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Balancing FDLP Access with Library Missions and Community Mandates

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Abstract

The importance of the free flow of information in a democratic society was recognized very early in our country's history. The Founding Fathers thought it essential that the citizenry be informed about its Government and its workings so as to allow effective participation in the democratic process. This belief provides the foundation of the Federal Depository Library Program (FDLP), which can trace its roots back to 1813.

Laws, regulations and guidelines governing depository libraries and the geographic distribution of the libraries themselves have access to Government information at the core. Throughout the Federal depository designation process the library's director must indicate a willingness to provide unrestricted public access to the depository collection and services. By signing the final papers and entering the FDLP the library is legally obligated to provide such access. Access is paramount, and if a library is found to restrict access it will be placed on probation automatically.

What must be accessible? There must be unimpeded access to the library building and the library must be in compliance with the Americans with Disabilities Act (ADA). Collections and services must be accessible. All patrons, regardless of age, must be able to view resources in the tangible collections, electronic information, and have the bibliographic access to find these materials.

The Government Printing Offices recognizes that a library's environment is constantly changing. Circumstances may no longer be as they were when the library first became a depository library. Potential conflicts to the library providing unrestricted access may arise from internal and/or external forces. These forces can be offset and access does not have to be problematic.

First, the depository coordinator should communicate regularly with the library's administration. Administrators need to be aware of changes at GPO and with the Program and how these changes affect local operations.

The depository coordinator should ensure that clear written policies be in place and revised as necessary. This not only protects the library should an incident arise; it also informs patrons of the parameters in which they can use the library and its collections. The depository should not operate in a vacuum and the depository coordinator should be aware of the library's culture and participate in the development or revision of strategic plans, vision documents, library policies, and mission statements.

The depository collection and services should be promoted. Let users know what you can provide them rather than continually telling them what you cannot.

Finally, the library's signage should be viewed as a promotion tool. Look at signs with fresh eyes and remove those with chilling effects. Also eliminate instances where the absence of signs, unbeknownst to the patron, restricts access.

A balance between the access required of Federal depository libraries and conflicts with library missions and local mandates can be achieved, and the public will have access to the Government's information as our Founding Fathers envisioned.

Title 44 Mandate

§1911 states, "Depository libraries shall make Government publications available for the free use of the general public ..."

Instructions to Depository Libraries

"Providing free access by the general public to the resources of the documents collection, including electronic resources, is a fundamental obligation of all depository libraries ..."

Designation Agreement

The depository designation process stresses the importance of public access through:

- Letters of recommendation
- Letters of support
- Depository checklist of minimum requirements
- Designation acceptance letter

Outwardly Visible Symbol

THIS LIBRARY IS A CONGRESSIONALLY DESIGNATED
DEPOSITORY FOR U. S. GOVERNMENT DOCUMENTS.
PUBLIC ACCESS TO THE GOVERNMENT DOCUMENTS
COLLECTION IS GUARANTEED BY PUBLIC LAW.



Access to . . .

- The library building
- Unimpeded access - ADA compliance
- The depository collections and services
- Tangible collections - Electronic information - Bibliographic Access

Potential Conflicts

- Internal factors
 - Influences within the library in which the library administration or personnel have the ability to change
- External factors
 - Influences beyond the library to which the library administration or personnel must respond but do not have the authority to change

Internal Factors

- Library mission
- Library policies
- Security
- Equipment

Library Mission

From a public library:

We welcome and support all people in their enjoyment of reading and pursuit of lifelong learning.

Working together, we strive to provide equal access to information, ideas and knowledge through books, programs and other resources.

We believe in the freedom to read, to learn, to discover.

Library Mission

From an academic library at a private institution:

The mission of the University Libraries is to provide University of [...] students, faculty, and staff with information resources and services that enable them to succeed in their academic pursuits.

How to Balance

- Provide input if mission statement is revised
- Devise a separate statement for the depository

How to Balance

From an academic library at a state institution:

The Library enables individuals to seek information and use it effectively to enrich their lives. The Library advances the University's mission of teaching, research, and service by:

- Ensuring quality service to all patrons
- Teaching information skills that lead to academic success and life-long learning
- Building collections of distinction that support academic programs
- Providing leading technologies that enhance access to information resources

How to Balance

Mission statement from a law library:

The [...] School of Law Library serves primarily the curriculum and research needs of the faculty, staff, and students of the School of Law. Beyond those, the staff endeavors to serve the needs of the University community, the legal and library professions, and the general public.

How to Balance

Mission statement for a depository:

The [...] government documents area serves a two-fold purpose. First, to support curricular and research needs of the [...] campus community; and second, to provide access to Government information to persons living in the 7th district of [state]. However, any library patron can access the collection. [...] has been a Federal depository library since 1957.

Library Policies

May . . .

- not mention depository collections or services
- make inconsistent demands on users
- create a "chilling effect"

Library Access Policies

[...] faculty, staff, and students need to show or swipe their [...]Card to enter many of the [...] Libraries. It is also important to carry your [...]Card because you will need to show it when you borrow books, use reserve materials, use the Library's computer labs, etc.

Please note: Access policies vary by library and may change during reading and exam periods. Restrictions on access to a particular library may be necessary because of seating limitations, reduced staffing levels or for reasons of security and safety.

Visitor Access to U.S. Government Documents in the [...] Library Center

Weekdays/Evenings: Access is unrestricted until 10 pm. Visitors are invited to use the Library's collection of depository documents and are asked to sign a log book and show a photo ID.

Weekends/Holidays: We ask visitors who need to use U.S. depository Government documents on weekends or holidays to consult with [...] reference staff in advance, if possible, so that we may determine if the materials needed are easily available and that staff are on hand to help. Please call [...] Reference at [phone number] or e-mail us at [e-mail address].

How to Balance

- Should embrace all library collections/services
- Exclusions should be noted and explained
- Provide input when policies are created/revised
- Devise a separate policy for the depository
- Make all library policies available in one place

How to Balance

Here are descriptions of select policies for the Libraries:

- Circulation and Fines Policy – Description of loan periods, sanctions & service charges, recalls, reserves, holds, and replacement charges.
- Collection Development Policies – Description of goals, collection types, criteria and standards for selection. See also the Materials Suggestion Form.
- Conduct Policy – Description of non-permissible activities in the libraries.
- Disabled Student Services Policy – Description of services provided by the Libraries and registration of disability with Disabled Student Services Department.
- Eagle Card Policy
- Food/Beverage/Tobacco Policy – Description of acceptable drink receptacles and restriction of food and tobacco consumption.
- Group Study Rooms and Meeting Rooms Policy
- Policy on Children in the Libraries – Defines age range requiring adult supervision.
- Policy on Use of the Instruction Room
- Policy Statement Regarding Controversial Library Materials

- Public Service Policy for Government Information in Electronic Formats and Information Access

Security

Libraries are responsible for maintaining the security of library patrons and staff, materials and equipment. Restrictive policies are often a result of aiming for a safe environment.

How to Balance

- Educate staff about access obligation
 - Have a log book for patrons to sign
 - Have policies in place
- Policies required by FDLP - User Behavior - Acceptable Use

How to Balance

Who may use the library?

When the law school is in session, the law library is open to the public from 8 AM to 5 PM weekdays and on Saturdays. During these hours, anyone may use the library for legal research. After 5 PM, and all day on Sunday, only [...] students, faculty, alumni, and patrons using Federal depository documents may use the law library. IDs are checked at the library entrance in the evening and on the first floor of [...] Center on Sundays. For more complete hours, including holidays and dates the library may be closed, see the complete Library Hours page.

Equipment

- Not having the appropriate equipment can restrict access
- Microfiche readers - Computers - Printers

How to Balance

- Minimum Technical Requirements
- Old equipment
- Assistive/adaptive technology
- Depository Library Public Service Guidelines For Government Information in Electronic Formats
- FDLP Internet Use Guidelines

External Factors

- Institutional policies
- Federal, state, and local codes

Institutional Policies

May . . .

- require restrictive or "chilling" signage
- block computer use
- require IDs
- require fees

Institutional Policies

Law Library Access

[...] University Law School restricts building access during evenings and weekends to law faculty, law students, law staff and authorized library patrons. The building is OPEN on Monday through Friday from 6:30 a.m. to 8:30 p.m. Building doors are locked all other hours [evenings, weekends, holidays, etc.] and authorized cards are required for access.

How to Balance

- Provide alternative means of access
- Have additional signage for depository usage
- Educate those who staff entrances about access
- Designate a computer for access to Government information
- Conduct mediated searches
- Fees cannot be charged for access

Federal, State, and Local Codes

- Require accessibility or accommodation
- Require filtering or blocking software
- Permit fees to be levied

How to Balance

- Know what's required for ADA compliance
 - <http://www.access-board.gov>
- Have written policies in place
- Conduct mediated searches
- Ability to turn filters on/off
- Provide fee exemptions for those using depository resources

Written Policies

- Access
- Service in Electronic Environment

- Internet Access
- Collection Development
- User Behavior

http://www.access.gpo.gov/su_docs/fdlp/mgt/#policies

Model Access Policy

Federal Depository Library

Suggested Model Access Policy

prepared by Chicago Law Librarians

March 1994

The _____ Law Library recognizes its obligation under 44 U.S.C. §1911 (1988) to "make Government publications available for the free use of the general public." In order to conform to this requirement, the following access procedures will be followed:

1. Members of the public wishing to use depository materials shall be admitted to the library without impediments. For most effective access, depository patrons are urged to see a reference librarian during regular service hours.
2. The library will prominently post the depository emblem or signage indicating that the library is a Federal depository and that Government publications can be used by the general public at no charge.
3. Depository patrons shall receive reference service which is comparable to that provided to other library users.
4. Depository patrons shall have access to depository Government information in all formats available in the library. (Equipment needed to use non-print formats will be provided.)
5. Users of depository materials may be restricted in their use of other parts of the library collection that are not part of the depository collection.
6. To insure the personal safety of all library users, persons wishing to use the depository collection may be asked to sign in or to provide identification when entering the library/building. They will not be denied access if they are unable or unwilling to produce identification.
7. Depository patrons will be expected to display appropriate conduct as library users. The library reserves the right to remove any disruptive patron.

Conclusion

A balance between FDLP access and conflicts with library missions and local mandates can be achieved. Access will not be problematic if you:

- Communicate regularly with library administration
- Have written policies in place
- Are aware of library's "culture"

- Promote depository collection & services
- Have good signage