthening of the regional offices so that they can become an integral part of OE's effort to provide leadership for American education. The regional staff will be playing a stronger role in program administration and will be making substantial contributions to the legislative proposal process.

Drafting legislation is a difficult and complex task. It is not easy
to accomplish the design of the lawmaker, even for the simpler legislation. The legislative units of both the office and the department are expected, in working with congressional committees, to draft administrative proposals for congressional consideration. At times, the legislative pitfalls cannot be foreseen and an existing act will have to be changed. The technical amendment process is then used. In brief, this is legislation which does not change the substance of the original legislation; however, it is not unimportant. The changes are often needed to correct errors and to allow for changes in circumstances which can make the original legislation quite ineffective. After a bill becomes law the legislative units and the administrative programs are also very concerned with the development of regulations and guidelines. Regulations are required under the Administrative Procedure Act, Public Law 79-404. In effect, they are a spelling out of the actual law in the form of rules which are published in the Federal Register. Guidelines, or explanations of the regulations, are not required by law. They are issued in a variety of ways. Consultants are normally used by the office in the preparation of both regulations and guidelines so that all of the best outside advice will be available in the accomplishment of these important tasks.

This is a very broad and incomplete outline of aspects connected with legislative concerns of OE. As yet, I have not discussed the Bureau of the Budget (BOB) which is, of course, concerned with all federal programs and has staff members who are knowledgeable of library programs. BOB's interest in library programs, as documented by Richard H. Leach in his National Advisory Commission on Libraries study, is making a distinct contribution to LSCA legislation. The President, in addition, through his White House advisors, is always in close contact with legislative proposals at all stages.

One must always be impressed by the work of the congressional committees and their staffs. The efforts of the joint committees—particularly in connection with complicated legislation—are invaluable. Committee members are often faced with a relentless time factor.

An acute and continual problem in connection with OE's library proposals and programs is 1) to determine the best way of assessing and measuring progress and results of current programs and 2) to accurately determine the extent of need for new or further legislation.

Samuel Halperin, former HEW Deputy Assistant Secretary for Legislation in the Johnson administration, crystal-gazed in a January 1969 Wilson Library Bulletin article by noting that not only was the
competition for federal funds likely to be keener than ever before, but that there was a growing need for hard data. He wrote: "When there are all kinds of good things to do, only effective presentations which demonstrate positive correlations between investment in library services and improved learning and public enlightenment can provide any measure of confidence in the future growth of Federal support for libraries." 18

Going back to the early days of the LSA/LSCA legislation, great reliance was placed on straight statistical reporting by the state library agencies, both as to original needs and progress under the programs. In determining the needs of school and academic libraries, great weight was placed on the library statistics which were collected and issued by OE. The American Library Association standards usually served as the base in determining need. The standards, basically geared to measure individual libraries, were applied with some difficulty to the national library picture by OE and were published in *National Inventory of Library Needs*, by the American Library Association in 1965.19

Some of the best discussions on different aspects of library statistics—including addresses by Germaine Krettök and Dan Lacy specifically focused on the use of statistics with legislation—can be found in the proceedings of the 1966 national conference on library statistics in Chicago which was co-sponsored by the Library Administration Division of the American Library Association and OE's National Center for Educational Statistics.20

The initial period of complete dependence on the ALA standards as an acceptable measuring device soon passed. With the addition and expansion of all types of federal aid programs, there was an increasing need for the federal government, most specifically, BOB, to have sharper and more standardized measurement devices in determining the effectiveness of programs. In OE, library programs had to be evaluated against other education programs in determining which programs were to be expanded, decreased, or dropped. Guidelines for the development of an integrated program planning budgeting system (PPBS) were issued by BOB to the heads of all executive departments and establishments. A time schedule was set up whereby all agencies would develop and integrate, as fully as practical, their planning and programming with budgeting.

Under PPBS, as part of a yearly cycle, program objectives were identified and alternate ways of meeting these objectives were subjected to systematic comparison. PPBS was applied not only to current
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library programs, but also to proposals for new legislation. Early in 1967 the Division of Library Programs developed its first “output measures” for its programs, measures which were further refined in 1968. The various national library standards, when applicable, were used as a foundation. When professional standards were lacking, reasonable norms were carefully devised. The entire process made clear the need for better ways to measure the effectiveness of library programs. This was further evidenced by a research study, An Overview of the Library Services and Construction Act—Title I, by the System Development Corporation, Santa Monica, California. This study to determine the impact of federal funds on public library services and to measure the effectiveness of state programs under this title, noted in its conclusions that a major problem was a lack of criteria with which to measure library performance. The most prominent example of this lack was in the measurement of library programs for the disadvantaged, a prime target area for federal support. OE has since funded a research project on public library services to the disadvantaged.

Currently, a new approach is being used in DHEW—the operational planning system which is designed to complement other management planning, information, and control mechanisms in the department. The department’s goals are a part of this new management framework. The new focus is on the careful selection of department objectives, the selection of which will involve all units and levels of the department. The regional offices of DHEW will be making a much greater contribution to the planning and evaluation process and to the setting of objectives. The final selection of objectives will represent those on which the department expects to concentrate its greatest efforts, proposing new or amended legislation when needed for their accomplishment. Sub-units of the department can have separate and more specialized objectives, not included in the final department selections.

At the beginning of each planning/budgeting cycle, OE—in consultation with DHEW and BOB—identifies a list of major program issues (or questions) facing American education which require analysis and resolution. Consideration of pertinent legislation is highlighted in the analysis, and the recommendations may include either new or revised legislation.

The DHEW operational planning system—together with other ongoing planning activities (including PPBS)—is the framework for results-oriented management which attempts to direct management action toward the secretary’s priorities and other key activities of the
department. It provides a vehicle for an improved national dialogue on major operating issues, progress, and problems.

Goals of the Commissioner of Education include the development of a nationwide strategy for maintaining a continuing process of improvement and relevance in American education. The Commissioner is greatly concerned with the elimination of failures with respect to the education of the disadvantaged and with the provision of adequate human, material, and financial resources and their more effective distribution in relation to educational needs.

A key word from the highest to the lowest levels of the present administration is accountability, a factual basis for an understanding of the relationship between expenditures and performance in education. Under the premise of accountability, institutions and communities will be held accountable for the results of education just as a business is judged for its productivity and for the quality of its products. The "independent accomplishment auditor" will be a new important professional in determining the effectiveness of programs.

Additional administration stress is on the consolidation of programs with a major share of administrative responsibilities being shifted to the states. There will be greater focus on research and evaluation with results being translated into action. Assistance to the disadvantaged will increase. Translating this into library programs, Title II-A (College Library Resources) of HEA, may be focused on the institutions with the greatest needs—growing school enrollments, outdated collections, or particular financial needs. This concern will be carried over to library training and education. The library training program, now under Title II-B of HEA, may be redirected to focus on the areas of greatest needs. In the short-term institutes, as an example, there would be particular emphasis on training librarians and paraprofessionals working in poverty areas.

The four proposals in the President's message on education of March 3, 1970—the National Institute of Education (as a focus for a more coherent national approach to educational research and experimentation), the Commission on School Finance, the national Right to Read effort, and the Early Learning Program—will provide direction to the changes which must take place in this decade. However, there can be no success for these proposals unless citizens and educators, including librarians, are receptive to the need for change and are ready to act.
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References


3. Ibid., p. 428.


17. Leach, op. cit., p. 378.


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State Legislation Relating to Library Systems

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In order to comment on state legislation relating to library systems, one first must attempt to define the term "library system," an intellectual exercise of infinite possibilities. A query of the most promising source of assistance, the fifty state librarians or heads of state library agencies, about library system development—planned or existent—in their states, reveals "57 varieties" of interpretations of "library system."* In this variety, the state librarians are typical of their fellow members of the profession.

A few librarians exhibit a catholic view, applying "library system" to activities of all types of libraries, but most librarians tend to limit their use of the phrase to public library activities. Although numerous, public library systems (as "systems" are defined below) may not be the most common type of system. School library systems probably far outnumber their public library counterparts. Additionally, there are systems in the academic and special library areas.

In the historical perspective, this predominant identification of systems with public libraries is understandable. The public library's goal of the larger library unit as the means of ultimately bringing library

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* While the variety of systems, the incomplete state of the profession's statistical and informational gathering apparatus, and a traditional orientation to public libraries make it difficult for most state library agencies to have a complete knowledge of system development in their states, these agencies are the most likely to have a breadth of information. In January 1970, the author queried the state librarian or head of the state public library agency of each of the fifty states regarding the existence and organization of library systems, development plans, and legislative needs for system development. Forty-five states provided usable responses. Copies of appropriate statutes supplied with these responses and the texts of statutes given for each of these states in Alex Ladenson's American Library Laws, 3d edition (Chicago, ALA, 1964), and its First Supplement, 1963-1964 (1965), Second Supplement, 1965-1966 (1967), and Third Supplement, 1967-1968 (1969), also supplied data. The information given and the interpretations made in this chapter are based largely on the replies to the queries, on American Library Laws, and on the author's personal knowledge of system development in various states.

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service to all was the genesis of the concept of systems.¹ The persistence
of the identification of systems largely with public libraries thus is
understandable. However, as the demands on libraries, media centers,
and information centers grow in volume and complexity, interdepend-
ence is increasingly recognized by libraries as a necessity, govern-
mental and other organizations become more complicated, and state
and federal officials recognize a responsibility for library activities and
development. The system concept is changing; systems increasingly
are seen less as public library units serving larger areas and more as
library units involving libraries of various types in interorganizational
or intergovernmental relationships and as emphasizing qualitative
rather than quantitative aspects of service.

In another dimension, the variety of forms known to various librar-
ians as “library systems” has caused confusion. This variety has been
noted in recent public library literature. The authors of Minimum
Standards for Public Library Systems, 1966 wrote: “So diverse has
been the development [of library systems] that it is difficult to define
a system exactly.”² In reporting its recent studies on systems, Nelson
Associates noted: “The term is used in a variety of ways . . . responses
showed that it is subject to even wider interpretation than we had
supposed at the beginning of the study.”³ Ruth Boaz, writing on the
problems with library statistics in this period in which the organiza-
tional form of the public library is undergoing an accelerated evolution,
comments: “The word ‘system’ has been given such broad interpreta-
tion in library law and literature as to render it statistically useless.”⁴

In view of the great variety of interpretations of “library system,” the
difficulties in constructing a series of definitions, applicable to libraries
of all types, is apparent. However, if we accept the probability of some
exceptions, several generally distinctive groups of “systems” may be
identified.

All of these systems have in common, in addition to their operation
in a library environment and their goal of improved library service,
a formal basis in statute, state regulation, or contract and the possibility
of operating as a system at one level and at the same time operating
as a subsystem in another context.

In these definitions several terms appear which may need elabora-
tion. An “authority” is that political unit, corporation, or institutional
administration which by law, tradition, or administrative prerogative
is empowered to provide library service. The test of whether or not
a unit is an authority is a matter of contractual power; an entity having

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such power is an authority. "Constituents" are those students, employees, or members of the public for whom an authority has or accepts the responsibility of providing library service. "Jurisdiction" is the constituency or geographical area in which an authority is responsible for providing library service. While a library jurisdiction may be, and frequently is, coterminous with the limits of political jurisdictions such as towns, school districts, and counties, such coterminous condition is coincidental, albeit convenient, in defining library systems. This distinction is important since a frequent cause of confusion, particularly in the public library area, is the equating of the library jurisdiction with a political jurisdiction because the geographical boundaries of both happen to be identical. Conceptually, the library system primarily should be seen in terms of its own service responsibilities and the organizational form which is desirable in meeting these responsibilities.

"General purpose library service" and "general purpose" indicate the provision of the range of library materials and services which are considered to be basic by the providing library. "Special purpose library service" and "special purpose" mean one or more separate library functions, either basic or supplementary, but the functions of which are in sum less than the full range of materials and services considered to be basic. A "service point" is a physically separate location or facility at which library service is provided. (For example, a dormitory collection and the main university library are two different service points. The circulation department and the special collections, both housed in the main university library, are considered to be parts of one service point, the main library.)

I identify four types of systems:

1) Single Jurisdiction System: a library organization responsible to only one authority, and providing general purpose library service from multiple service points to the constituents of that authority. Examples of the single jurisdiction system include a university library in which departmental libraries are under the administration of the director of libraries, a school system with central supervision of the instructional media centers in the system's individual schools, a city library with city branches, a multicounty library having its own headquarters and bookmobiles or branches, or an entire state served by the state library agency through local service points throughout the state. The single jurisdiction system usually is the result of organizational evolution in which additional service points are established as the demands and
support of a library grow. Less frequently this system is created when two or more authorities merge to form a single authority; in this case the system might correctly be referred to as a consolidated single jurisdiction system (as opposed to what might be called an “evolved” single jurisdiction system). Sometimes the term “consolidated” is applied when an authority contracts with another authority for the provision of a unified service for the respective jurisdictions. This use is inaccurate; unless a merger resulting in only one authority has occurred, the system is not consolidated.

2) *Multiple Jurisdiction System*: a library organization operated by one authority singly or by two or more jointly under a contract between two or more authorities, and providing general purpose library service from multiple service points to the constituents of the two or more authorities contracting for the service. The multiple jurisdiction system usually involves only public libraries, but occasionally it is found among other types of libraries. Examples include a small rural library operated by agreement between it and a larger neighboring library with the residents of both jurisdictions having reciprocity of use of both libraries, a county seat public library with which the county government contracts for service by bookmobile and access to the town library for county residents, and the joint operation of academic library facilities by two adjacent universities.

3) *Cooperative System*: a library organization created and governed by two or more authorities operating their own libraries for the purpose of providing themselves with one or more special purpose library services and, where appropriate, of assuring the provision of general purpose library service to an area for which the system may be responsible. The authorities creating the system may establish a separate authority or may designate an existing organization coincidentally as the organization for the operation of the system. Each participating authority continues to operate its library and to have responsibility for library service in the authority’s jurisdiction, retains its basic administrative independence, and contributes one or more resources (materials, personnel, services, finances) to the system.

Cooperative systems providing special purpose library services undoubtedly are more numerous than those in the general purpose category, although no census of systems as defined here has been made. The special purpose cooperatives may be established to provide such services as centralized purchasing, technical processing, special collection development, or specialized reference and research service.
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Such systems frequently begin with the provision of one service, but add other special purposes as the system matures. Special purpose cooperative systems which involve the various types of libraries are found in both homogeneous and heterogeneous organizations. Examples of the special purpose cooperative system are a central serials collection and copy service for an association of college libraries, a common film library for a group of school districts, a depository for the little-used materials of a group of research libraries, a special information service for the public libraries of an area, and a regional technical processing center for schools, junior colleges, and public libraries.

By definition only public libraries would likely be members of general purpose cooperative systems. (One can imagine only with difficulty a circumstance where a library other than a public library would recognize any responsibility for assuring the provision of general purpose library service to an area outside the local library authority's immediate jurisdiction.) An example of the general purpose library cooperative system would be an organization formed by the action of the boards of a group of public libraries to use state and local funds in order to provide their libraries with special consultant and advisory services, with loan and reference services to supplement the local services, with reciprocal borrowing privileges, and with access to a union catalog of holdings of member libraries. The organization might further provide bookmobile and other services to the areas adjacent to the member libraries which are without local library service.

4) State-wide Hierarchal System: An arrangement sponsored by the state to provide library services to meet the needs of every resident through the incorporation of the libraries in the state in a hierarchy, each level of which has increased capacity as a library resource. There may be as few as two (local and state resources) or as many as five levels (e.g., local, county, district, regional, and state resources). The libraries in the arrangement may or may not receive financial support from the state; if they participate in the determination of policies, selection of programs, evaluation of services, etc., the participation will likely be limited to an advisory role. This arrangement may involve only public libraries or it may involve libraries of all types. An example of a state-wide hierarchal system is a state with an arrangement in which the local public, school, or other library may apply to a larger public or academic library serving as a district library for materials the local library does not have or for assistance with reference questions the local library cannot answer. The district library in turn may
apply to a larger public, academic, or special library, at the regional level. The regional library then has access to the state library, the library of the state university, and other state level resource centers.

Having now identified and described library systems as they appear today, we can distinguish those concerned with state legislation. Generally, only systems having a governmental status (i.e., specifically authorized by law or state agency directive, subject to state regulations, or supported by public funds) or consisting in whole or in part of libraries having a governmental status are directly involved with legislation.

For nongovernmental libraries, participation in the establishment, operation, support, etc., of a system involving other nongovernmental libraries is a matter of decision by their authorities and is accomplished through the exercise of the provisions of general contract law. Thus while systems like the libraries of the Standard Oil Company, New Jersey, and New York City (single jurisdiction systems), the Joint University Libraries, Nashville (multiple jurisdiction system), and the centralized serials servicing activity of the libraries of the Associated Colleges of the Midwest, Chicago (cooperative system) may have a professional concern with state legislation, they are not usually directly involved. Except for those relatively few cases where a nongovernmental library participates in a mixed system, i.e., one which includes both governmental and nongovernmental libraries, the latter libraries are outside the scope of system legislation.

Logically, the single jurisdiction system would be the oldest form of system, and may first have appeared about 1870 when the Boston Public Library established what is generally considered to be the first modern branch library. With the development of departmental libraries in state supported institutions of higher education, the development of the concept of school library service accessible to every child through school libraries, classroom collections, and school bookmobiles, and the establishment by some state libraries of area or regional branches and bookmobile service, single jurisdiction systems became common in all types of publicly supported libraries, In the case of colleges, universities, and schools the authority for the development of these systems customarily is inherent in the institution’s general authority, although the statutes in various states occasionally may specifically give these types of libraries a responsibility for developing multiple library service points and thereby create single jurisdiction
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systems. Consolidations of these institutions occasionally might also create such systems, although this certainly would be an infrequent method.

A public library may become a system of this type by developing multiple service points in its jurisdiction or by the merging of several libraries. For half of the states, the public libraries have specific statutory power to establish branches and in 10 percent to operate bookmobiles. However, in the remaining states specific authority for the development of multiple service points is apparently not needed. This type of system also may be created by merger or consolidation. However, a review of the laws indicates that only twenty-three states authorize the mergers of public libraries, and in the absence of such specification, authority for merger cannot be presumed. A survey of the public library listings in the American Library Directory, 1968-1969 indicates that every state has at least one public library system of the single jurisdiction type. The number of these systems is probably relatively small; on the basis of a sampling of these American Library Directory listings, an estimated 20 percent may be of this type. Of this number very few would be the result of consolidations.

Special note should be made of the one state-wide single jurisdiction system that does exist. Since 1961 all public library service in Hawaii has been provided by the Hawaii State Library System. (Several other states operate systems which are an exception to the definition only in that they directly serve only a part of their constituency, e.g., the otherwise unserved or the residents of a part of the jurisdiction through a regional service point.)

While the wide development of single jurisdiction systems could contribute significantly to the achievement of better library service, history indicates that their growth will probably be slow. The deterrents are several and major. The smallness of the jurisdiction and the lack of funds are the usual reasons for the failure to develop multiple service points. Many public libraries are an activity of an authority of general government (e.g., municipalities, townships, and counties). In these cases a library’s jurisdiction is coextensive with the jurisdiction of the parent unit of government, and the library usually cannot extend the boundaries of its jurisdiction unless the parent political entity extends its boundaries, a move many “parents” cannot or do not wish to make. For the relatively few public libraries which are their own authorities and have the legal authority to do so, merger with another
authority is a possibility, although rarely a probability. Local pride and the traditional dedication to the principle of local rule are strong deterrents to merger efforts.

Some states (possibly as many as twenty), principally those in which the traditional pattern of public library development has been the establishment of single jurisdiction systems consisting of county, multi-county, or state-wide library services, indicate that this type of system currently is and foreseeably will be a major goal. The majority, however, plan to give priority to the encouragement of multiple jurisdiction, cooperative, or state hierarchal systems.

Despite the obstacles to the development of single jurisdiction systems as effective units for local service and as the stronger form of the basic block in the building of other types of systems, these systems deserve encouragement. To this end the enactment of legislation is needed by most states which would 1) permit public libraries to have jurisdictions independent of other municipal or governmental bodies, and 2) permit the merger or consolidation of two or more public library authorities.

Several states provide specific financial incentives as inducements to consolidations. For example, California gives $10,000 to each consolidated library jurisdiction for each of two years, and Connecticut, by providing that libraries serving 10,000 population or more receive an additional grant from the state, encourages small town libraries to combine to reach that service population.

The first multiple jurisdiction system has not been noted in the professional literature, but almost certainly the system involved public libraries. The contractual operation of the libraries of academic institutions, schools, businesses, etc., by similar institutions is so unlikely that the consideration of the multiple jurisdiction system is limited to a public library context.

Early examples of this system may have been the contractual arrangement used by the Hackley Library in Muskegon, Michigan, which served the suburban Muskegon Heights, as noted in 1926, or the service given under contract by Bangor or Gardiner, Maine, to groups of adjacent rural towns under an arrangement called “library district service,” in 1928-1931. A census of this type of system is difficult. The fact that library service in a given community is being provided under a contractual arrangement is rarely known. Contractual arrangements are easily accomplished and as easily terminated. They generate little or no publicity. There is little or no external evidence
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to indicate whether a service is indigenous or is provided by contract. Their existence is so unobtrusive that there is no available estimate of the number of multiple jurisdiction systems in existence.

Every state, except Hawaii (where state-wide service precludes any need for contractual authority to facilitate public library service), authorizes its libraries to enter into contractual arrangements for the provision of service. In most states public libraries specifically have this contractual authority. In a few, the authority is general for governmental bodies, including libraries, under statutes identified as Joint Exercise of Powers and Interlocal Agreement Acts.

While the establishment and operation of multiple jurisdiction systems contribute to the general development of public library service, systems of this type are seen as a major goal of library development in only about 10 percent of the states, and these tend to be ones in which county and multicounty libraries predominate.

No state indicates a present need for statutory changes to facilitate the existence of these systems. However, those few states without contractual authority for their libraries might well consider the desirability of enacting such legislation. Such legislation not only would provide an alternative for the achievement of larger units of service but also would provide authority for those libraries ultimately to participate in cooperative systems, and such participation may require contractual authority. Finally, legislation providing financial assistance to multiple jurisdiction systems would encourage their development.

The origins of the cooperative system, like those of the previously discussed systems, have not been documented. Of the two subtypes of this system—the special and the general purpose—the special was probably the first to appear. One can only speculate that the precursor was a somewhat informal or simple arrangement between several libraries to solve a common problem through mutual continuing action. The oft-cited agreement in 1897 between the three Chicago “public” libraries—the John Crerar, Newberry, and Chicago Public—by which each would build its collection in a different general subject area and thereby reduce meaningless duplication was such an early activity. Since then many special purpose cooperative activities involving all types of libraries and varying in degree of complexity have been initiated. Examples of these activities include union catalog operation, technical processing, publishing, storage of little-used materials, sharing of specialist personnel, training opportunities, coordinated collection building, special collection development, and pooled purchasing. Power
to participate in these cooperative endeavors rests in the administrative and contractual powers of a library's authority. Most governmental authorities have this contractual power either under specific or general statute. The lack of authority to be a party to a special purpose cooperative system is not reported as a problem among governmental libraries. In those few states where governmental units can only engage in those activities for which there is specification in law, the law governing the various authorities may need amendment to permit participation in the special purpose cooperative system. A special problem may arise when cooperative library service across state lines is desired or when a system involving both governmental and nongovernmental libraries desires governmental status.

For interstate activities of other than the most elementary sort, a legal instrument is needed which will have equal effectiveness in each state involved. Such an instrument is an interstate compact, adopted as an identical statute in each state and in its form a contract among these states. The first compact was enacted by Illinois in 1961. Since then at least twenty other states have passed such legislation—eight in 1963, five in 1965, and seven in 1967. One state reported that legislation for this purpose was to be introduced in 1970. These compacts have been used in the establishment of such interstate public library activities as film services, technical processing, recruiting, and journal publication.

There are two forms of these compacts, the one adopted by the state of Illinois and the one developed in 1962 by the Council of State Governments at the request of the New England state librarians. Five contiguous midwestern states have the Illinois form, and the others—principally states in the Northwest and the Northeast—have the Council of State Governments (CSG) version. This variance of form poses a potential problem. Mitchell Wendell, the counsel who developed the CSG's version, says "An interstate compact is a contract among states, as well as a statute in each of them. Consequently the contractual element fails, and the compact itself does not come into effect, unless each party enacts the same document." A problem will appear when two libraries, each in a state with a different form of compact, wish to participate in a cooperative interstate activity. Currently only two adjacent states—North Dakota and Minnesota—are known to have different forms. Apparently they have not seriously contemplated interstate activities as yet, but with an indicated trend toward the adoption of a compact by all states, this potential problem will increase.
Library Systems

As governmental and nongovernmental libraries increasingly recognize the necessity of interdependence, and an arrangement more formal than that which can be supported by simple contractual arrangements is required, a cooperative system involving these libraries is a possibility. Unlike systems consisting wholly of nongovernmental units or wholly of governmental units, special legislation is likely to be necessary where both are involved. In 1967 Indiana enacted a Library Services Authority Act, an act enabling governing authorities to jointly establish an independent municipal corporation, having all powers, privileges, and authority except that of levying taxes, and for the purpose of providing such library services as the participating authorities determine. In anticipation of a time when both governmental and nongovernmental libraries might need an organization for a joint activity, the Library Services Authority Act included both of these types of libraries in the definition of "governing authority." New York, under the regulatory authority of the Commissioner of Education, provides for the mixing of the two types of libraries in the library reference and research resources systems. These regulations provide that public library systems, other libraries, institutions of higher education, and other nonprofit educational institutions may organize a chartered educational institution for reference and research library purposes.

In recent years there has been an increasing attention among states and public libraries to the cooperative library system as a vehicle for state-wide library development. The system in this context first appeared in New York as a result of the law enacted in 1958, providing for the establishment of a "cooperative system" by action of the boards of trustees of the public libraries which would make up the system membership. Major features of this system are self-determination of membership, self-government within the framework of a general law and administrative regulations, identification by the system of the program and services to be provided, emphasis on service to member libraries rather than to individuals, and state financial assistance ("state aid"). So acceptable was this concept that by 1962 the objective of covering the state with public library systems had been accomplished, largely through the establishment of cooperative systems. In 1963 California adopted a system law with provisions similar to the New York law. By the end of the fiscal 1967-68, thirteen cooperative systems had been formed, which with seven single jurisdiction systems, now provide state-wide coverage. In 1965 Illinois also enacted legislation similar to that of New York, and by 1967, the objective of state-wide
coverage by systems (all but one a cooperative system) had been achieved. Among other states which have examples of cooperative systems, generally similar to those of New York, California, and Illinois, are Colorado, Kansas, Michigan, Minnesota, and New Jersey.

In most states with cooperative systems, the authority for system existence is statutory, with more specific direction to be found in regulations of the state library agency, but in a few the state agency's regulatory authority is considered to be sufficient for the creation and operation of such systems. Where regulatory authority alone is used to develop systems, the state aid will probably be from federal funds; if these funds are withdrawn the continuation of the cooperative systems authorized solely by regulation is questionable. The advantage of the regulatory authority is that regulations are more easily and quickly established, changed, or deleted; the disadvantage is the lesser degree of permanence. The most satisfactory authority would appear to be a combination of law and regulations.

Although only about 20 percent of the states have general purpose cooperative systems, such cooperative systems are an immediate goal for another 40 percent. Several states recently have enacted legislation which reportedly will provide for cooperative systems, and several more states report planning underway for legislative programs to this end. The remaining 40 percent of the states indicate that cooperative systems are not a goal because their states 1) currently have statewide service for the entire state through single or multijurisdictional systems or direct service from the state (e.g., Hawaii, New Mexico, and Vermont), 2) have not yet developed or had accepted a statewide plan, or 3) are still working on programs to develop community or local libraries.

The recent evaluation of the systems in New York, the state with the most experience with this form of organization for library service and thus an indicator of the future of cooperative systems elsewhere, notes that "there is . . . evidence that we may be approaching the point in New York State where the dominant image of the public library is one of usefulness; where there finally are enough successes to beget further successes."11 Library systems have had much to do with this change.

Despite the promise of cooperative systems and the indication that a majority of states have the establishment of these systems as a goal, some problems exist which are subject to legislative solution. The most frequent complaints involve money: the lack of state-aid funds to
establish systems and funds in an insufficient amount for the demands placed upon the systems once they are established. There are other problems; many states provide only for the inclusion of public libraries in the membership of systems, and have no plan for the coordination of all library services in an area. Despite the significant assistance of the system, the local or community library for whom the system primarily functions, frequently continues to be too small. (Remedies for this problem include direct state financial assistance, increased local library taxing authority, and provision of incentives to merger.) Ambiguity and imprecision commonly exist in the enabling legislation. This ambiguity may be convenient when libraries concerned with the preservation of home rule are being encouraged to form and join systems, but this imprecision may create major problems as development proceeds and regulations implementing the law are clarified and enforced.

While every state has a hierarchy of library service, even though such a hierarchy may consist only of the local public or other library and the state library agency, this hierarchy may not have the defined goals, planning, totality, formality, and recognition which are conditions of the state-wide hierarchal system. No census of state-wide hierarchal systems was made for this article, and no other census is known to be available. An estimated 20 percent of the states, principally the more populous and those with technological economies, have such systems. As the example of those states with a state-wide hierarchal system becomes more evident, greater attention is given to the appropriate standards in Minimum Standards for Public Library Systems, 1966 and in Standards for Library Functions at the State Level, and as the single, multijurisdictional, and cooperative systems develop their services to the point where the need for regular recourse to higher levels of resources is recognized, the number of these systems should increase significantly.

For the development of state-wide hierarchal systems a strong state library or state library agency is requisite, with such strength to be in terms of authority, finances, and status in state government. Another necessity is the availability, normally within the state, of the levels of library resources required to meet the needs of the state's libraries, a condition met by adequate financial assistance and power, whether in statute or regulation, to direct the development of these resources. Legal authority must exist for the participation of the individual libraries in the state in a hierarchal system.

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Library systems exist among all types of libraries and in various forms, and probably exist in far greater numbers than most librarians would estimate. The growth of systems, largely a phenomenon of the last twenty-five years, is a response to the increasing impossibility of an individual library or even a group of neighboring libraries being wholly self-reliant. In increasing the capacity of libraries to serve, systems have demonstrated their appropriateness to modern librarianship. Such development requires, for all but the simplest of the single jurisdiction systems, legislation of an increasingly specialized order, and as the concept of systems matures, the variety, number, and complexity of legislation required for systems will probably increase.

References


Library Systems

A Critical Analysis of State-Aid Formulas

RALPH BLASINGAME

Contrary to instructions to writers for Library Trends, this article is not a review of recorded thought on the topic at hand (though it is to be hoped that it is "a thoughtful and authoritative paper"). The reason for not following the instructions is that there is very little recorded thought of an analytical or critical nature about this topic. To be sure, two evaluations of state plans exist,¹ and both deal in varying detail with such matters as the number of books, staff and other such measures. However, there has been little interchange of ideas on how to establish a formula for state aid or, more importantly, whether a state-aid formula should or can affect the basic conditions of public library service by, for example, altering the purposes of libraries or their organizational form. Neither has there been substantial discussion of the problems which state-aid formulas may cause or aggravate.

Analysis of a problem-oriented nature is needed if we assume that state aid is a growing phenomenon, which, of course, it may not be. Constructive criticism will be accomplished most fruitfully through objective study and research involving both librarians with a research orientation and specialists in public administration, political science, sociology and perhaps other disciplines.

A state-aid formula is usually, of course, one of the principal end results of a study of the conditions of library service. The results of the formula would probably be better if they were the result of a long-range, open-ended process of planning and thus perhaps open, by definition, to change. However, the fact is that most formulas are established following a relatively short period of study, and for a variety of reasons they become difficult to change. What should be a process then becomes an event, most often under the control of persons or groups of persons who do not carry responsibility for implementing the plan. The

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planners are under pressure to present a plan of action which will have some built-in short-term acceptability. They are usually heavily dependent on a few persons for finding out what may be acceptable. This problem is, of course, quite general and grows out of a reluctance in public life to making investments in planning processes.

Operating within this context, the planner or study director is constrained not to suggest experimental methods of operation, but rather to develop a program geared at least as much to present acceptability as to long-range flexibility. A general tendency, then, is to orient the end result of the plan (for example, the formula for state aid) to existing institutions and established service patterns. Given the broad spectrum of economic and social conditions in even the wealthiest of states, planning done on this basis is very apt to be institution-oriented; that is, it tends to reward the successful over the unsuccessful as judged by the presence of "acceptable" institutions.*

The development of a plan is part of a series of events running from the recognition of the need for a plan to the implementation of the result. With few exceptions, we view these events as properly being controlled by librarians or by persons who accept the premises of librarians. We assume, then, that librarians and their allies have the expertise necessary for the task. Specifically we assume that these people have a broad understanding of the processes of urbanization, that they are expert in planning, that they have become deeply involved in the main currents of public affairs, and that they have developed sensitivity with respect to political strategy, to say nothing of the requirements of program development, systems analysis and collection and analysis of statistics. Given the obvious restrictions which these assumptions suggest, it is hardly surprising that the methods of distributing funds in the various states tend to have many points in common. Neither is it surprising that certain ideas, such as the concept of levels of service, having become embedded in the education of librarians, are reinforced by the strength of precedent which the state-plan approach tends to impart. Almost any plan accepted and implemented in one state tends to become a justification for copying it (or parts of it) in other states.

* One might think, for example, to take an opposite extreme, of paying state aid for public library service directly to individuals and giving them absolute freedom to spend the dollars or credits in whichever institutions satisfy their needs. To belabor the point, even moving slightly in this direction is discouraged by the state-plan approach.
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First it may be useful to list some of the purposes which state-aid formulas are established to fulfill, second to identify some of the assumptions which are necessary for the establishment of the concept of state participation in the funding of libraries and therefore the development of formulas, and third to identify some of the problems to which both may lead. It may then be possible to suggest some principles for the development of formulas, although in a most tentative form. The following are some of the purposes for state aid to public libraries which have been articulated:

1. To stimulate local support for public library services. In this case, the state may attempt to use both the carrot and the stick (or "lever") to encourage certain levels of local support and/or organizational change (e.g., development of systems).

2. To equalize opportunity for residents of relatively poor areas. Equalization of educational opportunity has been a traditional role for state governments and public library services are regarded for this purpose as part of the educational network.

3. To relieve the local real estate tax load. Typically, states have produced income through taxes on sales, manufacturing processes, intangible property and income. In many cases the taxes on intangible property and income yield sums of money more closely tied to economic growth than is the case with real property taxes (the most common source of income for public libraries) and they represent sources not available, in many cases, to local governments.

4. To bring certain benefits to local libraries which they have not had available through other channels. Theoretically, there are advantages of scale which may be realized through the development of systems of libraries which most local libraries have not in fact made available to themselves.

One way to equalize service, of course, is to proceed to build many large libraries, furnish them with large collections of materials, and staff them appropriately. Since the population and economic base are not distributed evenly, however, that course is closed. A more pragmatic approach is to attempt to work out some mechanism by which human and material resources may be made available by differentiating among levels of service and by then providing for outlets throughout the state which are linked together. At least logically, then, the resulting service would have low unit costs as compared to the first method.

5. To permit established libraries to continue to exist (and develop)
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in the established patterns, despite erosion of the economic bases upon which they have traditionally depended as a consequence of relatively recent trends in urbanization. This purpose has seldom been articulated in state plans, but it has so commonly been the actual result of state-aid formulas that one must conclude that it was a real purpose all along. At any rate, this purpose has recently been articulated by local government officials and probably will be pressed by them as the older cities and towns continue to decline. Perhaps the prize example, though only because the circumstances are so clear, is the Newark, New Jersey, Public Library.

6. To recognize the responsibility of the state government toward providing for the information needs of persons not having connections with institutions. The thought in this case is that information has economic importance of various kinds and that society has a general responsibility to provide a flow of information to all if the society is to remain open.

Other purposes for state participation in the financing of public libraries have been advanced, such as the notion that state governments ought to fund these local services since they pay for or assist with some others, but those listed above appear most often.

Assumptions

As one examines the various state-aid plans and formulas, so many assumptions appear that it becomes difficult to identify them and to sort them out. Some are:

1. That need for public library service exists and is of such vital concern that it will command a degree of financial support from the state in scale with the problem as librarians define it. (The assumption here is that not only does the need exist but also that public library service can be presented so as to command the attention of legislators and executives who must also deal with economic development, transportation, formal education (at all levels), public health, environmental degradation, and other matters of great magnitude and urgency);

2. That a plan can be devised which will attract the political support (or, at least, fail to attract political antagonism) of persons struggling with the problems of operating institutions (local library trustees and chief librarians, for example) while also providing for the development of a state purpose—for example, real equalization of
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educational opportunity—which is necessary to the continued participation of the state;

3. That the needed services which are the basis of the plan will, in fact, be delivered to the persons who need them as a consequence of the payment of state aid. (We assume, then, that where state aid is paid for regional services, for example, to existing libraries—and/or organizations governed or operated by representatives of those libraries—the funds will in fact be used for regional purposes.);

4. That appropriate mechanisms can and will be developed so that the need for and nature of change in the plan/formula will be perceived;

5. That the organizations receiving and disbursing state aid will respond to changing conditions arising from economic and population shifts at all levels;

6. That a single (often rather simple) formula can be used to encompass continuing changed conditions or that the formula can be changed, once established; and

7. That the state agency charged with administration of the plan/formula is or can become a regulatory agency.

This list is by no means complete. Certain assumptions have been intentionally deleted, e.g., that what librarians label “systems” do, in fact, result in the advantages of scale. It will also be clear that certain of these assumptions depend upon others, e.g., the education of librarians is adequate for the complex tasks which they have assumed. It would be an interesting and quite possibly useful task to extend this list. Aside from the educational values inherent in such an exercise, it could provide the basis for outlining a major research effort.

Problems

In this post-industrial society, certain actions are becoming imperative. For example, if we do not solve the problems of pollution of the environment, we shall be penalized. Either solving the problems or incurring the penalties will result in costs—though quite different costs. In either event, some portion of our total resource will be absorbed. Thus, since it is generally assumed that the total resource will not grow rapidly enough to pay all the bills we can think of incurring, certain priorities are bound to be adjusted and certain of our actions will be curtailed. As these imperatives reach crisis proportions, furthermore, it is likely that some of them (environment, for example) will
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tend to obscure others as popular issues. Thus, present action programs which are not clearly seen as imperatives may well tend to be downgraded.

With reference to state aid to public libraries, this inexorable trend may have two principal consequences. First, the whole concept may suffer; that is, the very slow trend toward state aid to libraries may become even slower or it may die out, never having been very strong. Second, if it develops that education as a general priority loses impetus, then the agencies which put themselves into that category will be forced to divide the total educational allotment differently if any part of the educational network is to prosper. In short, these agencies will be forced into internecine warfare. The attempt on the part of certain prominent school librarians to take over all service to children (and, of course, to claim part of the resource now allotted to public libraries for that purpose) may well be an early example.

The reason for this very brief review of a very important and complex issue is to suggest that the 1970s may be a period of even greater stress for libraries than were the 1960s. If that is true, then it is well to attempt to identify problems and ameliorate them in existing plans (or to avoid them in future plans) because they may be compared to imperfections in a casting. Such imperfections lead to fractures more readily as the stresses on the object increase.

The first problem to appear in examining the purposes for state aid set forth above is that some of them are antithetical. The first purpose (they are not presented in any order of importance, incidentally) is that of stimulating local support. It is obvious that this is the antithesis of the third purpose: that of relieving the local real estate tax load. One can rationalize his way out of this dilemma, of course. One common line of rationalization is to incorporate a "floor" of local support into the formula; another is to give increased state aid to jurisdictions for increments above the floor. The first is probably the more reasonable course, since it makes a certain sense, depending on one's point of view, to demand that any state-aided service reach some minimal support level. However, it may lead to leaving relatively large land areas unaided, thus tending to create cracks in the political supports. The second course leaves a "them as has gets" feeling with areas in economic difficulty; it suggests that rich people deserve more than poor people. Inclusion of equalization factors and extra rewards for serving large land areas (rather than large populations) seems the more realistic course.
The second purpose (to equalize opportunity) appears to be antithetical to the fifth (to permit established libraries to continue more or less unchanged). Supporting city libraries is a relatively expensive process and may absorb a large percentage of the total expenditure if taken seriously. State payments have not yet reached levels necessary to furnish a large percentage of total support for these libraries, but pressures in that direction may build up. In fact, the issue may be taken out of the hands of librarians. At present, state aid plus the hope for more aid probably is tending to delay experimentation with equalization for the poor residents of cities. The libraries, in short, are following their constituency into the urban field (through designation as “resource” or “research” libraries) rather than concentrating on the closer but unfamiliar problems of dealing with growing numbers of “disadvantaged” persons, deteriorating housing, and so on.

Certain problems are inherent in the stated purposes themselves. For example, the sixth purpose is a most difficult one to demonstrate. It is known that individuals put information to work. Some classic examples are such men as Andrew Carnegie, Thomas Edison and Edward Land. Sophisticated technical information is becoming more and more expensive to produce, store and disseminate. Consequently, the scholar in an academic institution or the bench scientist in a large corporation is probably working at an increasing advantage as compared to the individual entrepreneur who needs up-to-date information. The argument hangs together, but the client group is unorganized so that we do not know the scope or real nature of the problem. Given the idea, what avenues do we then follow so as to know that we are effective? Without some measure of effectiveness, it is difficult to sustain the purpose.

As one examines underlying assumptions, the staggering problem is that so few steps have been taken to convert them to hypotheses so that they can be tested and few preparations have been made to do so in the future. “Library statistics,” despite the attention given to them, are notoriously unreliable and incomplete and thus are generally unamenable to analysis. The research capacity of librarianship is quite limited and there is a general distrust of “outsiders.” Librarians thus deprive themselves of the potential benefits of the analytical techniques and insights of, for example, the social sciences and mathematics.

With respect to need for public library service (the first assumption), the fact that people do in fact use libraries may be sufficient, at least for some time to come. Whether the evidence will stand in a period
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of increased stress is open to question. The fact that perhaps eight or ten states (after almost fifteen years of federal assistance) have appropriated more than token amounts of money for support of public library service suggests several problems. It may be that the case can be made, but that it rarely has been for reasons of lack of political skill, disagreement among the supporters of various plans, or other factors which conceivably could be overcome. Considering the number of studies which have not resulted in action, however, one is not encouraged to think that translation of need into demand is just around the corner.

The second assumption is related to the first. If one accepts the first, then it follows that building political support is essential. That support can be organized from any number of client groups, but one of the most important will always be the persons directly concerned with operating existing libraries; otherwise, destructive forces will be generated. Obviously, operators of institutions have a vested interest; they have expectations for their own institutions which they feel will be realized, at least in part, as a consequence of the receipt of state aid. In short, the established bureaucracy must become a part of the solution to “improved” or “extended” service. At the same time, certain state purposes must be encompassed if state aid is to be justified over a long period of time.

These two interests are in conflict. Operations of institutions have gathered power and it is probably a good generalization that sharing power is difficult for any person whose ego has driven him to accumulate it. An example would be one who has become head of a large city library. Beyond that, the state’s purposes represent an intrusion on the established library which, after all, came into being with little or no help from the state. Of course, there is always the open question as to whether or not established bureaucracies can be counted on either to serve clients needing service or to adjust to social change.

It is perhaps needless to go on examining the problems flowing from these assumptions one by one. If they do not begin to appear of themselves at this stage, spelling them out will be pointless. Suggesting a few general problems which may result from the initiation of a state-aid formula may be more helpful.

State library agencies have traditionally operated in advisory capacities. Theoretically, they should become regulatory agencies when they assume responsibility for paying state aid. This shift of function is made difficult by both the tradition of the agency itself and by the view
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of the agency which the recipients of aid hold. Perhaps we see here the basic reason for the general lack of feedback systems for the estimation of the result of the aid and for the perception of the effects of social change over time.

Administration of a state-aid formula is a difficult and time-consuming set of tasks. That fact, together with the novelty of the plan, may well reinforce the view of planning as an event rather than a process, noted earlier. In short, there is a natural tendency for the agency to be blind to the faults of the plan and to opportunities for action not related to the plan and administration of the formula.

Principles

One should approach the task of suggesting tentative principles (or guides) very cautiously. Perhaps the greatest fault of the “expert” is that he presents bad ideas in a convincing rhetoric. This subject, then, should be regarded as, at best, a basis for discussion.

One guide to the development of a state-aid formula is that, so nearly as possible, all of its results should be anticipated. If the results do not suit the purposes of the plan, either the formula should be modified or the results accepted. Where state aid is paid to any local library which achieves a certain level of local support, it is common for there to be a rise in the number of small libraries. Yet the library profession decries the proliferation of small units; either it should accept the result or change the formula. The point is that the result should not be a surprise. Of course, ability to anticipate results is, to a large degree, dependent upon ability and willingness to invest in research and development.

Another guide is that the plan/formula should be suited to the population distribution and to the distribution of the economic structure of the area(s) in which it is to be applied. Because of the great variation in both, it is reasonable that there should be more than one formula, or that a basic formula could be modified by the injection of one or more factors depending on the area to which it is to be applied.

Feedback systems should be devised and implemented either with the inception of the formula or very soon thereafter. In any event, the authorization to develop and apply such mechanisms should be in the enabling legislation, and the intent to use that authorization should be clear. It is possible that a portion of the funds appropriated for
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state aid should be earmarked for this purpose, under the general heading of research and development.

Last, it should be a stated obligation (and the formula again might include authorization for the use of funds) for the agency administering the plan to conduct experiments and demonstrations in areas of the state which do not take advantage of the state-aid formula.

References


2. Whether our view of “system” is such as to enable libraries to realize the advantages of scale is an open question. For one view, see Blasingame, Ralph, Jr., and De Prospo, Ernest R. “Effectiveness in Cooperation and Consolidation in Public Libraries.” In Melvin J. Voight, ed., Advances in Librarianship. Vol. 1. New York, Academic Press, 1970, pp. 189-206.
Legislation Relating to State Library Agencies

WALTER BRAHM

Legislation relating to state libraries is usually an after-the-function development. It is the result of a function or action desired or expected to be performed by the state library agency rather than the creator of the function. A report on such legislation is in reality a discussion of agency functions; to determine the trend of legislation, or even to predict it, one needs only to note the existing and emerging functions of the states' library agencies.

What is a "state library"? What is the role of library service at the state level? Has anything new been added? There is near unanimous agreement among library practitioners, government officials, and students of government, both in practice and in theory, as to what library services the states should provide. However, in determining what agencies of the state should be responsible for these functions, considerable differences of practice and opinion exist. Where is the "state library" in the structure of state government? Where should it be?

In previous writings on state libraries,¹ we noted that most of the older agencies came into being primarily to meet the needs of their state governments by providing information service to the governor, legislators, and other state officials—one of the few library functions common to all of the states today. Until late in the nineteenth century state governments had little concern for the development of library service other than for their own housekeeping needs. It is only in the past thirty some years that other major functions which now comprise the role of a state library agency attained acceptance.

In 1950 the National Association of State Libraries enumerated the library activities of the states and the agencies which performed them.² This report listed five library functions provided by the states with few exceptions. These functions were general library service to public and state officials, extension service, historical and archival service, legislative reference and law library service. In 1956, using the above findings

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as a base, the association attempted to define the role of a state library. Holding that the state library is the focal point of state-wide library services, it described the generally recognized components of an integrated state library agency as: general library service, archives, extension, government publications, law, legislative reference, state history, and special library services.

In 1960 the American Library Association, with funds provided by the Carnegie Corporation, initiated a survey of state libraries, and on the basis of this survey issued Standards for Library Functions at the State Level, which contained some sixty-two "should do's" for state library agencies. Although the standards ranged from what a state library is, through where it should be, to how it should operate, the functions basically were those enumerated above by the National Association of State Libraries.

In its annual collection of state appropriations for state library agencies, the American Library Association lists fourteen activities and indicates which activities are performed by each state: 1) general library service, 2) genealogy and history, 3) archives and record management, 4) legislative reference, 5) law library, 6) federal document depository, 7) state document depository, 8) library extension, 9) service to the blind and physically handicapped, 10) service to correctional and custodial institutions, 11) service to local schools, 12) processing for local libraries, 13) newsletter, and 14) publications. Again, these fourteen specific activities are merely a pinpointing or stretching-out of the broad functions originally defined in 1956 by the National Association of State Libraries.

If there has been no change in the functions of state library agencies in recent years one would expect legislation which primarily aims for greater efficiency in performing or accomplishing these functions, legislation that permits states which had not been providing certain of these services to do so.

In 1967 Arkansas, Connecticut, Indiana, Minnesota, Montana, North Carolina and Oklahoma authorized interstate library compacts. As with the other sixteen states which have such authority, the purpose is more of the same—to enable states together to do better those functions which they are already authorized to do separately. As of this writing, no compact programs have been activated, although several have been proposed. Perhaps significant as a trend has been legislation approved by the states which concerns the various aspects of the state agency's extension or library development function—cooperation and coordina-
tion of types of library services among the following library units: school, public, academic, special, networks, and systems. Because McClarren, in this issue, deals with these specific subjects, we shall note them but not detail them here.

New York State probably is best recognized among the states for enacting such legislation several years after the presentation in 1947 of its state plan for library development. However, while it did not use the word “system,” Ohio’s state-wide study and legislation enacted in 1947, was a development plan providing library service for all residents based on county and regional systems. Likewise, the Michigan State Board for Libraries proposed a plan for regional and county libraries as early as 1943.

With the advent of the Library Services Act in 1957, other states began to follow the pattern of a state-wide survey, and subsequent development of a plan. Notable among these were Pennsylvania in 1958, California in 1962, Illinois in 1963, and New Jersey in 1964, notable because subsequent legislation put the plans into action. This trend has continued through 1969, perhaps not at the accelerated rate of the 1950s and early 1960s. In 1967 Indiana, Oklahoma, Minnesota and South Dakota approved some form of public library system legislation; Kansas enacted library system legislation in 1968. In 1969 Texas passed a library systems act, and Ohio passed a library development plan authorizing area library systems organizations.

State aid or grants-in-aid, a major component of the extension function, is a perennial subject of legislation relating to state library agencies because each state’s library groups seek legislation increasing amounts and establishing or revising formulas of distribution. The state agency is usually the budgeting, certifying, and distributing agency for the state funds with its authority and responsibility ranging from mere checkwriting to planning, allocating, and approving grants, depending on the formula established by legislation. A critical analysis of such state aid formulas is provided by Blasingame in this issue.

Beyond “systems” and “state aid” other functions of state agencies inconsistently have become subjects of legislation varying in importance. Nevada in 1965 and Oklahoma in 1963 succeeded in establishing state library councils. The significance of such legislation is that it presents a somewhat different approach to state-wide planning and coordination of library services than state agencies have used, if they have used any. Not to be confused with the typical advisory board, council, or committee appointed to advise an administrative
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agency, these councils, cloaked with state-wide assignments, were the forerunners, if not the impetus, to the establishment of the National Advisory Commission on Libraries created in 1966, from which the library world has great expectations.

Emphasis on training of personnel, one aspect of the extension function, made possible with the aid of federal funds, has revived legislation authorizing state agencies to provide scholarships and to conduct training and other programs of education or librarianship. Nineteen states have some form of such legislation: Arkansas, Colorado, Connecticut, Florida, Indiana, Kentucky, Louisiana, Maine, Mississippi, Missouri, New Hampshire, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, West Virginia, and Wisconsin.

In 1967 Connecticut authorized its state agency to establish "recommended" standards for principal public libraries and in 1969, extended the authorization to the application of such standards. This has some significance in its implication of enforcement of standards, but typically fails to provide for enforcement. State legislation in this area tends to defeat itself. With some exceptions library standards are permissive standards, urging a certain level of performance (the library should do this, or should have so much) but a library is free to meet them or not without penalty or reward. At the state level, agencies have the potential to insure that the standards are met in the distribution of federal and state grants, but they approach this potential by indirection. Because legislation seldom provides for enforcement through penalty, the agency must resort to enforcement by "regulations" or other implied powers.

Management of records of a state's agencies—the scheduling for retention or destruction of all records generated by agencies in the performance of their functions—has developed in many states in the past fifteen years. Infrequently, this responsibility has been directly or indirectly assigned to the library agency, but such practice is the exception rather than the rule. In 1967 Connecticut established a Department of Archives and Records Administration in the state library, with the library functioning as the executive agency for records management and storage. The American Library Association lists sixteen state library agencies reporting an archives and records management function, but since the two functions are not separated, undoubtedly a number of the sixteen are concerned only with archives.

State library agencies as a rule serve as the central depository agency for publications of the various agencies of each state and have at—
tempted to perfect some method of distributing copies of these to other libraries in the state. In 1966-67 five states enacted legislation establishing such programs: Florida, Mississippi, Montana, New Mexico, and Oklahoma.

If one were to foresee the next shift in emphasis of state library functions, with enabling legislation, it could be in the area of direct service to the public. We noted and analyzed this potential trend in 1961. In 1961 Blasingame’s survey of West Virginia recommended the state provide direct service to residents of certain areas of the state. In 1969 Greenaway, proposing a restructuring of the public library to solve its financial and service area problems, recommended that except for metropolitan public libraries “all other public libraries, whether rural, suburban, county, or urban, . . . [should] organize into a state system of libraries—financed, administered, and operated on a state-wide basis.” This is direct service by the state. Should library and other public officials give any degree of acceptance to this function, legislation authorizing the function may be expected.

Where is the state library agency (or agencies) in the structure of state government? Where should it be for optimum service or fulfillment of the state’s responsibility? In-practice efforts to find the answer to these questions have produced a variety of patterns with little uniformity among the states. In-theory (logic) efforts to find answers have produced frequent legislative changes but the net result has been more of the same. Because functions for library services at the state level are performed in many states by more than one agency, information gathering and evaluation or measurement of the functions usually are pegged to that agency which includes public library extension service as one function. In turn this agency may perform or claim to perform other library functions also performed by other agencies of its state. This makes it difficult if not impossible to get true or proper perspective of the alignment of library services in the states as a group for the purpose of noting patterns or trends.

Four states—Hawaii, New Jersey, Pennsylvania, and Wisconsin—could lay claim that all functions for library services at the state level are integrated in one agency. In these four states the agency is organized as a unit of the department of education. Almost complete integration occurs in California, Connecticut, Maine, Michigan, New Hampshire, New York, Oklahoma, Oregon, and Tennessee. In four of these states the agency is in the department of education. With the exception of these thirteen states an extremely wide dispersal or decen-
tralization of library functions among state agencies is evident, with individuality of the state apparently the only explanation for it.

Using the agency that provides the extension function as the basis for tabulation and comparison, the most common pattern of organization is an independent commission or board. Twenty-eight states use this form. In fourteen states, the agency is the department of education or a unit of it. In six states the agency is in the executive branch of government as an independent unit, but without a commission or board, providing direct control by the governor. In two states the agency is the secretary (department) of state’s office. (In two other states, the secretary of state has the title of state librarian, but the office functions only as the librarian-custodian of materials of the state.)

Legislation of recent years relating to the form of organization is either insufficient to indicate a trend or is a contradiction. In 1964 Rhode Island transferred its extension function from the secretary of state’s office to a unit in the executive branch of government, while in 1969 Florida transferred its library functions to a unit in the department of state. Michigan and Wisconsin reorganized their former independent units placing them in the department of education. In 1965 Connecticut removed the extension function from the department of education, merging it with the state library. Kansas passed legislation in 1963 combining the library commission and the state library. In 1969 Vermont sought merger legislation, but failing, has by agreement combined the administration of the state library and the library commission hoping to confirm the “merger” with subsequent legislation.

Critical evaluation of the effect of the form of organization on the quality of service of an agency is not valid because of the great number of variable factors to be found in each state.

In 1956 the National Association of State Libraries recommended that for the best performance of the library function, the agency should be organized as a separate unit of government with a governing board composed of interested citizens. More than half of the states use this form. There is no evidence in the literature of the subject to contradict the recommendation. Personal evaluation indicates all four forms have examples of state agencies recognized nationwide for their accomplishments. Factors more important than the form of organization may include the agency’s ability to recruit and retain able personnel, freedom from political change of personnel, freedom for the agency to plan and execute a course of action, and adequate funds for such programs. Whatever form of organization that provides such conditions...
would seem to be satisfactory. All existing forms have some inade-
quacies when measured against these factors. The independent com-
misson tends to be a relatively small unit of government which permits
complete concentration on its library programs with considerable free-
dom to activate them, and assures continuity of personnel. Its smallness
and perhaps its independence lessen its ability to convince those who
provide the funds that it is part of the educational establishment, and
this results in inadequate financial support.

In contrast, a department of education is better qualified to provide
a library unit with adequate funds if it wishes, but the unit's freedom
of action may be subordinated to other educational goals of the de-
partment. Where the commissioner of education is a cabinet officer
or appointee of the governor, continuity of personnel also may be sub-
ject to interruption. Where the unit is administered by or in the depart-
ment of an elected official such as the governor or secretary of state,
uncertainties of personnel at each election may make it difficult to
attract outstanding personnel.

Integration of library services in one agency of the state, lacking in so
many states, could be a major step in the strengthening of state
agencies. Although existing institutions and traditions are formidable
obstacles, future state legislation toward this goal may be expected.

At least the placing of the extension function with that agency of the
state which has the greatest collection of library materials merits con-
sideration. Grants-in-aid, advisory service, interloans, supplementary
loans, reference work and library development are so interrelated, that
divided, the state reduces its ability to coordinate library services. The
federal library organization provides an example. The Library of Con-
gress has the great collection of materials which it efficiently uses to
supplement the public, academic and school library needs of the states
and communities; yet grants-in-aid for the same purposes are ad-
ministered by the Health, Education and Welfare Department. Organ-
ization of the Library of Congress as a unit of the legislative branch
of government is unique among libraries, providing certain advantages
for the library which permitted it, perhaps forced it, to become the
great institution it is. No state has sought to place its library agency
in the same branch of government. Library leaders in the various states
might well consider the feasibility of such a form of organization.

In summary, functions and form are the basis of past and present
legislation relating to state libraries, and predictably will be for the
future. When considering functions of state library agencies such legis-
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lation adds to or revises but seldom drops any, indicating an assuredness that the functions are proper; however when considering the form of organization, legislation shifts the functions from one unit of government to another and back again, indicating uncertainty as to which is most effective.

References

19. Ibid., p. 305.
WALTER BRAHM


General Legislation Dealing with the Organization, Management and Financial Support of Public Libraries

HANNIS S. SMITH

The first step in preparation for this paper was a rereading, after many years, of Carleton B. Joeckel's 1935 classic work on the subject. The second stage, which might fittingly be called the long count, was a reading of the applicable sections of the laws of each state as they appear in American Library Laws and its supplements. The third was an attempt to identify and secure more recently passed legislation.

The more recent legislation, with plans for coming legislation and some opinions on several phases of public library legislation, was secured by means of a questionnaire sent to the heads of all state library agencies. Returns on this questionnaire came from 90 percent of these agencies in spite of the fact that the season was Christmas and the respondents were deep in the frustrations of the continuing lack of a federal appropriation for their on-going public library development programs. As will be seen, the replies have been extremely useful, and they are acknowledged with gratitude.

The first impression is that little has changed since Joeckel completed his study, and in some ways little has. But this impression is mistaken. Actually there has been a great deal of change in the library laws at the state level, and just as important is the recognition that much legislation with direct application to public libraries does not appear in the library law itself. Still another factor is the increasing amount of administrative law applying to public libraries, which is contained in rules and regulations which have the force of law.

In the foreword to his book, Joeckel attempted to define a public li-

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brary and immediately ran into trouble. He finally arrived at, or rather adopted, a pragmatic solution which will be used in this article as well. He defined the public library as any library with the responsibility for providing free library service of a general nature, both reference and circulation, to the people of a particular community. Since "community" in our time seems to apply to any population group from the smallest village to the United States as a whole, this discussion will cover both legislation and administrative law affecting all kinds of public libraries whether township, town, village, city, county or multi-county, or even an entire state. The Hawaii State Library System is a public library in the same sense that the Martha Canfield Free Memorial Library, Inc., in Arlington, Vermont, is a public library.

One of the difficulties in analyzing the patterns of public library legislation is the presence of many places where the legal basis of the library rests in a city or county charter, strictly local in application. Another is the continuing presence of public libraries which are legally chartered corporations operating under state laws governing non-profit educational and charitable organizations. Fortunately, both of these have been well covered by Joeckel. In this respect there appears to be little if any change since he wrote.

The principal element in general public library legislation which has scarcely changed since 1935 is the authority to establish public libraries. All but two states, Hawaii and Wyoming, have laws authorizing the establishment of public libraries by incorporated cities and villages. Hawaii has only its state-wide unified library system, and Wyoming limits establishment to counties. Eleven states permit public library establishment by towns. These are either in New England or in the North Central states where the influence of the New England town government has spread. In most states a town is an incorporated place of intermediate size or merely a surveyor’s description of thirty-six square miles of land. Eleven states, but not the same ones, authorize what are called “special library districts.” These might be very small in some cases and multi-county regional library systems in others.

There are eight states which authorize the establishment of public libraries by the governing boards of school districts. This is an older pattern, little used in recent years, which Joeckel discusses and evaluates at length. His evaluation remains among the most useful yet published.

The big changes in public library legislation since 1935 have come in the improvements in laws governing county libraries, and even more
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dramatically in the proliferation of laws authorizing multi-county regional libraries and similar library systems. While the establishment of public library service by county government is not new, it is now authorized in forty-two states, one of them being Wyoming where, as previously stated, the county library is the only authorized public library under state law. According to the statistics furnished to Joeckel in 1934 there were only 230 county libraries in the United States, but at latest available count there were at least 1,112! Hawaii which has a state-wide system, Alaska which has no counties, and six New England states where the county is not a meaningful unit of government are now the only states which do not authorize county libraries. It is not surprising to find that county libraries can be found in all but two of the states which permit them. In New York and Kentucky, the region appears to have supplanted the county as a library district, although the law still permits the latter.

Since there are 3,074 counties in the United States and only slightly more than one-third of them have county libraries, this may not look like great progress. But here another factor enters—the regional or multi-county library in which we find the biggest change of all in library law; in fact, it is an entirely new development since 1935. Joeckel's thesis leads him to proposing regional libraries, but at that time they were only dreams. But the strong, hard facts developed by Lowell Martin only a few years later were to give great impetus to the regional library idea, so that now such libraries are authorized in forty states. The general pattern is to permit the governing authorities of two or more counties to establish and support a single regional or multi-county library to serve all areas for which they are responsible. At last count, there were well over 200 such libraries or library systems which serve considerably more counties than are served by single county libraries.

All of these numbers are admittedly on the low side of what really exists. In recent years, the regional library has been the institution with the most rapid growth of public library service in the United States. With most states using federal funds under Title I of the Library Services and Construction Act to encourage the formation of regional libraries, the statistics on this kind of library are out of date before they can be published. In Minnesota, for example, three counties have voted within the last year to establish public library service by joining an existing region and three others by joining an existing county library in the formation of a new four-county region. It can
be stated with certainty that there are now more multi-county libraries than the number given above. But, to complicate matters, arithmetic dictates that whenever a single county library joins others in a regional library, there is one more region and at least one less county library.

Most public libraries are governed by library boards whose appointment, size, numbers and powers are the next important section of library laws. Although a few laws provide for the election of library boards for one or more kinds of libraries, a preponderant majority of these boards are appointed by the same governing authority or authorities which created the library. Contrasted with this uniformity is the great diversity in the number of members of library boards. While by far the most popular number of members is five, the range in municipal libraries is from two to fifteen. In many states, the law for different kinds of libraries differs in the size of the library board for each kind of library. While some laws specify a number, others give a range which most generally is from five to nine, but can vary from two to twenty-five. In the multi-county libraries there may be one member from each county, or three from each county, or some provide one from each governmental unit including the cities. There are three cases where the number only needs be divisible by three, and in one case the board may consist of as many members as the contracting parties may decide. In seven instances of single unit libraries, the number is not set by law, but is determined by the governing body creating the library.

But there are cases (i.e., kinds of libraries) where there is no library board and the librarian is an official directly responsible to the governing body itself. In those cases things are clear in the library law, but there is another factor affecting the government of the library which does not appear in the body of library law but is found instead in that part of municipal law concerning city or village manager government. These laws usually provide that boards, including the library board, may be abolished or relegated to advisory status. There are exceptions, but it appears that public libraries in such municipalities do not usually have library boards in the traditional sense. The librarian is hired by and responsible to the city or village manager. This can be an influential factor in the development of the library, making its welfare more nearly dependent upon the attitude of one person than it would be in the case of a board.

One of the important features of the library law of most states is a section devoted to the powers of the library board. Only nine states do not have specific laws governing such powers, and they include
those which do not have any library board laws at all. A rough measurement of library board authority can be used to distinguish strong boards, boards with general powers, and boards with limited powers. The fact that boards are appointed by and responsible to governing bodies which also have the power to determine the library tax or appropriation is not regarded here as the difference between the three types because library boards have actual taxing authority in only two states. Such a board is the strongest of all, but close behind are those in twenty-three states where the library boards, once they have received their appropriation or tax levy, are granted complete authority over how such funds are to be spent. In only three states do library-board powers appear restricted; in the rest of the states the boards have general powers.

State library legislation is far from uniform, but when it comes to the powers of library boards a great many states seem to have copied the wording of their law from the same source. Joeckel devotes a chapter 8 to discussing library-board powers but appears not to have identified the source of this conformity. However, his entire discussion of library boards is perhaps the most definitive yet written and covers far more than can be brought into this paper. It well deserves careful study by every student of library-board structure and authority.

Almost all library boards must secure higher governmental authority to acquire property, construct buildings, or accept such as gifts. But once granted such permission, most boards have complete authority over the actual construction.

Probably the most universal legal provision regarding the management of public libraries is that the library may hire a librarian who is responsible either to the board or other governing authority which hired him, and that in consultation with such authorities the librarian shall hire other personnel and operate the library and its services. The board or other governing authority is the policymaking body, and, in most cases, the librarian operates within that policy. In a few, where the librarian is directly responsible to county commissioners, he is also a participant in policymaking by law. In the area of library management, most library laws are fortunately so flexible that it has been possible for librarians to adopt the most up-to-date library practices without having to amend the law.

In contrast to this fortunate flexibility, the provisions for the financial support of public libraries are among the most inflexible to be found. In only fourteen states is there no specified limit on the rate of taxation.
permitted for public library support. Vermont permits $3 per capita, and Virginia permits an amount sufficient to fulfill the minimum standards set by the state library agency. In all the others there is a specific maximum on the permissive mill rate. In nine states the maximum is less than one mill. It is not unusual for a state to have one limit for cities and villages and a different one for counties, with the county rate usually being the lower. In only five of the thirty-six states which set a maximum tax levy is the levy higher than three mills.

For the uninitiated, a one-mill tax levy produces $1,000 for each $1 million of the assessed valuation subject to the tax. Therefore a word of caution is appropriate here before deciding that so many limits are depressingly low. The basis for determining assessed valuations is the key. A part of the traditional wisdom of politics is that a choice lies between having a low ratio of assessment with a higher mill rate, or having a full-value ratio of assessment with a lower mill rate. On the same property, a one-mill levy with the assessment at full market value would produce the same amount as a three-mill levy with the assessment at one-third market value. Although the per capita figures for library support are the basic evaluation of the climate of library support in any state, the limitations placed by law on library tax rates are the cause of greatest concern and the subject of more plans for change in the opinion of the state library agencies.

There is now another element in the financing of public libraries which was of no great importance thirty years ago: state aid for public libraries. In the mid-1930s, there were only ten states which granted any funds at all for aid to public libraries. Most of these made annual grants of $100 per library, while the largest grants were those in Maine and Rhode Island where they were $500 per library. Pennsylvania had a law providing $20,000 per county library, but only five counties were qualifying at the time Joeckel wrote. The increase in the number has been, to make an understatement, spectacular. In the latest count available at the time of this writing, thirty states have programs of state grants to public libraries. Ten of these are granting more than $1 million annually. At this time, however the proportion of public library support coming from both state- and federal-aid funds is not significant in most of the states. In Illinois and New York, on the other hand, state aid approaches $1 per capita and may be as much as one-fifth or more of the total support of some libraries.

A few states which grant aid to public libraries have detailed provisions written into law regarding qualifications for receipt of aid.
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Most states provide that the administering agency may adopt rules and regulations necessary for administration and set standards for qualifying. While the resulting standards and regulations are not actual legislation, they usually have the force of law. They are extremely influential, since the prospect of aid has tempted many library boards to meet standards which they might otherwise have ignored. One of the best examples which illustrates this relatively new phenomenon is the recent publication by the New York Division of Library Development. The law itself is nineteen pages long, the board of regents’ rules two pages long, and the commissioner’s regulations fifteen pages long: the administrative law is almost as long as the law itself.

The state library agency which administers these rules and regulations is discussed in a separate article, but its scope and authority as established by law affect all public libraries below state level. As the mentor and counselor to public libraries, as the administering authority for certification of librarians and of state financial aid, and as the administering authority for federal public library programs, its legal basis and authority are a proper study for all public library administrators.

One of the newest developments in law affecting public libraries has been the widespread adoption of uniform statutes regarding interstate library compacts, based on the model prepared by the council of state governments. They differ only as they are tailored to the particular state adopting them. Libraries and library systems which share borders with another state or states will probably be involving this law in some of their future developments. Small-scale contracts for mutual advantage or exchange across state lines have been possible for a long time under the general authority for contracting granted to all municipal corporations. Interlibrary loans and service exchanges have also crossed state lines whenever the participants were willing. But in the future a wide variety of large-scale coordination, cooperation and reciprocity across state lines will develop with the adoption of the general network principle, thus giving this law an added importance to local libraries.

As of the time of writing there were twenty states which had adopted interstate compact legislation, and four report that it is in their legislative programs. With this law the New England states and New York together form a geographical block of seven states. There is another group consisting of six states in the Midwest which forms an adjoining group (Indiana, Illinois, Wisconsin, Iowa, Minnesota and North
Dakota). In the Far West, Washington, Oregon, Idaho and Wyoming make a contiguous block having the law, and Nevada has it in legislative plans. There will be another contiguous block in the Southeast if Tennessee is able to get the law passed as planned. The law is not operable unless it has been adopted on both sides of a state line, and may well become universally adopted when its desirability becomes more widely recognized and the benefits become reality.

The importance of administrative rules and regulations with the force of law is nowhere more evident than in the certification of public librarians. At the time of writing, twenty-six states had legal provisions for the certification of public librarians. Only in four are the basic provisions specified by law. In all the rest, the program is based on rules and regulations or other administratively established standards and qualifications. In nineteen states the certification of librarians employed is mandatory, and while this appears to have little effect unless there are either rewards or penalties, or both, this means that library governing authorities have still another set of administrative laws with which to deal.

In his masterly chapter, "Legal Basis of the Public Library," Joeckel opens with a short philosophical discourse on the variety of library law in the United States. He stresses the fact that many of the library's legal difficulties are directly traceable to the failure to fully understand how the position of the library is affected by the different systems of law under which the states and their local units are governed. With the growth of regulations applying to libraries, this problem is compounded.

To make matters worse, in addition to specific library law and the administrative regulations, there is still another area of law which though often unnoticed because it does not mention libraries, or when it does lists them along with many other functions, still has great importance for libraries. Probably the most important is the general one giving local authority for the issuance of bonds for construction of public buildings. This varies widely among and between governmental units, even within the same state. It is not usually found in library law. It does appear in some, and one of the most interesting bits of reading in all of library law is the Alabama law governing an independent public library authority. It seems to provide the means of financing the erection of public library buildings without recourse to the difficulties and hazards of a bond issue election.

Another type of general law affecting libraries that are working
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toward larger units of service is the joint exercise of power statutes found in many states. It usually appears in the general statutes applicable to units of government below state level. Still another is the legal definition of "municipality." While the average person might not regard the county as one, it is so regarded in some states along with cities, villages, boroughs, towns and even, in some instances, townships.

Other kinds of law affecting libraries can be found in codes covering administrative procedures, contracting powers of governmental units, fiscal procedures and the auditing thereof, general home rule provisions, public insurance, tenure and retirement of public employees in general, and sections of the criminal code applicable to the protection of public property. That last item should not be overlooked. The statutes of most states use a dollar amount to set the difference between a misdemeanor and a felony. In the states where there is a specific law protecting library property this might not matter, but with a general code it is different. With the increase in the cost of books in circulation and the widespread circulation of 16mm films it would not be difficult for a delinquent borrower to unwittingly become subject to a severe penalty without the library or the borrower realizing it.

On a lighter note there are the laws which were passed to apply to a single library situation. They usually begin with an elaborate description of any political unit having a long list of specific characteristics. A limited population range in a specified census, a limit on or a narrow description of location, or a specified geographic size, singly or in combination, usually identify such laws on sight. While this is local legislation and intended to affect only one library, it unintentionally might alter or limit the library power in units of government which not only do not want the law but which would have opposed it strenuously had they been aware of its introduction. They can have a humorous tone.

Some classic examples refer to "any town containing five or more governmental townships and having a population of 15,000," or "counties having a population of not more than twenty thousand (20,000) nor less than fifteen thousand (15,000) people, according to the federal census of 1950, and bordering the State of Louisiana and not bordering the Mississippi River, shall not . . . levy a tax in excess of one mill for library purposes." The first was passed to permit Stuntz Township in Minnesota to operate bookmobile service at a time when such service was not generally recognized as an appropriate library function. The second appears to be one of those methods by
which a higher tax levy was authorized and the proponents, needing a legislator’s support, received it by agreeing to exempt a single county from its provisions. This kind of situation is not as rare as some might believe. The strange provision in the Minnesota Regional Library Law, which denies counties containing cities of the first class with populations of over 300,000 the privilege of joining a region, is the result of such a maneuver. To eliminate opposition by one large county legislative delegation, that county had to be exempted. The result also denied this right to another still larger county, but that could not be avoided.

So much for what is already law. It is time for an evaluation of how well the fifty states are fulfilling what Joeckel and Winslow called the first duty of the state in relation to libraries: the provision of a sound legal foundation for the establishment and maintenance of public libraries. In the questionnaire sent to the states they were asked for their opinions of their own law and what principles, if any, they thought applied to state legislation for public libraries. Since these replies are from the people charged with that responsibility, and who work in daily intimate contact with the public libraries of their states, their collective opinion has validity. One-third of the respondents felt that their laws were good; another one-third regarded the laws as fairly good, but needing improvement; and the other third regarded the laws as poor and much in need of change. The most trenchant comment was that what they had was not perfect, but it was working too well to risk trying to change it. It is to be hoped that, if such an attitude toward libraries exists, time will bring improvements.

The elements of the law most needing change, according to most replies, are improvements in public library financing. Removing or raising the tax-levy limitations was a goal in some, but more than one-half of all the states feel a need to either establish or to increase state aid to public libraries. The other major area of emphasis was the need for improvement in the law providing for the larger units whether they are called regional libraries, multi-county libraries or library systems. A major weakness of so many laws covering such establishment is their lack of adequate provision for involving the smaller public libraries already in existence in regional library participation. By staying out because they see no clear method for joining, these libraries create continuing problems in many states. Not all of them fit the stereotype of the tiny library with few books other than popular fiction and children’s books, and having a librarian who retired to the job from a career of school teaching. In such places, fear of the new...
or fear of having to change are the deterrents. Time for learning the facts or for a second retirement can solve such a problem.

There are other libraries where intelligent professional people and forward-looking public officials have been reluctant to join because they hold doubts about what the new system could mean to their own, already fairly good, service. These might be convinced by flexible negotiations, but this also takes time. I have written something I call H. Smith's Law on this, without apologies to Parkinson: *The time required to negotiate a multi-unit public library contract is a function of the square of the number of parties involved in the negotiations.* If doubts are strong this might have to be increased to the function of the cube of the number.

We still have to recognize that there are some recalcitrant people who wait a long, long time. The proponents of the larger unit can become reconciled, or at least nurture their patience, by remembering that when someone has to "eat crow" that same someone should be given ample time to cook it until tender. The purpose of changes in the law should be to eliminate fears, remove doubts, and reduce recalcitrance.

Other proposed changes, mentioned by several states, are passing interstate library compact laws and making the support of public libraries mandatory throughout the state. Other changes desired were the accreditation of libraries and the authorization for library boards to set up provisions for tax-sheltered annuities for library personnel.

After this review of existing laws and current proposals for changing and improving them, is it possible to identify principles which could apply to general state legislation for the organization, management and support of public libraries? The replies to the questionnaire on this were varied, as might be expected, and some were conflicting, as might not have been anticipated. When the writer was on the board of the American Association of State Libraries, there was serious discussion of trying to fund a project for the drafting of a model library law. Grant funds were requested but not secured which may have been just as well. Using testimony heard long ago, there is reason to believe that Carleton B. Joeckel helped Pearl Sneed, then secretary of the Mississippi Library Commission, to write the library law which she proposed to, and got passed by, the Mississippi legislature. When drafted, it was a good law—flexible and permissive and encouraging larger units of service. But, when passed, it had weaknesses which require continuing revision. Joeckel did not propose the limit on the tax
levy; the legislature put it in. From what we have seen in the rest of the country, this could have been predicted. It seems probable that no model would serve for all states.

But there are principles we can apply. Assembling the collective wisdom of the states, good library legislation for public libraries is broad and general, flexible, permissive rather than restrictive, specific in the authority for tax support but not with limitations, clear, concise, and stable. Present laws, as read by the writer, do not meet all these criteria in any state. But a few states do think that some library laws could serve as models for the rest. The ones mentioned most are those of Hawaii, California and Illinois.

The existing laws illustrate well the conflict of opinions. Some leaders believe the law should include a maximum of specific details, while others believe the law should hold details to a minimum and be short, simple and precise. Both kinds can be found in abundance.

At another level, however, there is a kind of principle with which none should argue. In existing law, the best example is in the new Ohio networks law which states that good library law should:

(A) Ensure every resident . . . access to essential public library services;
(B) Provide adequate library materials to satisfy the reference and research needs of the people of (the) state;
(C) Assure and encourage local initiative and responsibility and support for library services;
(D) Encourage the formation of viable area library service organizations and library systems providing a full range of library services;
(E) Develop adequate standards for services, resources, and programs that will serve as a source of information and inspiration to persons of all ages, handicapped persons, disadvantaged persons, and will encourage continuing education beyond the years of formal education;
(F) Encourage adequate financing of public libraries from local sources with state aid to be furnished as a supplement to other library financial resources. 10

References

Public Libraries


4. Ibid., pp. 64-73, 77-110.
5. Ibid., pp. 111-50.
6. Ibid., pp. 304-40.


9. Ibid., pp. 50-51.

13. Ibid., p. 745.

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