Orangeville Public Library

Agenda
Orangeville Public Library Board

Wednesday, October 25, 2023, 5:00 p.m.
The Corporation of the Town of Orangeville

NOTICE

Due to the closure of Mill Library this meeting will be held at the Edelbrock Centre in the Edelbrock Boardroom at 30 Centre St, Orangeville ON, L9W 2X1.

Prior to the meeting, written comments may be sent to the Secretary of the Orangeville Public Library Board by email to jmoule@orangeville.ca. Such written comments will become part of the public record. Members of the public may access the meeting on the above-noted date and time by telephone at (audio only) at +1-289-801-5774 Phone Conference ID: 250 428 084# . Please note that your full name and comments will be part of the public record and will be included in the minutes of the meeting.

Accessibility Accommodations

If you require access to information in an alternate format, please contact the Clerk's division by phone at 519-941-0440 x 2256 or via email at clerksdept@orangeville.ca

Pages

1. Call to Order

2. Disclosures of (Direct or Indirect) Pecuniary Interest

3. Land Acknowledgement
   We would like to acknowledge the treaty lands and territory of the Williams Treaty Nations and the Mississaugas of the Credit First Nation.

   We also recognize that Dufferin County is the traditional territory of the Wendat and the Haudenosaunee, and is home to many Indigenous people today.

   These traditional territories upon which we live and learn, are steeped in rich Indigenous history and traditions. It is with this statement that we declare to honour and respect the past and present connection of Indigenous peoples with this land, its waterways and resources.

4. Adoption of Minutes of Previous Meeting   3
   Recommendations:
   That the minutes of the following meeting are approved:

5. Presentations

Minutes of Orangeville Public Library Board

The Corporation of the Town of Orangeville

September 27, 2023, 5:00 p.m.

Members Present:	S. Marks
	Councillor J. Andrews
	P. LeBlanc (remote)
	Councillor T. Prendergast (remote, left at 5:57p.m.)
	D. Waugh
	V. Speirs
Members Absent:	B. Rea
Staff Present:	D. Fraser, CEO
	J. Moule, Administrative Assistant
	H. Savage, General Manager, Community Services
	M. Jhajj, Deputy Treasurer
	R. Medeiros, Financial Analyst, Operations
	K. Carson, Librarian Collection and Systems
	L. Tilly, Librarian Program & Research

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1.   Call to Order

The meeting was called to order at 5:08 p.m. Chair S. Marks introduced V. Speirs, our new Board member and introductions were made around the room.

2.   Disclosures of (Direct or Indirect) Pecuniary Interest

None.

3.   Land Acknowledgement

Chair S. Marks acknowledged the treaty lands and territory of the Williams Treaty Nations and the Mississaugas of the Credit First Nation and recognized that Dufferin County is the traditional territory of the Wendat and the Haudenosaunee, and is home to many Indigenous people today.

1

Chair S. Marks acknowledged these traditional territories upon which we live and learn, are steeped in rich Indigenous history and traditions. It is with this statement that we declare to honour and respect the past and present connection of Indigenous peoples with this land, its waterways and resources.

4.   Adoption of Minutes of Previous Meeting

Recommendation: 2023-31

Moved by Councillor J. Andrews
Seconded by D. Waugh

That the minutes of the June 28, 2023 meeting be approved.

Carried Unanimously

5.   Presentations

None.

6.   Information Items

Recommendation: 2023-32

Moved by Councillor J. Andrews
Seconded by D. Waugh

That the information items be received.

Carried Unanimously

6.1   CEO Report - September

The Board congratulated K. Carson on 30 years of service with the Orangeville Public Library.

6.2   2023-08-31 Library Operating Financial Report

Chair S. Marks asked for further explanation of the miscellaneous line and mentioned scope notes would be beneficial.

7.   Staff Reports

7.1   Report 23-14 Adoption of Town Policies for Accessible Customer Service and Procurement

Recommendation: 2023-033

Moved by Councillor J. Andrews
Seconded by D. Waugh

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That report 23-14 Adoption of Town Policies for Accessible Customer Service and Procurement be received;

 And that the Board adopt and continue to abide by the policies set forth by the Town of Orangeville regarding Accessible Customer Service (Appendix A) and Procurement (Appendix B).

Carried Unanimously

7.2   **Report 23-15 Policy Review - Information Services**

Recommendation: 2023-034

Moved by Councillor J. Andrews
Seconded by V. Speirs

That report 23-15 Policy Review - Information Services Policy be received;

 And that the Board adopt the Information Services Policy as presented in Appendix A.

Carried Unanimously

7.3   **Report 23-16 Revisions to the Scope of 2023 Capital Project 20320.1300**

Recommendation: 2023-035

Moved by Councillor J. Andrews
Seconded by P. LeBlanc

That report 23-16 Revisions to the Scope of 2023 Capital Project 20320.1300 be received;

 And that the Board approve the proposed change to the scope of Capital Project 20320.1300 Computer Hardware and direct staff to seek Council approval.

Carried Unanimously

7.4   **Report 23-17 Elimination of Overdue Fines**

Carried 3 to 2

Yes – S. Marks, P. Leblanc, V. Speirs

No – D. Waugh, Councillor J. Andrews

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Recommendation: 2023-036

Moved by Councillor J. Andrews
Seconded by P. LeBlanc

That Report 23-17 Elimination of Overdue Fines be received;

And that the Board approve the permanent elimination of overdue fines on specified physical materials, effective 2024, based on Option A – Softer approach: Notification – prescribed number of reminders - Invoice sent as last resort.

Carried

7.5   Report 23-18 2024 Operating and Capital Budget Estimates

After a short discussion, it was decided to approve the budget to include the 3 SLC requests and leave the Capital Plan to include the 11 million for project B1286.1200 for 2028. Deputy Treasurer made note this project may be removed for the capital plan and remain on the list of externally financed capital projects postponed indefinitely.

Recommendation: 2023-037

Moved by Councillor J. Andrews
Seconded by P. LeBlanc

That report 23-18 2024 Operating and Capital Budget Estimates be received;

And that the Board approve the five-year Operating and the ten-year Capital Budget estimates for 2024 to be forwarded to Council for final approval.

Carried Unanimously

8.   Correspondence

Recommendation: 2023-038

Moved by Councillor J. Andrews
Seconded by P. LeBlanc

That the correspondence be received.

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8.1   2023-06-20 Letter from Shelburne Public Library

9.   New Business

None.

10.   Date of Next Meeting

The next meeting is scheduled for October 25, 2023.

11.   Adjournment

Meeting adjourned at 7:29 p.m.

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Darla Fraser, CEO

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Sheri Marks, Board Chair

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CEO Report – October 2023

Board Business

Sector Updates

Federation of Ontario Public Library (FOPL);
Ontario Library Association (OLA);
Ontario Library Service (OLS)

FOPL and OLA have created a new government relations priorities document to guide advocacy work throughout the fall and winter.

There are two main changes to note:

1)   The ask regarding the Provincial Libraries Operating Grant has changed. Is now for an increase to the PLOG of an additional $25 million annually on top of the existing $21 million grant. The additional $25 million would restore the PLOG to a present-day value, addressing the impact inflation, rising costs of living and other pressures accumulated over more than 25 years. We have framed this new ask to address shared critical areas of both the library community's and provinces priorities. More information and discussion will be provided during this month's Caucus meetings.

2)   Language pertaining to the Ontario Digital Public Library ask has changed. Asking now for a projected cost of $10 - $20 million to demonstrate various levels of investment. An ODPL Briefing Note has been prepared by the FOPL board, incorporating feedback from our members and various caucus meetings earlier this year, to provide context and accompany our Government Relations priorities document. More information about the ODPL Briefing Note and discussion will be provided during this month's Caucus meetings.

Currently OPL has representation on OLS board and regional assemblies:

- Shelley Bergant sits on the OLS Board of Directors as a representative of Medium Public Size Libraries, Mrs. Bergant will provide a verbal update at the next board meeting.
- Tess Prendergast is our Regional Assembly representative.

There are positions available on the OLA's Board and Divisional Councils.

The Ontario Library Association (OLA) 2024 OLA Super Conference will take place in Toronto next January 24 – 27, 2024. The theme this year is: **Get Loud!**

Board members to consider participation. Note that the Saturday Boot Camp for Board Members will be in person on January 27 at the Intercontinental. https://www.olasuperconference.ca

A new report titled "Overdue: The Case for Canada's Public Libraries" has been released by Canadian Urban Institute (CUI) and Canadian Urban Libraries Council, this report details the significance of public libraries for Canada's post-pandemic recovery, competitiveness, and resilience and calls for renewed and diversified investment.

The case provides recommendations for public policymakers to instill positive change:
- Relieve current operational pressures to ensure libraries remain safe, accessible, and welcoming libraries to everyone.
- Treat libraries as critical infrastructure where community resilience is strengthened through funding of libraries to deliver government priorities.
- Formalize sustainable investment streams that recognize their expanding role.

Ministry requirements for the Public Library Operating Grant include submission of the annual survey (approximately 150 data points), a copy of the approved audited financial statements along with a completed application. All requirements have been submitted.

Operations

Library staff continue working with town communications on final few changes to the website.

Student Placement Opportunities

iSchool Practicum – University of Toronto is actively seeking partners to provide opportunities for Master level students' capstone projects. The students work in teams with an organization to help with the initial stages of a design (or redesign) of a digital product (website, app, software, etc.) or service. Submissions due December 1, 2023.

Mohawk College Work Placements

The Program Specialist, Library Programs has reach out as the college has a number of students in the library and information technician program who are seeking remote work field placements this fall and possibly into the winter. Field placements are unpaid, 105 hours in length, and must be supervised by someone with the educational qualifications of a librarian, library technician or teacher-librarian. Submissions due November 15, 2023.

Renovations – Verbal Update from CEO; Storyteller Wood Carving - the move back from the temporary location.

The recruitment process for the vacant PSA positions has resulted in three new Public Service Assistants. Response to the job posting was impressive with almost 200 applications received. Training of the new staff will begin early next month.

Staff arranged a display in celebration of Canadian Public Library Month in the Children's area, the display provided an opportunity for the public to response to the statement. A sampling of the responses received are noted below.

"I love my library because..."

- they let me borrow books
- because they have awesome manga and the librarians are nice
- it makes me calm
- there's lots of exciting books
- it is quiet and peaceful
- I love reading! (this was a very popular one)
- the staff are so kind and helpful
- there are lots and lots and lots of great books to read!
- it is cozy
- the workers are nice and that we can read
- I love the wonderbooks!
- I can read different kinds of books
- Coding Club
- so many different books
- they do something fun every week
- of the generous, helpful and knowledgeable people
- everyone is kind and I love all the graphic novels
- the big study tables

Program Update *as submitted by Lauren Tilly*

Battle of the Books 2024

Contact has been made with local schools to begin planning for the 2024 Battle of the Books program.

A draft book list has been created and feedback from teachers received for minor revisions. The 2024 Forest of Reading Nominees have been announced. Books from the Forest of Reading will be added to the Battle of the Book lists and finalized for an information meeting hosted with the Teacher Librarians on October 26.

Professional Development

Program and Research Coordinator Shannon McGrady will be participating in the upcoming Child and Youth Expo on November 7 as a Child and Youth Services Committee member for the Ontario Public Library Association. The Child and Youth Expo is an annual forum for children's and youth library services staff and other stakeholders to exchange ideas and learn about innovative programs and services. In addition to Shannon McGrady's participation as a planning member, several OPL staff members who facilitate children's and youth programming will attend the expo to learn with peers.

Tales on the Trail with Credit Valley Conservation Authority

Orangeville Public Library and Halton Hills Public Library continue to develop their partnership with the Credit Valley Conservation Authority for the Tales on the Trail initiative. For the month of September, each location featured a picture book by Phyllis Webstad in honour of Orange Shirt Day and Truth and Reconciliation. Planning for 2024 continues.

Two opportunities have recently come up to highlight this successful partnership in the library sector. Halton Hills Public Library and Orangeville Public Library put forth a joint submission for the 2023 Ontario Public Library Minister's Award for Innovation. The Program and Research Librarian and a representative from Halton Hills Public Library have also put forth a submission to host an information session at the 2024 OLA Super Conference in January. Both submissions are currently under review and evaluation.

Up and Coming

- In partnership with BookLore the Orangeville Public Library will host a book launch for local author Nancy Early on Saturday, October 21 at 11 a.m. in the Town Hall Atrium for her new book – Once Upon a Forest: Orangeville's Early Years

- October is Hispanic Latin American Heritage Month – celebrate with a screening of the Spanish language film – Gol de Plata / A Humble Hero – in partnership with Hispanic Canadian Heritage Council and LATAFF on Tuesday, October 24 at 7 p.m.

- The October Storytelling Series will feature a discussion on Paranormal Investigations with Ariel Delurey on Thursday, October 26 at 7 p.m.

- November Storytelling Series in partnership with Dufferin Film Festival will feature local Writer and Director Tristan Barrocks for Introduction to Screenwriting, Thursday, November 15 at 7 p.m.

- In partnership with the Ontario Bar Association, the library will celebrate Make a Will Month in November with an information session on Thursday, November 30

- The last 100% Certainty Book Club of 2023 will take place on Thursday, December 7 at 7 p.m. with the featured book being Life on Tenth: A Second Chance at Life by Delia Ephron

- Stories with Santa is set to take place on Friday, December 8 – details to come

- The last Coffee, Conversation & Books event of 2023 will be held in Orangeville on Thursday, December 14 at Mochaberry Café featuring local author Barrie Shepley who will discuss his book, Chasing Greatness: Stories of Passion and Perseverance in Sport and in Life

BRIEFING NOTE

Ontario Digital Public Library – Investment Scenarios

September 2023

Bridging the Digital Divide through Ontario's Public Libraries

- *Building a Digital Ontario* is the Ontario Government's ambitious strategy to make the province a world-leading digital jurisdiction.

- As part of this strategy, the Ontario Government has recognized the crucial importance of public libraries to broadband internet access, making a $4.8 million investment to install or upgrade broadband connectivity at over 100 public libraries across the province.

- Building on that critical foundation, it is the right time to take the next step to empower Ontarians with the online resources they need to succeed in the 21st century.

- Millions of Ontarians rely on local public libraries for 24/7 access to online resources, which support digital equity, job readiness, civic engagement, health empowerment, and improved access to literacy and numeracy supports.

- However, these resources are expensive, especially when purchased on a patchwork, library-by-library basis.

- Through an Ontario Digital Public Library (ODPL), Ontario's public libraries can deliver equitable access to a common set of online databases and e-learning resources to every Ontarian, regardless of where they live, with technology and digital literacy supports provided by library staff.

- Ontario can leverage existing infrastructure and staffing that already exists throughout public libraries to advance Ontario as a world-leading digital jurisdiction and deliver a positive impact for residents of every community across the province.

- By leveraging volume purchasing, the ODPL could provide digital resources at **a cost savings of up to 40%** when compared to a direct subscription by an average Ontario public library.

- The ODPL responds to post-pandemic patterns of work, study and education in Ontario and helps to advance and increase the impact of key Provincial strategies, including *Building a Digital Ontario, Ontario Onwards Action Plan,* and *Rebuilding Main Street*.

The Impact of an Ontario Digital Public Library

- According to 2021/22 survey data, 61% of technology users in the library indicate that the public library was their only access to digital technology.

  - 31% of respondents used digital resources through the library to develop employable skills.

- Public libraries and trained library staff can provide equitable access to important digital and in-person supports to all Ontarians in such areas as:

  - Workforce and career development to build employable skills;
  - Small business and entrepreneurship to support economic development;
  - Online government in an increasingly digital world; and
  - E-Learning in areas such as health and wellness, language skills and homework help to support lifelong learning.

- Many public libraries in Ontario, particularly in smaller, Francophone and First Nation communities, will be able to provide a suite of high-quality digital resources that they are otherwise unable to afford.

- Through digital resource savings generated by the ODPL, local public libraries will be able to re-invest in other local priorities and urgent needs.

ODPL – Provincial Investment Scenarios

- Different funding levels listed below provide incremental increases for access to online databases and e-learning products, based on library sector understanding of preferred/high-use resources, current subscription costs, and required technical support and maintenance.

- Each funding level provides all 310 public library systems and First Nations public libraries in Ontario with:

  - A suite of online resources for a full subscription year with unlimited, 24/7 and simultaneous access, and
  - Annual operating costs for staff, support and supplies.

- At each funding level, the breadth of resources provided substantially increases, while operating costs remain stable.

- The ODPL would be delivered seamlessly through local public library websites, with centralized support to coordinate and manage resources and operations.

Funding Level*	Number of Databases	Database Examples**
$10 million	14	General: • *Health and Small Business reference* • *Language learning* • *Consumer Reports* • *Legal forms and templates* • *Magazines and News in 70 languages* • *French e-books* • *Auto Repair* • *Genealogy* • *Self Publishing*
$15 million (recommended)	18	General and Advanced – all content listed above and: • *K-12 e-content* • *Live Tutoring* • *Resume and Job coaching*
$20 million	22	General, Advanced and Specialized - all content listed above and: • *Online learning courses, including business essentials* • *Wellness and personal development*

* *The three funding levels include funds for online databases as well as $780,000 for operational requirements including supplies, support materials and 5 full-time staff for training, technical support, outreach and digital content management for the ODPL.*

** *At the levels of investment outlined in the scenarios above, OLA/FOPL is not recommending that further investment in e-books be included in the ODPL due to borrowing limits/restrictions, and high purchasing costs. The funding would be more impactful and beneficial to a greater number of Ontarians when expended on online databases and e-learning resources.*

September 7, 2023

VIA EMAIL (consumerpolicy@ontario.ca)

Stephanie Parkin
Manager, Consumer Policy Unit
Ministry of Public and Business Service Delivery
56 Wellesley Street West – 6th Floor
Toronto, ON, M7A 1C1

RE: Support for Consultation Response on Modernizing the Consumer Protection Act, 2002

The Federation of Ontario Public Libraries earnestly supports the consultation response jointly submitted by CARL, CFLA, CIPPIC, and CULC on March 17, 2023 in response to the Ministry of Public and Business Service Delivery's Consumer Protection Act Review (attached). We strongly concur with these organizations in that the recommended changes outlined in their submission, if implemented, will ensure the sustainability of our libraries in a digital age, safeguard taxpayer investments, and protect the rights of the public to access digital content.

Ontario's public libraries are an integral part of communities of all sizes across the province. They serve as places of learning, community engagement, and access to knowledge. As we progress into an increasingly digital world, it is paramount that our libraries can serve their communities with access to a diverse range of digital content. The current practices of some multinational publishers are hindering the ability of libraries to fulfill this basic principle. The recommended changes to the *Consumer Protection Act* would not only strengthen our libraries but would also provide equitable access to information by increasing access to those resources.

We urge the Ministry of Public and Business Service Delivery to consider and act upon the recommendations set out in this consultation submission. It is crucial that we adapt to the evolving needs of our communities and ensure that our public libraries remain a beacon of knowledge and equity for all.

Thank you for your time and consideration.

Dina Stevens, MLIS
Executive Director

Federation of Ontario Public Libraries
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Meaford Stn Main, ON N4L 1A5
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March 17, 2023

VIA EMAIL (consumerpolicy@ontario.ca)

Consumer Protection Act Review
Manager, Consumer Policy Unit
Ministry of Public and Business Service Delivery
56 Wellesley Street West – 6th Floor
Toronto, ON, M7A 1C1

To Whom It May Concern:

Re: Consultation Paper on Modernizing the Consumer Protection Act, 2002

This consultation paper is jointly submitted by the Canadian Association of Research Libraries (CARL), the Canadian Federation of Library Associations (CFLA), the Samuelson–Glushko Canadian Internet Policy and Public Interest Clinic (CIPPIC), and the Canadian Urban Libraries Council (CULC). The submitters of this letter are publicly-supported libraries and their advocates who welcome the opportunity to participate in consultations regarding the modernization of the *Consumer Protection Act*. In response to summary question 7.2, our contribution focuses on the difficult contractual relationships regarding digital content between primarily multinational publishers and publicly-supported libraries. The submission addresses:

1. by way of background, the nature of the relationship between primarily multinational publishers and publicly-supported libraries;
2. the inclusion of publicly-supported libraries as a consumer under the *CPA*; and
3. additional sector specific legislative proposals.

1. Background: Nature of the Relationship between Primarily Multinational Publishers and Publicly-Supported Libraries

While digital content has become mainstream, Canada's publicly-supported libraries are finding the evolving marketplace a difficult one in which to build digital collections.[1] The current contractual landscape for digital content between primarily multinational publishers and libraries prohibits libraries from purchasing digital content at fair market prices. Instead of allowing the purchase of digital content on the same terms as traditional content, publishers set conditions, prices, and terms for licensing digital content to publicly-supported libraries that publishers cannot obtain for print sales. Ontario's libraries need a solution. As outlined in Appendix A, CULC/CBUC highlights the need for government action to ensure all published works are made available to libraries in digital formats at fair prices.

Pricing schemes treat digital content differently than traditional print without justification, allowing publishers to drive up prices to the detriment of libraries, their readers, and the general public. The cost of digital purchase and license renewal is up to 10 times higher than the cost of a printed book.[2] Rather than charging 11 to 18 dollars for an eBook, publishers charge libraries up to 120 dollars for a two-year restricted license.[3] CULC/CBUC has publicized examples of the gross disparity in pricing between print and eBook content. Multinational publishers' digital pricing adversely impacts the public. The cost of licensing digital content limits

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[1] Juliya Ziskina, "Library Futures Releases Policy Paper: Digital Ownership for Libraries and the Public" (14 February 2019), online: *Library Futures* <https://www.libraryfutures.net/post/digital-ownership-for-libraries-and-the-public>.

[2] Canadian Federation of Library Associations, "CFLA-FCAB Position Statement E-Books and Licensed Digital Content in Public Libraries" (January 2019), online (pdf): *CFLA-FCAB* <http://cfla-fcab.ca/wp-content/uploads/2019/03/CFLA-FCAB_position_statement_ebooks.pdf>.

[3] *Ibid.*

the public's access to knowledge and education, and prevents libraries from building enduring digital collections, ultimately costing taxpayers and creating access and equity issues.

Libraries have no bargaining power and are rarely able to change the terms of the contracts. This type of unconscionability regarding price difference is protected under Section 15 of Ontario's *Consumer Protection Act* (*CPA*) (see Appendix B). However, libraries are not considered consumers under the current *CPA*. Should libraries be included in the definition of consumers, s. 15(1) and (2) would apply to prevent unconscionable licensing agreements.

Contrary to s.15(2)(b), the price of eBooks for libraries grossly exceeds the price of both print books sold to libraries and an e-book sold to a private consumer. Libraries are the sole target of this unbalanced pricing scheme. In addition, the transaction between the publisher and library is excessively in favour of the publisher, contrary to s. 15(2)(e). Similarly, under s. 15(2)(f), the terms of the contract for the library are averse to a degree where the result is inequitable.

In addition to lopsided bargaining practices, some publishers refuse to license e-books to libraries preventing them from acquiring digital titles altogether. For instance, Amazon has long refused to offer their e-books to libraries.[4] Should e-book licensing be governed under the *CPA*, a concern is that many publishers will refuse to sell their e-books to libraries. In the United States, legislative proposals have sought to address this concern by using "reasonable term" provisions.[5] We propose the same below.

2. Recommendation: Libraries as a consumer under the *CPA*
Recommendation: Expand the definition of "consumer" in section 15 of the *CPA* to extend to publicly-supported libraries the benefit of protection against unfair trade practices.

The signatories call on the Ontario government to extend the protection of section 15 of the *CPA* to include publicly-supported libraries by expanding the definition of "consumer" to capture such institutions. There is precedent for such an approach in Canada.

The Saskatchewan *Consumer Protection and Business Practices Act* defines a "consumer" in section 10(1)(d) as "a person who acquires a consumer product from a retail seller and includes a non-profit organization, whether incorporated or not, that has objects of a benevolent, charitable, educational, cultural or recreational nature."[6] A definition that explicitly encompasses non-profit organizations would encompass libraries acting on behalf of consumers in a personal rather than business capacity.

3. Additional sector specific legislative proposals
Recommendation: Implement sector-specific protections against unfair digital contracts that target publicly-supported libraries. These include:
- fair and equitable licensing terms in eBook contracts
- provisions that require publishers to make eBooks available

The signatories suggest that the Ontario government should consider sector specific legislative amendments that would further address the digital contract problems between publishers and libraries. In the United States, several states have advanced legislative proposals that empower libraries to negotiate fairer contracts. For instance, this year, Massachusetts filed a new bill to address libraries' access to digital content

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[4] Geoffrey Fowler, "Want to borrow that e-book from the library? Sorry, Amazon won't let you" (March 2021), online: *The Washington Post* <https://www.washingtonpost.com/technology/2021/03/10/amazon-library-ebook-monopoly>.
[5] Library Futures, "Library Futures Ebooks Policy Paper: Mitigating the Library eBook Conundrum Through Legislation" (June 2022), online (pdf): *Library Futures* <https://www.libraryfutures.net/library-futures-ebooks-policy-paper>.
[6] *The Consumer Protection and Business Act*, SS 2-13, c 30.2, s 10(1)(d).

Consultation Paper on Modernizing the Consumer Protection Act, 2002

to be considered in the current legislative session.[7] The legislative text, outlined in Appendix C, is designed to make fair and equitable licensing terms in eBook contracts by mitigating inequities between libraries and publishers. For instance, one provision in the Massachusetts bill restricts the ability of a library and publishers to purchase an eBook for more than what is charged to the public for the same item.[8]

Other proposed legislation, such as in Maryland and New York, provides more robust protection for libraries by requiring that eBooks available to the public also be made available to libraries on reasonable terms.[9] Reasonable terms provisions address both the contracting inequities and the refusal of some publishers to enter into contracts with libraries. Reasonable terms provisions would require publishers to make eBooks available to libraries for a price comparable to, for example, current paper books.

We would be pleased to discuss these proposals with you.

Yours truly,

Susan Haigh, Executive Director,
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Åsa Kachan, Chair
Canadian Urban Libraries Council / Conseil des
Bibliothèques Urbaines du Canada info@culc.ca

On behalf of:

Canadian Association of Research Libraries / Association des bibliothèques de recherche du Canada,
(CARL/ABRC)
Canadian Federation of Library Associations / La Fédération canadienne des associations de bibliothèques-
(CFLA/FCAB)
Samuelson-Glushko Canadian Internet Policy & Public Interest Clinic / La Clinique d'intérêt public et de
politique d'Internet du Canada Samuelson-Glushko (CIPPIC)
Canadian Urban Libraries Council / Conseil des Bibliothèques Urbaines du Canada (CULC/CBUC)

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[7] Juliya Ziskina, "Library Futures Ebook Bills are on the Move" (9 February 2023), online: *Library Futures* <
https://www.libraryfutures.net/post/library-futures-ebook-bills-are-on-the-move>.
[8] US HD 3425, An Act empowering library access to electronic books and digital audiobooks, 193rd, Reg Sess, MA, 2023.
[9] Library Futures, *supra* note 6.

Appendix A – CULC/CBUC Digital Content Policy Paper

DIGITAL EQUITY FOR CANADIAN PUBLIC LIBRARIES

Public libraries play an important role in supporting learning and knowledge acquisition in Canada. Recent data shows that 82% of Canadians believe that access to public libraries is important and 41% visited a local public library in person or online in 2020.

Libraries have a long history as places of discovery where all readers can access information and find new content and authors. Libraries' core mandate is to make the widest range of information and expressions of knowledge available to all members of Canadian society.

Annually, libraries spend millions of dollars to provide Canadians with access to books. Print books are protected by copyright law from library embargoes, however, copyright law and the transition from print to digital are undermining Canada's public libraries' ability to fulfill this mandate.

Overall, Canadian libraries circulated 49 million eBooks, eAudiobooks, and magazines in 2021, which is 16% over 2020 and 56% over 2019. The introduction of digital content has changed the nature of library collections. Libraries purchase and own print books. However, with the emergence of eBooks and eAudio, publishers now license eBooks and e-audio to libraries. Copyright law gives publishers power to set conditions, prices, and terms for licensing of digital content that is not possible for print. Publishers' exercise of this new power is proving challenging for Canada's public libraries and detrimental to library users.

As a result these conditions undermine access to titles customers want, limit the ability for the library to prudently manage its funding, impact the ability for libraries to have consistent and complete collections in all formats and increases wait times for customers waiting for access to popular content.

Multinational Publishers Dominate the Market and are Restricting Access
Recent consolidation in the publishing industry has left the book market highly concentrated. There are five major publishers: Penguin Random House, HarperCollins, Simon & Schuster, Hachette Book Group, and Macmillan (the so-called "Big 5"). Together, the Big 5 publish many of the biggest names in fiction and non-fiction. In 2010, their titles accounted for over 90% of the *New York Times* bestsellers in the United States. The Big 5 have adopted similar licensing models.

International French Publishers
These trends also exist in our francophone markets through international French publishers where content is not available and/or has increased up to 30 percent in price in the last year.

Canadian Publishers
The restrictive licensing models enacted by the multinational publishers do not represent practices by smaller and independent presses. Canadian Libraries are also an important distributor of works by Canadian publishers. Canadian publishers, including those that serve the francophone markets, have historically worked with libraries to provide more flexible pricing models to support library acquisitions.

Amazon
Initially a book retailer, Amazon has become a publisher and major distributor of unique published content in the eBook and eAudio space. Amazon refuses to sell content to Canadian libraries, restricting access to important works for customers. In addition, they have refused to allow Canadian libraries to lend any books available in their proprietary Kindle format making library borrowing inaccessible to all Canadian Kindle users.

Consultation Paper on Modernizing the Consumer Protection Act, 2002

Publisher Licensing Practices

Publishers are adopting four distinct licensing practices that are undermining public libraries' ability to fulfil their mandate:

1. **High price of digital content v print:** Digital content is at least three times the cost of print, and in some cases significantly more expensive.
2. **"Windowing" (imposing restrictive library purchasing rules for new releases):** Publishers are in some cases refusing to grant libraries sufficient licenses for new releases to meet library needs or requiring them to delay purchases after the commercial release.
3. **Refusal to deal:** Some publishers are simply refusing to make digital content available to public libraries. Digital titles from Amazon Publishing, for example, are not available to Canadian libraries at any price or terms. Amazon is one of the largest publishers of books in Canada and the USA. Amazon dominates the eBook marketplace, conducting approximately 90% of eBook sales.
4. **Inflexible licensing conditions:** This content is made available with significant time and use restrictions which results in loss of access to purchased content at different time and use intervals, requiring the library to consistently monitor the status of each title and to repurchase expensive content to ensure continued access.

With the continued growth of digital content consumption, a more sustainable solution is required to provide users access to the materials needed from their local library.

Implications

- **Undermining Access:** Restrictive eBook licensing models make it difficult for libraries to fulfill their central mission: ensuring access to information for all. Limiting access to new titles means limiting access for those most dependent on libraries. The result is that the publishers' business priorities, rather than library collection development policies, dictate what books the public can read and when they can access it. This is especially concerning as more and more titles are published exclusively in digital form.
- **Undermining Prudent Management of Taxpayer Dollars:** Public libraries have a mandate to spend taxpayer dollars to provide Canadians with access to information. Public library "demand" for digital content is in this sense not very responsive to high prices: libraries must spend their budgets in response to community needs and interests. The digital licensing strategies of the Big 5 can be seen as restricting supply and raising prices without fear that libraries won't spend.
- **Incomplete Collections:** Public libraries can no longer afford to maintain a "complete collection" consistent with their physical collections as they are being forced to choose between purchasing new content and repurchasing expired digital content. This coupled with their inability to buy electronic content from some publishers leads to inconsistent access across multiple formats – leaving digital readers with less choice. To provide equitable and inclusive collection, libraries need complete collections digitally.
- **Increased Wait Times:** The price points for eBooks and eAudio books means that libraries sometimes can't afford specific titles or cap spending on them to keep within a specific budget – leading to increased wait times on holds lists to get access to the most in demand titles.

Guiding Principles

Libraries need a solution to support sustainable access going forward. Other jurisdictions have enshrined the rights of the local library and the constituents they represent in legislation to support equity of access to content for all. The following guiding principles would provide the basis for discussion of a framework to support sustainable purchasing for library materials going forward in Canada.

1. **Universal Availability:** All published works must be made available for public libraries to purchase in all available formats to make available to their customers. Libraries play an important role in the provision of equal access to information. This change would be consistent with new legislation that has been passed in Maryland and New York.
2. **Right to Acquire:** Library rights to purchase should be free from embargo periods. Publisher embargoes single out libraries among potential purchasers of digital content. The model also short-changes Canadians who are arbitrarily prevented from accessing digital content through the library, which may be their only point of access.
3. **Flexibility:** Libraries require flexible licensing models to support the needs of all types of libraries, and to allow options for libraries to maintain content in their digital collections into perpetuity. Publishers must provide a variety of pricing and licensing models, including the option of purchasing time and use meters that account for library budgets of varying sizes and collection strategies. Flexible purchasing models can be offered to libraries without unduly impacting publisher compensation.
4. **Parity with Print:** Library pricing models should be aligned to print models. Licensing options should be made available which refer to the print as the basis for calculation of pricing. Models which would have content last longer than the physical medium should reflect a higher price while models with shorter lifespans should be lower and more reflective of the price of print.

Canadians still believe in and depend on public libraries for equitable access to information. The continued increases in pricing, restrictive access, and lack of access through monopolistic competition for eBooks and eAudiobooks is challenging the ability of Canadian libraries to provide access to the electronic formats required to support their customer's needs, including bilingual Canadian content. This, coupled with increased customer demand is impacting the ability of libraries to purchase and retain the materials required to support inclusive library collections and their ability to provide timely access to content requested by their users. Other jurisdictions including New York and Maryland have worked with their legislators to set out rules governing publisher sales to help enshrine the rights of libraries to purchase the content they require. Canadian libraries are looking for our governments to help craft similar legislation to ensure library sustainability and support access of eBooks and eAudiobooks to all Canadians through their public libraries.

Appendix B – Relevant Provisions of the *Consumer Protection Act*

Interpretation
1 In this Act,

"consumer" means an individual acting for personal, family or household purposes and does not include a person who is acting for business purposes; ("consommateur")

Unconscionable representation
15 (1) It is an unfair practice to make an unconscionable representation. 2002, c. 30, Sched. A, s. 15 (1).

(2) Without limiting the generality of what may be taken into account in determining whether a representation is unconscionable, there may be taken into account that the person making the representation or the person's employer, or principal knows or ought to know,
  (a) that the consumer is not reasonably able to protect his or her interests because of disability, ignorance, illiteracy, inability to understand the language of an agreement or similar factors;
  (b) that the price grossly exceeds the price at which similar goods or services are readily available to like consumers;
  (c) that the consumer is unable to receive a substantial benefit from the subject-matter of the representation;
  (d) that there is no reasonable probability of payment of the obligation in full by the consumer;
  (e) that the consumer transaction is excessively one-sided in favour of someone other than the consumer;
  (f) that the terms of the consumer transaction are so adverse to the consumer as to be inequitable;
  (g) that a statement of opinion is misleading and the consumer is likely to rely on it to his or her detriment; or
  (h) that the consumer is being subjected to undue pressure to enter into a consumer transaction. 2002, c. 30, Sched. A, s. 15 (2).

Appendix C – United States Legislative Proposals

1. MASSACHUSETTS LEGISLATIVE PROPOSAL – BILL HD.3425

An Act empowering library access to electronic books and digital audiobooks.

A. Definitions
For purposes of this act, the following terms mean:

(1) "Digital audiobook" means a published work that is in the form of a voice recording (narrated) and is released as a digital audio file;
(2) "Electronic book" means a published work that is in written form and is released as a digital text files;
(3) "Electronic literary materials" means digital audiobooks and/or electronic books;
(4) "Libraries" include:
    (A) public libraries;
    (B) public elementary school or secondary school libraries;
    (C) tribal libraries;
    (D) academic libraries;
    (E) research libraries;
    (F) special libraries
    (G) talking book libraries; and
    (H) archives;
(5) "Publisher" means one whose business is the manufacture, promulgation, license, and/or sale of books, audiobooks, journals, magazines, newspapers, or other literary productions including those in the form of electronic literary materials. For the purposes of this bill the term 'publisher' shall also include aggregators who enter into contracts with libraries for the purposes of providing materials for purchase or license from the publishers;
(6) "Aggregator" means one whose business is the licensing of access to electronic literary material collections that include electronic literary material from multiple publishers;
(7) "Literary monograph" means a literary work that is published in one volume or a finite number of volumes;
(8) "Technological protection measures" means any technology that ensures the secure loaning and/or circulation by a library of electronic literary materials;
(9) "Borrower" means a person or organization, including another library, to whom the library loans electronic literary materials of any sort;
(10) "Virtually" means transmitted to receiving parties via the Internet in such a way that the transmission appears in front of the receiving parties on a computer, tablet, smart phone, or electronic device;
(11) "Loan" means create and transmit to a borrower a copy of electronic literary material and delete it at the end of the loan period;
(12) "Loan period" means the time between the transmission of electronic literary material to a borrower and the copies' deletion, as determined by any individual library.

B. Contracts Between Libraries and Publishers
    (a) Any contract offered by a publisher to a library for the purposes of licensing electronic literary materials to the public in this state is governed by Massachusetts law.
    (b) A contract between a library and a publisher shall contain no provision that:
        (1) Precludes, limits, or restricts the library from performing customary operational functions, including any provision that:
            (A) Precludes, limits, or restricts the library from licensing electronic literary materials from publishers;
            (B) Precludes, limits, or restricts the library's ability to employ technological protection measures as is necessary to loan the electronic literary materials;

(C) Precludes, limits, or restricts the library's right to make non-public preservation copies of the electronic literary materials;

(D) Precludes, limits, or restricts the library's right to loan electronic literary materials via interlibrary loan systems; or

(2) Precludes, limits, or restricts the library from performing customary lending functions, including any provision that:

(A) Precludes, limits, or restricts the library from loaning electronic literary materials to borrowers;

(B) Restricts the library's right to determine loan periods for licensed electronic literary materials;

(C) Requires the library to acquire a license for any electronic literary material at a price greater than that charged to the public for the same item;

(D) Restricts the number of licenses for electronic literary materials that the library may acquire after the same item is made available to the public;

(E) Requires the library to pay a cost-per-circulation fee to loan electronic literary materials, unless substantially lower in aggregate than the cost of purchasing the item outright;

(F) Restricts the total number of times a library may loan any licensed electronic literary materials over the course of any license agreement, or restricts the duration of any license agreement; unless the publisher also offers a license agreement to libraries for perpetual public use without such restrictions; at a price which is considered reasonable and equitable as agreed to by both parties

(G) Restricts or limits the library's ability to virtually recite text and display artwork of any materials to library patrons such that the materials would not have the same educational utility as when recited or displayed at a library facility;

(3) Restricts the library from disclosing any terms of its license agreements to other libraries.

(4) Requires, coerces, or enables the library to violate the law protecting the confidentiality of a patron's library records found in Chapter 78, Section 7.

C. Remedies

(A) Unfair and Deceptive Practices

(1) Offers to license electronic literary materials that include a prohibited provision listed in Section 3 constitute unfair and deceptive practices within the meaning of Section 2 of Chapter 93A, Regulation of Business Practices for Consumer Protection, and any remedy provided pursuant to Chapter 93A shall be available for the enforcement of this act.

(2) Actions for relief pursuant to this act may be brought by libraries, library officers, or borrowers.

(3) Parties shall be enjoined by the courts from enforcing license agreements that include a prohibited provision listed in Section 3.

(B) Unconscionability

(1) Contracts to license electronic literary materials that include prohibited provisions listed in Section 3 of this chapter are unconscionable within the meaning of Chapter 106, Section 2-302 in violation of Massachusetts public policy and are deemed unenforceable and void. Any waiver of the provisions of this title is contrary to public policy and shall be deemed unenforceable and void.

(C) Any publisher that violates this title shall be subject to an injunction and liable for a civil penalty of not more than two thousand five hundred dollars ($2,500) for each violation or seven thousand five hundred dollars ($7,500) for each intentional violation, which shall be imposed by the court.

D. Severability

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

E. Existing Contracts

Nothing in this subsection affects existing contracts that are currently in force providing libraries with electronic literary products from vendors and aggregators.

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F. Effective Date

This act shall take effect upon its enactment into law unless otherwise specified. The provisions of this act apply to transactions entered into and events occurring after such date

2. HAWAII LEGISLATION – HB1412 HD.1

A Bill for an Act Relating to Libraries
BE IT ENACTED BY THE LEGISLATURE FOR THE STATE OF HAWAII:

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to be read as follows:

"CHAPTER CONTRACT AND LICENSE AGREEMENTS FOR ELECTRONIC BOOKS"

SS –1. Definitions. As used in this chapter:
"Aggregator" means and individual or entity whose business is the licensing of access to electronic literary material collections that include electronic literary materials from multiple publishers.

"Borrower" means a person or organization, including another library, to whom the library loans electronic literary materials of any sort.

"Digital audiobook" means a published work that is in the form of a voice recording or narrated and released as a digital audio file.

"Electronic book" means a published work that is in written form and released as a digital text file.

"Library" means
    1) Public libraries, including elementary or secondary school libraries;
    2) Academic libraries;
    3) Research libraries;
    4) Special libraries;
    5) Talking book libraries; and
    6) Archives.

"Loan" means to create and transmit to a borrower a copy of electronic literary material and delete it at the end of the loan period.

"Loan Period" means the time between the transmission of electronic literary material to a borrower and the copy's deletion, as determined by any individual library.

"Publisher" means an individual or entity whose business is the manufacture, promulgation, license, or sale of books, audiobooks, journals, magazines, newspapers, or other literary productions including those in the form of electronic literary materials. "Publisher" includes aggregators who enter into contracts with libraries for the purposes of providing materials for purchase or license from the publishers.

"Technological protection measures" means any technology that ensures the secure loaning or circulation by a library of electronic literary materials.

"Virtually" means transmitted to receiving parties via the Internet in a way that the transmission appears in front of the receiving parties on a computer, tablet, smart phone, or electronic device.

SS – 2 Contracts between publishers and libraries.
    (a) No contract or license agreement entered into between any publisher and any library in the State shall:
        1) Preclude, limit, or restrict the library from performing customary operational functions, including
            a) Licensing electronic literary materials;
            b) Employing technological protection measures as is necessary to loan electronic literary materials;

c) A library's right to make non-public preservation copies of electronic literary materials; and

d) A library's right to loan electronic literary materials via interlibrary loan systems;

2) Preclude, limit or restrict the library from performing customary lending functions, including any provision that:

a) Precludes, limits or restricts the library from loaning electronic literary materials to borrowers;

b) Restricts the library's right to determine loan periods for licensed electronic literary materials;

c) Requires the library to acquire a license for any electronic literary material at a price greater than that charged to the public for the same item;

d) Restricts the number of licenses for electronic literary materials that the library may acquire after the same item is made available to the public;

e) Requires the library to pay a cost per circulation fee to loan electronic literary materials, unless substantially lower in aggregate than the cost of purchasing the item outright;

f) Restricts the total number of times a library may loan any licensed electronic literary materials over the course of any license agreement, or restricts the duration of any license agreement, unless the publisher offers a license agreement to libraries for perpetual public user without such restrictions, at a price that is considered reasonable and equitable as agreed to by both parties; and

g) Restricts or limits the library's ability to virtually recite text and display artwork of any materials to library patrons such that the materials would not have the same educational utility as when recited or displayed at a library;

3) Restrict the library from disclosing any terms of its licensing agreements to other libraries; and

4) Require, coerce or enable the library to violate the law protecting the confidentiality of a patron's library records as specified in section 8-200.5-3, Hawaii Administrative Rules.

SS – 3. Remedies.

(a) An offer to license electronic literary materials to a library that includes a prohibited provision listed in section -2 shall constitute an unfair or deceptive act or practice within the meaning of section 480-2 and shall be deemed void and unenforceable pursuant to section 480-12. Any remedy provided pursuant to section 480-13 shall be available for the enforcement of this chapter. Actions for relief pursuant to this section may be brought by libraries, library officers, or borrowers. Parties shall be enjoined from enforcing license agreements that include a prohibited provision under section-2.

(b) A contract to license electronic literary materials to a library that includes prohibited provisions under section-2 shall be unconscionable within the meaning of section 490:2-302 and shall be deemed unenforceable and avoid. Any attempt to waive any provisions of this chapter is contrary to public policy and shall be deemed unenforceable and void."

SECTION 2. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect the other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 3. This act shall take effect on June 30, 3000; provided that this Act shall apply to contracts between publishers and libraries entered into or renewed after the effective date of this act.

Supporting Ontario's Public Libraries to Empower Local Economic Growth

OLA & FOPL Advocacy Priorities
September 2023

Public libraries are critical to communities across Ontario and essential to thriving local economies and economic growth.

- Public libraries are Ontario's farthest-reaching, most cost-effective public resource. They are engines of innovation, entrepreneurship, and local economic development in communities of all sizes.

- Millions of Ontarians rely on local public libraries in their communities: to work, to learn, to connect to community and government services, and to find or train for a job.

- Despite this, many individuals and families across the province are unable to access the local public library resources they need.

- In urban centres, rural and Northern communities alike, public library budgets are overstretched – and the situation is getting worse.

- The combined impact of the pandemic, the pressure of inflation on public library and municipal budgets, and growing social and economic challenges in communities across the province have brought public libraries to a critical point.

- The situation for public libraries located on First Nations Reserves in Ontario is even more challenging, as these libraries do not receive funding from municipal taxes. This has overburdened a funding model that has left many public libraries on reserve closed or with severely reduced access.

Investing in public libraries will directly support people, their communities and local economy.

Through carefully targeted investments, the Ontario Government can ensure that all Ontarians – no matter where they live or learn – will continue to have access to modern, cost-effective resources and services they have come to rely on through their local public libraries.

- Provide critical e-learning support and fair access to modern, digital resources for all Ontario public libraries through the creation of an Ontario Digital Public Library, leveraging the province's significant purchasing power to give all Ontarians access to a common core of high quality e-learning & online resources.

- Working alongside First Nations Public Library leaders, rapidly implement a sustainable funding model for public libraries on reserve to ensure that these important local hubs are fully-funded and

viable. This includes enhancing the existing direct provincial funding support for public libraries on reserve to sustainably fund library operations and ensure a living income for frontline library staff in these communities.

- Increase provincial operating funding for Ontario's public libraries through a targeted investment in shared community and provincial priorities, and work with municipalities to ensure that this strategic investment builds upon and enhances existing municipal support for public library budgets.

Priorities

Provide critical e-learning support and fair access to modern, digital resources for all Ontario public libraries through the creation of an Ontario Digital Public Library, leveraging the province's significant purchasing power to give all Ontarians access to a common core of high-quality e-learning & online resources.

- Ontario's Public Libraries are essential to equitable, reliable access to broadband internet and computers. They are especially vital for many First Nation, rural and Northern communities where at home connectivity is limited, and for hundreds of thousands of Ontarians that cannot afford in-home internet services.
- The Ontario Government has recognized the crucial importance of public libraries to broadband internet access, making a $4.8 million investment to install or upgrade broadband connectivity at over 100 public libraries across the province.
- In particular, people rely on local public libraries for access to digital and online resources, which contribute to student success and life-long learning, as well as towards entrepreneurship and job readiness.
- However, these resources are expensive, especially when purchased on a patchwork, library-by-library basis.
- Many public libraries in Ontario, particularly in smaller and First Nation communities, struggle to pay for or are unable to afford these high-quality resources.
- People living in communities of less than 5,000 have access to less than a third of the online resources as those living in Toronto – despite accessing them twice as often per capita as people in large urban communities.
- Addressing this digital divide – through both broadband connectivity and the high-impact resources to match – is how public libraries are at the forefront of fulfilling Ontario's vision of an economy where every individual and community and contribute and compete.
- Creating an Ontario Digital Public Library through a targeted provincial investment would leverage the province's significant purchasing power to give all Ontarians – no matter where they live – access to a common set of high-quality digital resources through their public library.
- Ontario's public library sector would work closely the Ministry of Tourism, Culture and Sport and agency partners on the development and implementation of an Ontario Digital Public Library to ensure the included resources are appropriate to the needs of public libraries and communities of all sizes, that barriers to access are addressed, and that integration with existing digital infrastructure at the individual library level is seamless.
- *Projected cost:* $10 million - $20 million / annually.

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Working alongside First Nations Public Library leaders, implement a sustainable funding model for public libraries on reserve to ensure that these important local hubs are fully-funded and viable.

As an immediate first step, enhance the existing direct provincial funding support for public libraries on reserve to sustainably fund library operations and ensure a living income for frontline library staff in these communities.

- Public libraries on reserve serve as an accessible gathering place and information sharing resource for First Nations communities. They are deeply important to maintaining a sense of community and to minimizing social isolation in these communities, many of which are remote or face systemic social and economic challenges.

- Furthermore, public libraries on reserve perform a unique role in the preservation of their communities' memory, archiving community photos and historical information, and in revitalizing First Nations languages through cultural resources, language learning programming, storytelling events, and craft groups.

- Public libraries on reserve are chronically under-funded. The municipal tax revenue used to support most public libraries does not exist for public libraries in First Nation communities. Provincial funding through the Public Library Operating Grant (PLOG) and the First Nation Salary Supplement Grant (FNSS) provides on average $15,000/year to each of the existing public libraries on reserve. Band Councils must therefore allocate essential funding support such as rent, hydro, internet, fax and telephone services.

- There is little to no funding available for collections, programming and technology resources.

- Librarians rely on one-time grants or donations to develop their collections, and many librarians contribute personally to purchase programming supplies and food.

- Many public libraries on reserve operate with only one staff person who is expected to perform many functions – librarian, archivist, community liaison, fundraiser, administrator, tech support, and more. Public libraries on reserve need additional funding to provide staff with a living wage and to increase staffing levels so that they can meet their communities' needs for library programs and services.

- Of the 133 First Nations communities in Ontario, only 39 have public libraries. The number has steadily dropped in recent years and the pandemic has only made this situation worse, with four public libraries on reserve closing their doors due to inadequate funding over the past 20 months.

Recommended Priority:

- As an immediate first step, the First Nations Salary Supplement must be increased to ensure that all existing staff of public libraries on reserve are fairly compensated for the work they perform.

- *Projected cost:* $2 million / annually (First Nation Salary Supplement increase for existing public libraries on reserve).

Increase provincial funding for Ontario's public libraries to address critical shared priorities and community needs.

- Public libraries in Ontario have received no increase in provincial funding support (Provincial Libraries Operating Grant, or PLOG) in over 25 years, during which time the value of the province's investment in public libraries has decreased by over 60%.

- Although over 90% of public library funding is provided by the local municipal government,

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provincial operating funding provides critical stability to public library budgets.

- Libraries have adapted and maximized the impact of every dollar despite inflation, substantial changes in technology, and the increasing importance of libraries as a vital community hub and public resource.

- Across Ontario – in communities of all sizes – these budget pressures are reaching a tipping point.

- Public libraries are the focal point of municipalities across Ontario, and critical to social cohesion and community building. As a result, they find themselves on the front lines of many of the most critical challenges facing our communities, including homelessness, addiction and mental health, newcomer integration, re-skilling in a changing economy and overcoming the digital divide.

- Ontario's public libraries are proposing a targeted investment in additional operating funding for public libraries to specifically address critical areas of shared community and provincial priority, including:

    o Supporting economic recovery through job training and skills development;

    o Addressing the community impacts of mental health and addictions;

    o Providing services and resources to assist with high-needs members of the community such as seniors, newcomers, working families and all vulnerable members; and

    o Supporting early literacy and K-12 success.

- This investment, which would be in addition to and separate from existing provincial operating funding under the PLOG, would be shared across hundreds of Ontario libraries to provide predictable, flexible funding for local public libraries to respond to these critical areas of focus based on the needs of the people and the local communities they serve.

- This funding could be utilized to support ongoing operations, programming, resources, or front-line staffing specifically targeted to any of the four identified priority areas.

- The proposed level of investment corresponds to a restoration of the present value of the Ontario Government's support for Ontario's public libraries, addressing the impact of inflation, rising costs and other pressures over more than two decades.

- In conjunction with this investment, the Ontario Government and Ontario's public libraries would work alongside municipalities to ensure that this critical investment builds upon and enhances existing municipal support for public library budgets.

- *Projected cost:* $25 million / annually.

Ontario Library Association / Federation of Ontario Public Libraries

The Ontario Library Association (OLA) is the oldest continually-operating non-profit library association in Canada, with over 3,500 members comprised of library staff and supporters from public, school, academic, and special libraries.

The Federation of Ontario Public Libraries (FOPL) represents 237 public library systems in Ontario, including 39 Public Libraries on Reserves.

Together, OLA & FOPL are committed to ensuring that libraries can to continue to play a critical role in the social, education, cultural and economic success of our communities and schools.

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Library Operating

For period ending September 30, 2023

	2022 September YTD Actuals	**2023 September YTD Actuals**	2023 Annual Budget	2023 Variance $	2023 Variance %
Operating Fund					
Library Services					
Revenues					
User Fees	($76,661)	**($74,419)**	($108,677)	($34,258)	32%
Grants	(5,786)	**(1,650)**	(33,950)	(32,300)	95%
Miscellaneous	(7,177)	**(16,011)**	(11,000)	5,011	(46%)
Other Fines and Penalities	(971)	**(948)**	(8,000)	(7,052)	88%
Total Revenues:	**(90,595)**	**(93,028)**	**(161,627)**	**(68,599)**	**42%**
Expenses					
Compensation	1,180,634	**1,162,485**	1,723,399	560,914	33%
Insurance	4,937	**6,680**	5,529	(1,151)	(21%)
Office Expenses	13,523	**17,513**	27,492	9,979	36%
Workshops and Conferences	9,236	**8,859**	18,016	9,157	51%
Advertising	5,913	**5,861**	8,670	2,809	32%
Professional Fees	(3,430)	**(2,284)**	5,000	7,284	146%
Programs	10,524	**12,966**	18,839	5,873	31%
Software Licence & Support	21,763	**22,524**	30,250	7,726	26%
Internal Allocation	16,635	**11,463**	30,487	19,024	62%
Maintenance and Repairs	30,017	**20,269**	73,607	53,338	72%
Service Agreements	4,444	**5,122**	7,461	2,339	31%
Utilities	13,567	**9,747**	21,731	11,984	55%
Transfers to Reserve	214,388	**80,625**	241,875	161,250	67%
Transfer to Capital			61,528	61,528	100%
Total Expenses:	**1,522,151**	**1,361,830**	**2,273,884**	**912,054**	**40%**
Total Operating Fund	**1,431,556**	**1,268,802**	**2,112,257**	**843,455**	**40%**

Revenues
Grants have been delayed all requirements have been completed to trigger the following:
$ 30,608 from the Ministry of Tourism, Culture and Sport for the Public Library Operating Grant; and approximately
$ 6,000 from Young Canada Works towards the two summer student positions
Miscellaneous and Other includes: Cost recovery from internal & external partners, replacement costs for lost items & donations.

Expenses
Insurance; Professional Fees; Internal Allocation, Service Agreements, Utilities, and all transfers are administered by the finance division.
Maintenance and Repairs budget is being used towards building requirements ahead of opening to the public.

The Corporation of the Town of Orangeville

Information Memo to Library Board

To: Chair and Members of the Board

From: Darla Fraser, Chief Executive Officer

Date: October 25, 2023

Subject: Strategic Plan Status

Purpose:

To provide the board with a progress report and status of the goals and objectives of the 2022-2027 Strategic Plan. To inform a discussion on next steps and confirm or revise priorities for next year.

Background:

It was just one year ago that the Library Board publicly launched the newly adopted branding and strategic plan with a public event held in October 2022. The branding and plan were both well received by the public. On the heels of the celebration, the library was positioned to move forward a number of the actions from the plan.

Work began on improving Mill Street library's accessibility. The facility closed to the public on October 9, 2022. As staff prepare this progress report it should be noted that the renovations of the Mill Street library have been subject to delays and setbacks, which were not accounted for in original estimates and targets.

Overall, the Board can be very proud of the library staff who have managed to maintain excellent services through the disruptions of the past year. The letter score for each strategic direction is a subjective summary from the CEO perspective.

Overall score by Strategic Direction

The letters assigned are from a traditional school letter grade where
A= Excellent; B=Good; C=Caution, D=Fail.

Connect – B+

Shifting focus from Collections to **Connections**, armed with the knowledge that our main branch would be closed for a portion of 2023, a reduction in member activity (circulation, membership, etc.) was anticipated. The direction from the board was to maintain other service levels as close to 2022 levels as possible which staff have delivered on and simultaneously created structure on which to build future growth.

Over the past year the library has crafted a comprehensive Program Framework and adopted the 'Working with Us' policy in June 2023.

1. Program Framework Development:

In 2021, extensive community research highlighted the community's desire for new programs, forming a foundation for the 2023-2027 Program Framework [link]. This framework serves as a strategic roadmap, enabling the library to enhance existing programs and develop new ones aligned with the organization's strategic goals. The framework encourages creativity and innovation while ensuring alignment with organizational literacies, core values, and community interests. It also establishes an intake process for program ideas, emphasizing collaboration with community partners.

2. Working with Us Policy Implementation:

The 'Working with Us' policy, adopted in June 2023, signifies the library board's commitment to fostering partnerships internally and externally. These partnerships aim to extend programs sustainably, support community connections, and avoid duplication of efforts. The policy outlines three levels of partnerships, each tailored to the complexity of the collaboration. Formal written agreements will define resource commitments and risks for more complex partnerships, ensuring clear expectations and mutual benefits for all parties involved.

3. Future Focus and Community Engagement:

Moving forward, the library will prioritize proposals that align with organizational literacies, core values, and address specific community needs, ensuring the efficient allocation of limited resources. By encouraging co-creation with community partners, the library aims to maximize its outreach and impact. The focus will be on creating opportunities for the community to connect, discover, and soar, enhancing the economic, social, and cultural fabric of Orangeville.

This strategic approach, blending a well-structured Program Framework with the 'Working with Us' policy, positions the Orangeville Public Library to enrich the lives of its community members effectively. Through innovative programs, thoughtful partnerships, and a commitment to community engagement, the library is poised to create a vibrant and inclusive space for all.

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Discover – B

Priority in this area has been focused on improving accessibility at Mill Street– with a fully accessible elevator. The renovation project will deliver on updating our physical spaces to meet accessibility standards and exceed expectations. Although plagued by delays and setbacks, as many current projects are facing, the resulting changes will be spectacular.

Despite challenges in establishing a Makerspace, the library remains committed to its vision. Efforts are underway to enhance staff resources, seek external partnerships, and advocate for support from other divisions within the organization to overcome obstacles and fulfill the vision of a Makerspace that provides exploration, learning, and innovation opportunities within the community.

The 2024 budget estimates provide for increases in staffing to fulfill the community's request for more programming and more technology.

The Board has approved a 10-year capital plan that includes a placeholder for library expansion in alignment with community growth.

Soar – B+

This strategic direction prioritizes staff development, community awareness, and strong leadership. Investment in staff professional development continues.

Administration of education requests has been formalized (new request form ensuring all requests support library goals and values). More than 100 hours have been completed with a number of sessions yet to come this year. Public Services staff are working on incorporating competencies into individual learning plans, aligning individual performance with organizational goals.

The board has adopted four new policies and reviewed seven. Members are taking an active role providing strong and effective governance to guide decisions with an emphasis on fiscal accountability and environmental sustainability.

The library has a strong social media presence with an increasing number of followers on all three platforms and the monthly eNewsletter continues to reach more households to ensure that our members are aware of library programs and services. With the closure of the Orangeville Banner newspaper, staff will need to continue to find new innovative ways to increase awareness of all the library has to offer. Promotional work of library staff with assistance from the communication division over the past year has resulted in an increase in active memberships and program attendance. Moving forward, focus will shift to promoting the library's resources and services, highlighting the benefits of membership. A campaign to raise awareness and promote library membership and its power to enrich and transform lives will be a priority.

The following summary provides a visual status of the 17 Strategic Plan objectives: Green – horizontal lines = Proceeding Well / On target; Yellow – vertical lines = caution; Red – solid block = target not reached or in jeopardy

			PROGRESS INDICATOR
Strategic Direction: CONNECT			**B+**
Goal **1**:		Build community by connecting people to inspire learning & personal growth	
Actions 1-2	Objective **A**	Champion Inclusivity and promote community cultural expression.	Green (horizontal lines)
Actions 3-4	Objective **B**	Enhance existing partnerships and develop new alliances.	Yellow (vertical lines)
Actions 5-6	Objective **C**	Expand opportunities for social interactions	Green (horizontal lines)
Goal **2**:		Uphold equitable access to information and services in a safe and welcoming environment	
Actions 7-9	Objective **D**	Offer collections, programs and services that are responsive to community needs and interests	Green (horizontal lines)
Actions 10-13	Objective **E**	Support formal and informal learning and literacy development for all ages	Green (horizontal lines)
Action 14	Objective **F**	Encourage civic engagement and create pathways for access to community services	Yellow (vertical lines)
Strategic Direction: DISCOVER			**B-**
Goal **3**:		Ignite curiousity with innovative technology	
Actions 15-16	Objective **G**	Invest in tools and technology for hands on learning	Red (solid block)
Action 17	Objective **H**	Create programming to teach digital literacy, spark creativity and encourage experimentation	Yellow (vertical lines)
Action 18-19	Objective **I**	Design a makerspace with a digital media lab	Red (solid block)
Goal **4**:		Design welcoming and accessible spaces to inspire discovery	
Action 20-22	Objective **J**	Modernize spaces to be flexible for group and individual learning	Green (horizontal lines)
Action 23-25	Objective **K**	Plan for future library expansion in alignment with community growth	Red (solid block)
Action 26	Objective **L**	Provide an opportunity to borrow a greater variety of items including technology	Red (solid block)
Strategic Direction: SOAR			**B+**
Goal **5**:		Cultivate a workplace culture that fosters creativity and innovation	
Action 27-31	Objective **M**	Support continuous learning and implement a training strategy to develop skills	Green (horizontal lines)
Action 32-35	Objective **N**	Strong, effective governance will guide our actions with an emphasis on fiscal accountability and environmental sustainability	Green (horizontal lines)
Goal **6**:		Promote awareness and visibility of the library and its role in the community	
Action 36-37	Objective **O**	Develop a plan to promote library services and their power to enrich and transform lives	Yellow (vertical lines)
Action 38-39	Objective **P**	Explore new service delivery options to bring the library into neighbourhoods	Red (solid block)
Action 40-41	Objective **Q**	Seek opportunities to connect with the community where they are	Green (horizontal lines)

Library Metrics

Under the three strategic directions, there are a total of 21 metrics created to monitor progress. As a quick visual by key or hard data points, the following infographic provides a point in time capture. Details for all metrics are included as Appendix A.

CONNECT

6,053	26	95,952
PROGRAM ATTENDEES	COMMUNITY PARTNERSHIPS	PHYSICAL ITEMS BORROWED

DISCOVER

54,177	1,891	59,890
ELECTRONIC ITEMS BORROWED OR STREAMED	PUBLIC COMPUTER SESSIONS	ACTIVITY MEASURE FOOT COUNTER

SOAR

6,475	226	34
ACTIVE MEMBERS	HOMEBOUND DELIVERIES	OUTREACH EVENTS

Based on the long-term plan and considering progress in our first year, service priorities for 2024 focus high level in each strategic direction:

- Connect – Build community by increasing partnerships (to expand programming)
- Discover – Makerspace
- Soar – Media plan and increasing membership.

Financial Impact:

The impact to the 2024 budget estimates has been approved and submitted for consideration / approval by council.

Prepared and respectfully submitted by,

Darla Fraser,
Chief Executive Officer

Appendix A to Information Memo

Table of Figures

In alignment with our strategic goals and commitment to transparency, our organization is undergoing a shift in data collection and analysis. We currently gather operational statistics monthly to meet the Ministry Annual Statistics Reporting requirements and to inform our strategic planning initiatives. The Library Services Index, comprising data from Public Services, Programs, Collection & Systems, serves as the backbone of this effort.

Staff are diligently engaged in the process of adapting our existing data collection methods. These methods, primarily manual updates to an Excel file with data sourced from diverse sources, are being carefully mapped to align with our new metrics framework. Acknowledging the complexities involved, we anticipated that this transition wouldn't be completed within the confines of 2023, as illustrated by Figure 3.

I am confident that by 2024, we will successfully implement a more efficient and robust tracking system. This evolution marks a pivotal step towards a data-driven future, supporting both our immediate operational needs and our long-term strategic objectives.

Figure 1: Library Service Index: collection and systems, program and research

	Collection & Systems	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	YTD Sept 30, 2023	Monthly Average
CS.1	Active Memberships	6,026	6,119	6,198	6,250	6,316	6,409	6,444	6,475	6,545		6,309
	Adult Books	4,300	3,758	4,295	4,020	3,888	3,761	4,423	4,538	4,009	36,992	4,110
	Kids Books	6,245	5,781	6,356	6,021	5,375	5,074	7,987	7,347	6,276	56,462	6,274
	Magazines	128	127	139	99	131	134	174	191	176	1,299	144
	Books to listen to	406	390	363	350	337	289	384	378	397	3,294	366
	Movies & TV shows	770	755	857	710	693	725	842	811	726	6,889	765
	Cool Stuff - not books	76	73	65	39	75	80	99	70	70	647	72
CS.2	Physical Collection	11,925	10,884	12,075	11,239	10,499	10,063	13,909	13,335	11,654	105,583	11,114
	Adult eBooks	2,611	2,470	2,692	2,478	2,431	2,463	2,660	2570	2,531	22,906	2,545
	Kids eBooks	293	225	264	232	240	240	333	312	259	2,398	266
	eMagazines & Newspapers	1,805	1,341	1,664	1,390	1,478	1,621	1,488	1,941	1,967	14,695	1,633
	eAudio	2,050	2,151	2,156	2,009	2,191	2,203	2,284	2,275	2,223	19,542	2,171
	eVideo	114	128	311	238	174	257	189	205	189	1,805	201
CS.3	Digital Collection	6,873	6,315	7,087	6,347	6,514	6,784	6,954	7,303	7,169	61,346	6,653
CS.4	Database Usage	107	76	65	31	39	41	45	36	49	489	54
CS.5	Items Reserved	3,216	2,526	2,821	2,460	2,302	2,682	3,019	3,087	2,612	24,725	2,747
CS.6	Public computer use	209	223	288	256	225	263	237	190	294	2,185	243
	Unique Users	136	135	163	139	149	176	144	130	186	1,358	151
CS.7	In Transit	3,614	3,102	3,571	2,868	3,217	3,096	3,483	3,511	3,592	3,543	3,339
CS.8	InterLibrary Loans	1,560	1,159	1,674	1,433	1,215	1,069	1,225	1,424	1,355	12,114	1,346

	Program & Research	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	YTD Sept 30, 2023	Monthly Average
PR.1	Program and Events	25	30	30	26	30	21	62	47	22	293	33
	Attendance	543	616	1,396	609	877	564	919	529	424	6,477	720
PR.2	Kits	-	-	-	-	-	-	190	70	-	260	29
PR.3	Outreach	3	2	2	2	1	7	17	9	11	54	6
	Attendance	246	96	110	34	28	209	628	135	658	2,144	238

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Appendix A – Library metrics

Figure 2: Library Service Index: public services, administration

	Public Services	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	YTD Sept 30, 2023	Monthly Average
PS.1	Homebound Deliveries	39	34	32	34	38	33	31	25	28	**294**	**33**
PS.2	Incidents	1	0	0	1	0	0	1	1	0	**4**	**0**
PS.3	Police Walkthrough	0	1	1	0	0	8	2	3	3	**18**	**2**
PS.7	Social Media Followers											
	Newsletter	1189	1191	1194	1199	1212	1219	1227	1239	1249		
	Facebook	2259	2285	2305	2314	2326	2338	2371	2372	2394		
	Instagram	1270	1302	1329	1343	1362	1375	1404	1417	1437		
	Twitter	578	580	585	588	588	589	599	604	611		

	Administration	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TYD	Average
A.1	Exams Booked	2	2	0	4	3	3	2	0	0	**18**	**2**
	Proctored - Mill	0	0	0	0	0	0	0	0	0	**0**	**0**
	Proctored - Alder	2	2	0	4	3	3	2	0	0	**16**	**2**
	Unique Users	2	1	0	3	3	3	2	0	0	**14**	**2**
	Revenue Generated	$ -	$ 40	$ -	$ 40	$ 80	$ -	$ -	$ -	$ -	$ 160	
A.2	Photocopies	4973	3744	7380	4027	4212	5709	6352	3292	5133	**44822**	**4980**
A.3	Foot Counter	9505	9122	8410	6535	6940	6701	6558	6119	6210	**66100**	**7344**
A.4	Hours Open to the Public	466	409	466	406	462	447	451	462	432	**4001**	**445**
A.5	Hours Open Alder	290	257	290	254	286	279	283	289	272	**2500**	**278**

	Administration	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total	
A.6	Days in the Month	31	28	31	30	31	30	31	31	30	**365**	
A.7	Days Open	30	28	30	27	29	29	30	29	28	**345**	
A.8	Closures	1	1	1	3	2	1	1	2	2	**20**	

Figure 3 depicts the metrics identified to appropriately measure performance plan progress. As noted in the accompanying report progress has been summarized at both an overall and by objective.

A review of these statistics combined with the progress mapped by action item makes me very proud of the staff we have. Many of these figures are the result of front line interactions.

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Appendix A – Library metrics

Figure 3: Metrics identified to measure strategic plan progress.

	Library Metric	Outcomes	Quantitative and Qualitative Measures	Baseline	Target	Timelines	
			Connect				**Page #**
C1	Program and event participation	Improved program attendance across all demographics	Program attendance numbers	7,269 (YE 2021)	50% increase	By 2024 YE	**2**
C2	Partnership and Collaboration	Increased partnerships/ collaborations that benefit all parties, as well as those we serve	Number of services, programs or initiatives that are developed or delivered in tandem with local partner organizations Anecdotal partner feedback, including comments and testimonials	Number of community partners	Tracking mechanism to be developed in 2023 in conjunction with Ministry requirements Target growth to be developed	2026	**3**
C3	Local Culture	Increased collaborations with local creators, performers and local history partners and organizations	Number of local creators and performers engaged to facilitate programs and events	25 (YE 2021)	20% Increase	By 2024 YE	**3**
C4	Physical collections	Maintaining current measures for physical collections and ensuring that the collection is meeting the needs of residents	Total number of physical items borrowed Average number of physical items borrowed per capita annually	112,550 (YE 2021) 3.75 items per capita (2021)	10% increase Greater than 4	By 2024 YE	**4**
C5	Diversity and Inclusion	Increase in resources with diverse perspectives available for patrons	Percentage of print collection that reflects diverse ethnicities and cultures	Tracking mechanism to be developed in 2023			**6**
			Discover				
D1	Digital and electronic resources	Increase in use of downloaded or streamed collections and online databases	Number of items borrowed and streamed Online Database Usage	72,954 (YE 2021) Baseline developing in 2022	10 % increase Target growth to be developed	By 2024 YE	**7**
D2	Use of in-branch technologies and connectivity	Growth in use of library provided technologies	Use of Public Access Computers - Number of sessions / Unique Users Use of maker technologies and tools	1,196 (YE2021) Baseline to be developed 2023	10% Increase Target growth to be developed	By 2024 YE	**8**
D3	In-person visits	Increase in foot traffic and use	Number of library visits recorded Number of visits to website/virtual branch	49,816 (TW 2021) 57,200 (TW 2021)	Greater than 60,000 annually 20% increase in use	By 2024 YE	**9**
D4	Investment in Library Facilities	Continued municipal investment to refurbish existing branches and build a new facility	Value of approved capital project budgets that support the improvement of existing spaces and/or construction of new space	$ 1.3 Million (Elevator Replacement) (2022 budget)	Dependent on projects requiring funding		**9**
			Soar				
S1	Investment in Staff	Creation of new positions and expansion of existing roles	# of new FTEs created/funded Number of position descriptions reviewed and incorporate new HR forms	8 full-time positions 3 completed	Increase 1 FTE annually Complete all position description reviews	By 2026 YE	**10**
S2	Active Memberships	Increase in those that have used their library membership within the last 24 months	Increase in proportion of population that is an active library member.	15.9% (2022)	20%	By 2024 YE	**10**
S3	Community Outreach	Increase in library services delivered beyond the walls of a library branch	Number of deliveries through Homebound Delivery Program Number of individuals with whom staff interact/connect at community locations	366 (2022 YE) Tracking mechanism to be developed in 2023	400 (2023 YE) subsequent annual increases to be confirmed	2024	**11**
S4	Patron Satisfaction	Increase in reported customer satisfaction in all aspects of library service	% of survey respondents indicating they are satisfied with library services Anecdotal public feedback, including comments and testimonials	67% Indicated very high levels of satisfaction with programs and services (Q2 2021)	10% Increase	by 2024 YE	**12**
				Source: YE = Library Services Index and Annual Survey; TW = Typical Week Annual Survey			

4

Figure 4: Program attendance metric.

Metric C1: Program Attendance				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Improved program attendance across all demographics	Program attendance numbers	7,269 (YE 2021)	50% increase; Total 10,900	By 2024 YE

See LSI – PR.1

Historical data is readily available for most data points.

As at September 30th there were 6,477 Program Attendees which is 11% below the baseline or 41% of 2024 target

Figure 5: Program metrics 2022 to 2023 year to date.

	As at September 30		Increase/ Decrease
	2023	2022	
Program and Events	293	272	*8%*
Attendance	6477	4380	*48%*
Kits	260	703	*-63%*
Outreach	54	60	*-10%*
Attendance	2144	1491	*44%*

As of the end of September, staff had delivered a total of 293 programs, figure 6 identifies each program by Tier, Values and Literacies – important components of the Framework.

As the data indicates, the library has a strong roster of Core Programming focused on Life-long Learning and foundational literacies.

Moving forward as explained in the accompanying report the Framework provides structure and a new perspective and approach to planning programming.

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Figure 6: Programs identified by tier, values and literacies.

	FRAMEWORK	2023 Year-to-Date Actuals January to September		% of Total	
	Tier	#	Attendees	#	Attendees
1	**Core**	**225**	**4,437**	*77%*	*69%*
2	Knowledge & Engagement	43	1,507	*15%*	*23%*
3	Critical	25	533	*9%*	*8%*
	Total	**293**	**6,477**	*100%*	*100%*
	Values	#	Attendees	#	Attendees
1	Curiousity	35	394	*12%*	*12%*
2	Inclusivity	27	361	*9%*	*9%*
3	**Life Long Learning**	**222**	**5,658**	*76%*	*76%*
4	Intellectual Freedom	0	-	*0%*	*0%*
5	Trust	9	64	*3%*	*3%*
	Total	**293**	**6,477**	*100%*	*100%*
	Literacies	#	Attendees	#	Attendees
1	Civic	9	64	*3%*	*1%*
2	Digital	14	69	*5%*	*1%*
3	Emotional	5	90	*2%*	*1%*
4	Environmental	11	219	*4%*	*3%*
5	Financial	0	-	*0%*	*0%*
6	**Foundational**	**219**	**4,363**	*75%*	*67%*
7	Informational	2	223	*1%*	*3%*
8	Intercultural	11	91	*4%*	*1%*
9	Media	0	-	*0%*	*0%*
10	Physical	4	179	*1%*	*3%*
11	Visual	18	1,179	*6%*	*18%*
	Total	**293**	**6,477**	*100%*	*100%*

6

Figure 7: Partnership and collaboration metric.

Metric C2: Partnership and Collaboration

Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increased partnerships/ collaborations that benefit all parties, as well as those we serve	Number of services, programs or initiatives that are developed or delivered in tandem with local partner organizations Anecdotal partner feedback, including comments and testimonials	Number of community partners	Tracking mechanism to be developed in 2023 in conjunction with Ministry requirements Target growth to be developed	2026

Not currently collected via the LSI

Statistics will become available through the documentation of partnerships based on the Working with Us policy.

As detailed in the figure 8 below staff are working with approximately 30 partners, each requiring various levels of administrative and management support.

Figure 8: Partnership levels.

Partnership Levels	# of Partners
Strategic - formal agreement	6
Collaborative - memorandum of understanding	11
Ad hoc - casual	13
Total # of partnerships	**30**

7

Figure 9: Local culture metric.

Metric C3: Local Culture

Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increased collaborations with local creators, performers and local history partners and organizations	Number of local creators and performers engaged to facilitate programs and events	25 (YE 2021)	20% Increase	By 2024 YE

Not currently collected via the LSI

Statistics will become available through the documentation of partnerships based on the Working with Us policy. Currently these events would be capture as a program.

Figure 10: Physical collection metric.

Metric C4: Physical collections

Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Maintaining current measures for physical collections and ensuring that the collection is meeting the needs of residents	Total number of physical items borrowed Average number of physical items borrowed per capita annually	112,550 (YE 2021) 3.75 items per capita (2021)	10% increase Greater than 4	By 2024 YE

See LSI – CS.2

Figure 11: Annual circulation targets.

Year	Annual Circ (Actual or Target)	% Increase over Prior Year	**Goal**	Per Capita	% Increase over Prior Year
2021	112,550	21%	Actual	3.73	n/a
2022	129,206	15%	Actual	4.28	15%
2023	**142,000**	10%	**Year End Goal**	**4.71**	10%
2024	**155,000**	9%	**Year End Goal**	**5.14**	9%

Metric: Average number of physical items borrowed per capita

Target: 4.0

8

Status: Based on current information the average number of physical items borrowed per capita is **3.499** (2021 Census Population 30,167 and a total of 105,583 physical items circulated).

Figure 12: Circulation percentage change over previous year.

As at September 30th	Circulation of Physical Collection	% change over previous year
2019	134,349	*n/a*
2020	65,239	*-51%*
2021	79,786	*22%*
2022	99,270	*24%*
2023	105,583	*6%*

Figure 13: Monthly circulation of physical items 2019-2023

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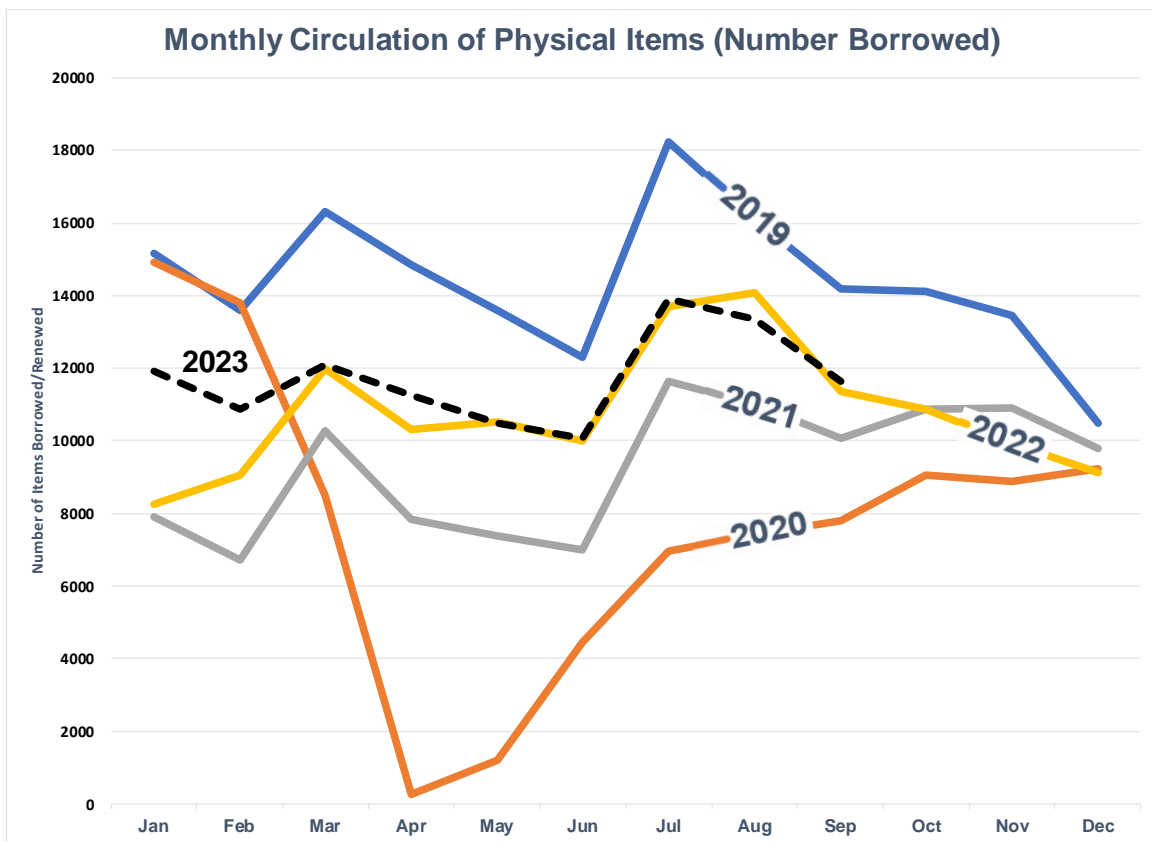
Appendix A – Library metrics
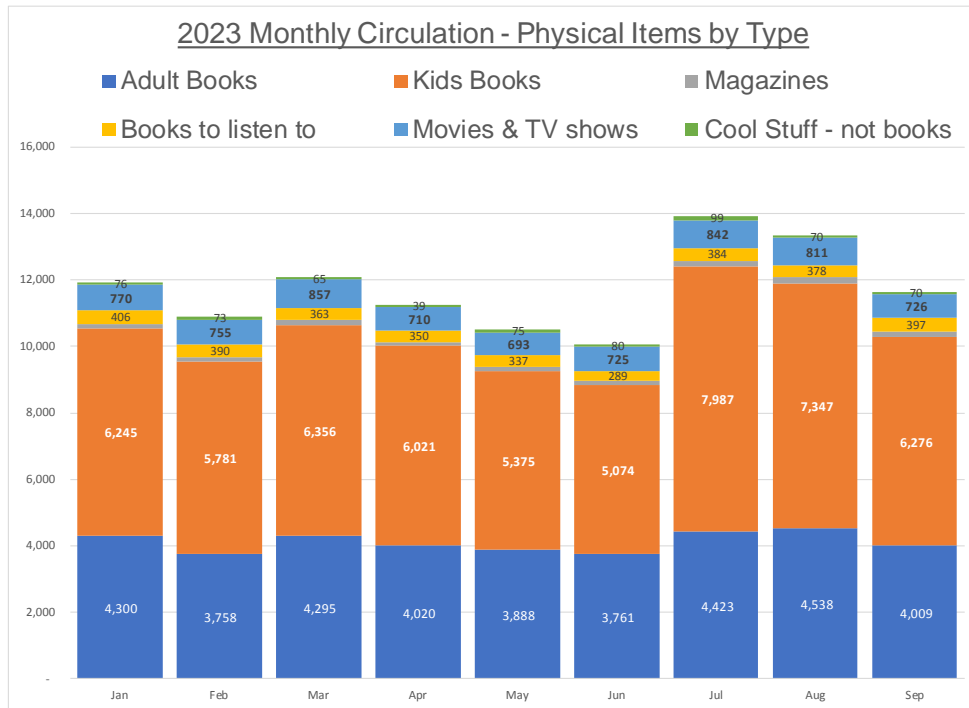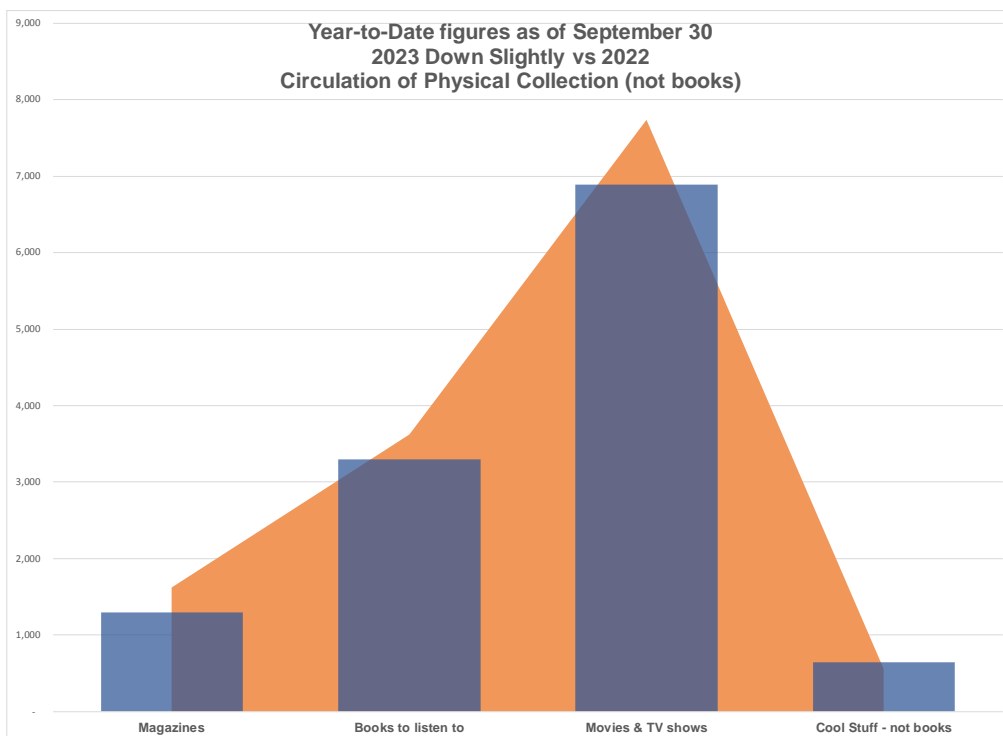
Figure 14: 2023 monthly physical circulation by type.

2023 Monthly Circulation - Physical Items by Type

■ Adult Books	■ Kids Books	■ Magazines
■ Books to listen to	■ Movies & TV shows	■ Cool Stuff - not books

Month	Adult Books	Kids Books	Books to listen to	Movies & TV shows	Cool Stuff - not books
Jan	4,300	6,245	406	770	76
Feb	3,758	5,781	390	755	73
Mar	4,295	6,356	363	857	65
Apr	4,020	6,021	350	710	39
May	3,888	5,375	337	693	75
Jun	3,761	5,074	289	725	80
Jul	4,423	7,987	384	842	99
Aug	4,538	7,347	378	811	70
Sep	4,009	6,276	397	726	70

Figure 15: Circulation of physical items, not books.

Year-to-Date figures as of September 30
2023 Down Slightly vs 2022
Circulation of Physical Collection (not books)

(Categories: Magazines, Books to listen to, Movies & TV shows, Cool Stuff - not books)

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Figure 16: Diversity and inclusion metric.

Metric C5: Diversity and Inclusion				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in resources with diverse perspectives available for patrons	Percentage of print collection that reflects diverse ethnicities and cultures	Tracking mechanism to be developed in 2023; expectations from new CollectionHQ tool		

Feature promised from CollectionHQ sales representatives, results anticipated for year end.

Not currently collected via the LSI

Figure 17: Digital and electronic resource metric.

Metric D1: Digital and electronic resources				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in use of downloaded or streamed collections and online databases	Number of items borrowed and streamed Online Database Usage	72,954 (YE 2021) Baseline developing in 2022	10 % increase Target growth to be developed	By 2024 YE

See LSI – CS.3 & CS.4

Metric: Number of items borrowed and streamed

Target: 80,250 + 120 = 80,370

Status: ; As at September 30, 2023 – 61,346 + 489 = 61,836

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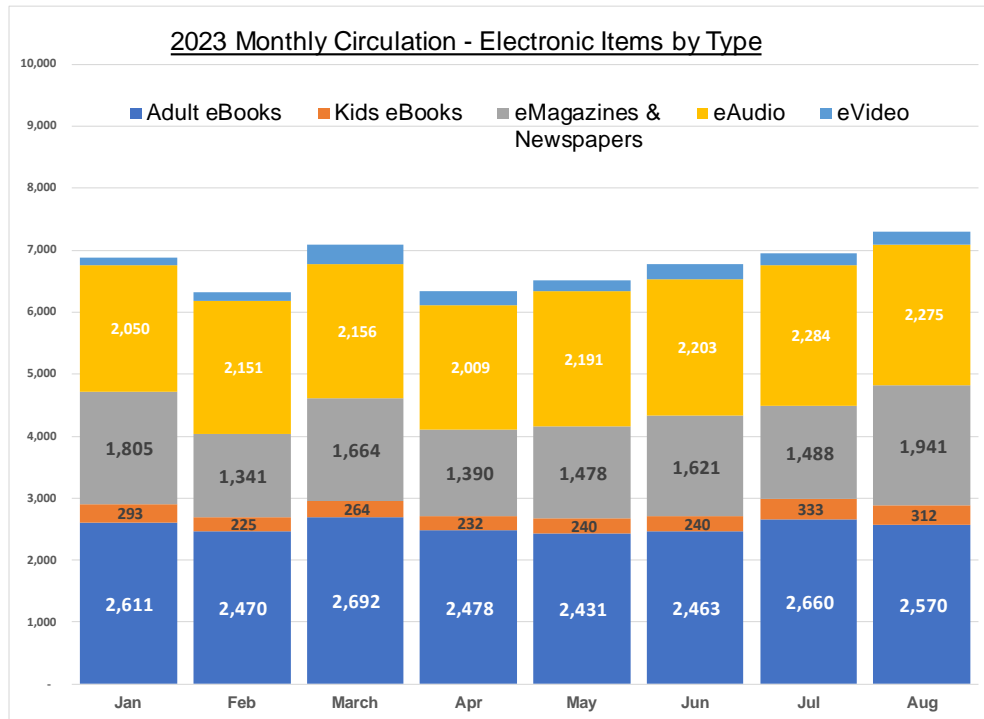Figure 18: 2023 Monthly circulation, electronic items by type.

2023 Monthly Circulation - Electronic Items by Type

Legend: Adult eBooks, Kids eBooks, eMagazines & Newspapers, eAudio, eVideo

	Jan	Feb	March	Apr	May	Jun	Jul	Aug
eAudio	2,050	2,151	2,156	2,009	2,191	2,203	2,284	2,275
eMagazines & Newspapers	1,805	1,341	1,664	1,390	1,478	1,621	1,488	1,941
Kids eBooks	293	225	264	232	240	240	333	312
Adult eBooks	2,611	2,470	2,692	2,478	2,431	2,463	2,660	2,570

Figure 19: Use on in branch technology and connectivity metric.

Metric D2: Use of in-branch technologies and connectivity				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Growth in use of library provided technologies	Use of Public Access Computers - Number of sessions / Unique Users Use of maker technologies and tools	1,196 (YE2021) Baseline to be developed 2023	10% Increase Target growth to be developed	By 2024 YE

See LSI – CS.6

Metric: Use of Public Access Computers Number of Sessions

Target: 1,300

Status: Year-to-date figures indicate 2,185 different sessions used at Alder. Higher than anticipated. The figure below depicts monthly figures for both locations since 2019 which highlights the COVID closures.

Metric: Use of Public Access Computers Number of Unique Users

Target: 10% over previous year

12

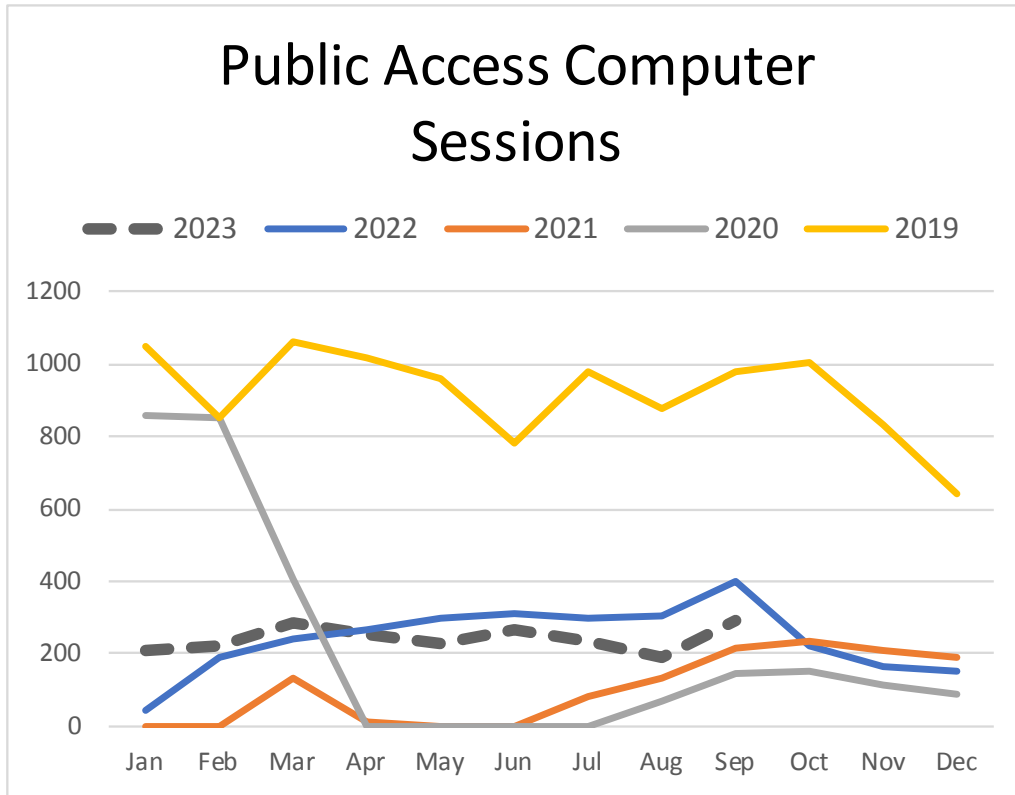*Figure 20: 2019-2023 public access computer sessions.*

Figure 21: In person visits metric.

Metric D3: In-person visits				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in foot traffic and use	Number of library visits recorded	49,816 (TW 2021)	Greater than 60,000 annually	By 2024 YE
	Number of visits to website/virtual branch	57,200 (TW 2021)	20% increase in use	

See LSI – A.3

Metric: Number of in-person visits recorded – Replace existing outdated, unreliable unit.
Target: 60,000
Status Investment Required – Capital Project Approved by Board – September 28, 2023
Investigation into more accurate tool for collecting this information is currently underway
by IT and Library staff.

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Appendix A – Library metrics

Figure 22: Investment in library facilities metric.

Metric D4: Investment in Library Facilities				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Continue to seek municipal investment to refurbish existing branches and build a new facility	Value of approved capital project budgets that support the improvement of existing spaces and/or construction of new space	$ 1.3 Million (Elevator Replacement) (2022 budget - Facilities Budget) $ 52,000 Additional Flooring and Customization (2023 - board reserves)	Dependent on approved projects	

Not currently collected via the LSI

Metric: Investment in Library Facilities

Target: Mill Street – Elevator Replacement complete by year end
               Alder – minor renovations
               Makerspace – Major Reno and Infrastructure

Figure 23: Investment in staff metric.

Metric S1: Investment in Staff				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Creation of new positions and expansion of existing roles	# of new FTEs created/funded Number of position descriptions reviewed and incorporate new HR forms	8 full-time positions 3 completed	Increase 1 FTE annually Complete all position description reviews	By 2026 YE

Not currently collected via the LSI; training stats maintained separately

Metric: Investment in Staff; # of new FTEs created/funded

Target: 1 per year (2023 to 2025)

Status: None 2023; SLC requesting 1.5 for 2024. Advocate for additional staff and hours in the 2024 Budget Request to Council to ensure the library's capability to meet program and service delivery demands.

Metric: Number of position descriptions reviewed and incorporate new HR forms

Target: 10; Status: 60% complete

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Figure 24: Active membership metric.

Metric S2: Active Memberships				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in those that have used their library membership within the last 24 months	Increase membership Increase in proportion of population that is an active library member.	15.9% (2022)	20%	By 2024 YE

See LSI – CS.1

Metric: Active memberships
Target: 6500 for 2023; goal for 2024 to be set
Status: 6,545 as of September 30th, 2023.
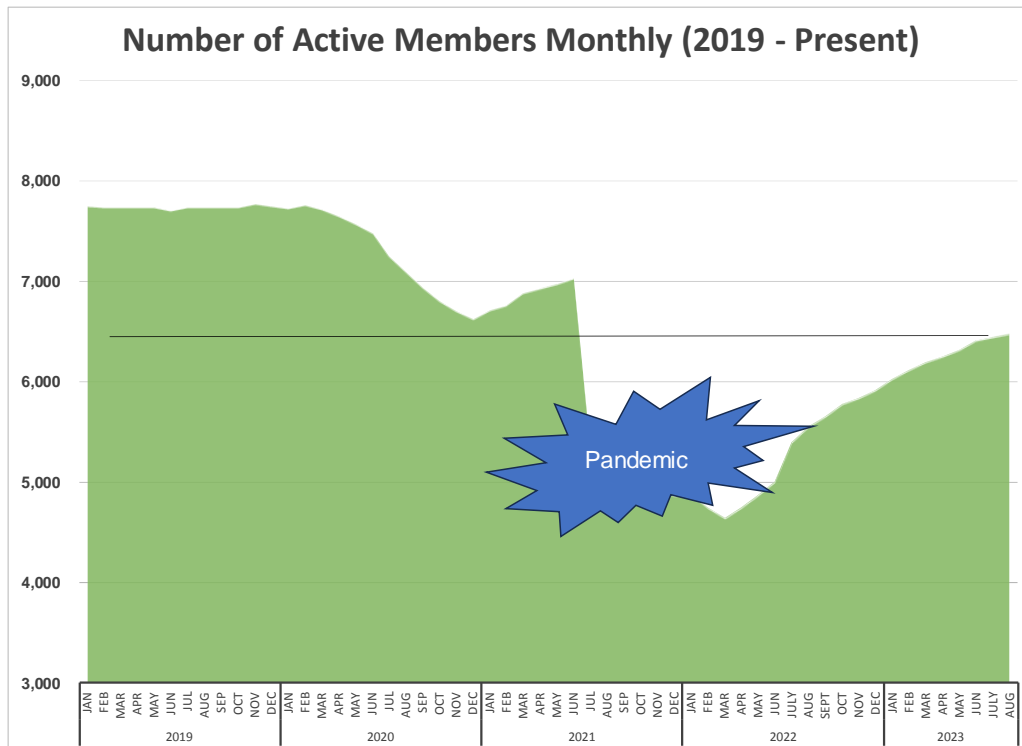
Figure 25: Active memberships monthly 2019 to present.

15

Figure 26: Community outreach metric.

Metric S3: Community Outreach				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in library services delivered beyond the walls of a library branch	Number of deliveries through Homebound Delivery Program Number of individuals with whom staff interact/connect at community locations	366 (2022 YE) Tracking mechanism to be developed in 2023	400 (2023 YE) subsequent annual increases to be confirmed	2024

See LSI – PS.1

Metric: Number of homebound deliveries; Target: 400 for 2024

Status: 294 book deliveries through Homebound Delivery Program as at September 30

Dependent on community need, demand fluctuates

See LSI – PR.3

Metric: Number of Outreach Events and the number of individuals with whom staff

interact/connect at community locations.

Target: Increases conditional on Human Resources – to be determined

Figure 27: Patron satisfaction metric.

Metric S4: Patron Satisfaction				
Outcomes:	Quantitative and Qualitative Measures	Baseline	Target	Timelines
Increase in reported customer satisfaction in all aspects of library service	% of survey respondents indicating they are satisfied with library services Anecdotal public feedback, including comments and testimonials	67% Indicated very high levels of satisfaction with programs and services (Q2 2021)	10% Increase	by 2024 YE

Not currently collected via the LSI

Anecdotal public feedback, including comments and testimonials collected manually.

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The Corporation of the Town of Orangeville

Report to the Library Board

To: Chairman and Members of the Board

From: Darla Fraser, Chief Executive Officer

Date: October 25, 2023

Report #: 23-19

Subject: Policy Review - Rules of Conduct and Rzone Policy

Recommendations:

That report 23-19, Policy Review - Rules of Conduct and Rzone Policy be received;

And that the Rules of Conduct and Rzone Policy attached as Appendix A and B be adopted as presented.

Purpose:

This report serves to present the policies governing the Rules of Conduct and Rzone for the Board's review and subsequent adoption, aligning with our policy review plan.

The Orangeville Public Library is committed to the safety and well-being of our patrons and staff. We are dedicated to fostering an environment characterized by Respect for yourself, Respect for others, and Responsibility for your actions, in adherence to the Rzone Policy. The library exercises zero tolerance towards any form of violence, vandalism, or inappropriate behavior within library premises, programs, and services, as well as towards library materials.

Discussion:

In October 2012, the Board formally embraced the Rzone Policy of the Town. While our procedures align closely with the Town policy, there are slight variations, specifically pertaining to the appeal process for individuals banned by the Library Chief Executive Officer. Those seeking to appeal a ban must submit a request for reconsideration directly to the Library Board.

In the course of our review, cosmetic changes have been made to enhance the clarity and coherence of our policy statements. Importantly, after thorough consideration, the library staff is not recommending any further changes to the existing policies at this time.

Looking forward, staff have recommended that the Board explores the incorporation of a comprehensive hold and secure as well as a lockdown policy, further supporting our commitment to the safety and security of all library stakeholders.

Prepared and respectfully submitted by,

Darla Fraser,
Chief Executive Officer

Strategic Alignment:

Direction: Discover
Objective: K
Action: Ensure the library is comfortable and welcoming to all.

Attachments:

Appendix A – Rules of Conduct
Appendix B – Rzone Policy

Orangeville Public Library

Rules of Conduct & the Rzone Policy

Board motion number: Date of next review: October 2027

Date Approved: October 25, 2023   Date of original motion: October 28, 2009

Policy type: Public   Board Chair's signature: _____

_____

Purpose:

Everyone is welcome at the Orangeville Public Library. These rules are intended to ensure an environment that is welcoming, safe, and respectful for all. In keeping with the policy statements (rules) presented here, the Orangeville Public Library Board has reviewed and adopted the Town of Orangeville's Rzone Policy – Respect and Responsibility.

Orangeville Public Library is committed to ensuring the safety of library patrons and staff in its programs, facilities, properties, and services, and fostering an environment where there is respect for others, and responsibility for all actions. The library will exercise zero tolerance to any form of violence, vandalism or inappropriate behaviour on its properties, in programs and services or to library materials.

Policy:

The following statements will be applied with fairness and consistency to any situation that compromises the safe use and enjoyment of the library's services and facilities by everyone.

Violation of these rules could result in expulsion from the library, cost-recovery charges and/or prosecution under the Trespass to Property Act or the Criminal Code. An Individual has the right to appeal his or her exclusion as described in the Rzone Policy.
Patrons are asked to respect and abide by the following statements when using library facilities:

Policy Statements (Rules of Conduct):

1. The following behaviours are NOT allowed in the library:
    a. The use of threatening, abusive, discriminatory, or harassing language.
    b. Disruptive or intrusive behaviour that interferes with the enjoyment of the use of the library by others.
    c. Damage, misuse, or theft of library materials, equipment, and property.
    d. Interfering with the designated use of computers and networks.
    e. Use of tobacco, e-cigarettes, alcohol, or drugs.
    f. Sleeping for prolonged periods of time.

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Policy Statements (continued):

2. Members of the public must wear shirts and shoes in the library.
3. Registered service animals are welcome in the library. Other animals are only allowed during authorized programs.
4. Children under 10 must have a parent, guardian, or caregiver in the immediate vicinity of, and in visual contact with, the child.
5. Use of sports equipment (i.e., roller blades, scooters, skateboards) is not allowed on library property.
6. Soliciting, canvassing, distributing petitions selling or selling products is not allowed. The posting of advertisements or flyers requires the approval of library staff.
7. Photographing, filming or video recording is not permitted in the library unless authorized by the Chief Executive Officer, or delegate.
8. Members of the public may only use authorized entrances and exits and are not allowed in "Staff Only" areas without permission.
9. The library cannot be held responsible for personal items lost or stolen on the premises. Visitors must keep their belongings with them.
10. Out of respect for others with sensitivities to scents, the library is a scent-free facility.

Rzone Policy (copy attached) –

Inappropriate behaviours include but are not limited to the following:

a. Aggressive or intimidating approaches to another individual
b. Attempts to goad or incite anger in others
c. Throwing of articles in a deliberate or aggressive manner
d. Physical striking of another individual
e. Theft of property
f. Possession of weapons
g. Illegal consumption of alcohol or drugs
h. Contravention of Town by-laws, policies, or procedures
i. Vandalism: the deliberate destruction, damage or defacing of property owned or leased through the Town
j. Harassment: "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome" as defined by the Ontario Human Rights Code.

Related Documents:

Children in the Library Policy

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Subject	RZone Policy
Authority/Approval **Effective Date:**	Management Policy/Human Rights; OHSA – Bill 168 Approved:
Latest Revision Date:	
Policy Number	

Rzone Policy - Respect & Responsibility
The Rzone has been adapted with permission from the Town of Oakville

PURPOSE:
The Corporation of the Town of Orangeville (the Town) is committed to fostering an environment where there is Respect for yourself; Respect for others; and Responsibility for your actions. The Town discourages any form of inappropriate behaviour at all Town recreational programs, facilities, parks and trails, in written or verbal communications (including email or phone), or at any other location where Town staff are present.

The purpose of this policy is to promote a positive, safe and supportive environment for all members of the public and staff. In addition, this policy will encourage respect, commitment and considerate relationships between the Town and members of the public. The Town of Orangeville's recreational programs, facilities, parks and trails exist to provide residents with opportunities to participate in sport and recreational activities.

The Town has many community-based programs that are managed and operated by volunteers. These community-minded citizens contribute greatly to the quality of life in Orangeville. The Town endeavours to ensure that they too, have the ability to volunteer in a safe and positive environment.

Included in this commitment is an understanding that organizations and the general public using Town of Orangeville property, facilities, and programs must take primary responsibility for the behaviour of all associated with them: participants, officials, spectators, patrons, parents, etc.

This policy outlines the measures and enforcement steps to be taken in order to address inappropriate behaviour.

Definitions:

For the purpose of this policy, "vandalism" is defined as the malicious, willful, and deliberate destruction, damage or defacing of property. "Lewd, illegal or offensive materials" would include pornography, violent acts, indecency, hate, illegal gambling, profanity and material with text or imagery that has explicit or malicious intent.

POLICY:

This Policy applies to all Town of Orangeville property, facilities, and programs and to all patrons and guests as well as activities that are structured (ie. permit issued) and unstructured (ie. no permit issued).

No form of vandalism, violence or indecency, including viewing, producing or exhibiting lewd, illegal or offensive materials is acceptable on properties, or in facilities.

Staff is not expected to put themselves at risk or jeopardize anyone's safety when dealing with any real or perceived situation. If at any time staff feels threatened, they are to call the Orangeville Police Services (police) for assistance. Inappropriate behaviour or actions for the purpose of this policy includes, but is not limited to, the following behaviours:

  a. Aggressive or intimidating approaches to another individual (verbal assault)
  b. Threats
  c. Attempts to goad or incite anger in others
  d. Throwing of articles in a deliberate or aggressive manner
  e. Physical striking of another individual
  f. Theft of property
  g. Possession of weapons
  h. Illegal consumption of alcohol or drugs
  i. Contravention of Town by-laws, policies, or procedures
  j. Vandalism: the deliberate destruction, damage or defacing of property owned or leased through the Town
  k. Harassment: "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome" as defined by the Ontario Human Rights Code or under Bill 168.

If the nature of an issue is known in advance to be contentious (at a meeting, event, or any other location where Town staff is present) staff is to alert the police. Depending on the nature of the issue, staff may request the attendance of the police.

This procedure is designed to provide members of the public and staff with a positive approach to promoting appropriate behaviour and actions.

PROCEDURE:

Reporting an incident – where staff has witnessed an incident
When instances of inappropriate behavior or actions occur, staff shall act in the following manner:

1. Report acts of inappropriate behavior to the most senior staff person present at the incident.
2. Without jeopardizing anyone's safety, advise the identified individual(s) to stop the activity immediately or they will be asked to leave ("verbal warning").
3. If the individual(s) does not co-operate, inform the individual(s) that they are now trespassing and the police will be called.
4. If the individual(s) refuses to leave, do not engage in an argument or physical confrontation, call the police, and wait for them to arrive while ensuring that you and any others in jeopardy, are in a safe location.
5. Prepare a Rzone Incident Report (Appendix A) on all incidents addressed in this policy.

Reporting an incident – where staff is receiving inappropriate written or verbal communication. When instances of inappropriate behaviour or actions occur, staff shall act in the following manner:

1. Report acts of inappropriate behavior to the department head or designate within 24 hours of inappropriate written or verbal communication.
2. Advise the individual to stop the inappropriate activity immediately or you will end the communication.
3. If the individual does not co-operate, inform the individual that you are ending the communication, and do not reply to any further attempts made by the individual to contact you.
4. Prepare a Rzone Incident Report (Appendix A) on all incidents addressed in this policy.

Reporting an incident – where staff has not witnessed an incident being reported. When instances of inappropriate behaviour or actions are reported to staff, staff shall act in the following manner:

1. Report any act(s) of inappropriate behavior to the department head or designate within 24 hours of the incident being reported.
2. Prepare a Rzone Incident Report (Appendix A) on all incidents addressed in this policy.

Members of the public are to report acts of inappropriate behavior to a Town staff member within 24 hours of the incident.

The Town's primary concern is the safety of staff and members of the public. If at any time staff or members of the public feel personally threatened, they are to call the police immediately. It is **NOT** the expectation that staff or members of the public put

themselves at risk or jeopardize anyone's safety when dealing with any perceived or real situation.

Orangeville Police Services
Non-Emergency Contact: 519-941-2522
Emergency Contact: 911

Reporting Process and Who will be Notified

1. Staff shall fill out a Rzone Incident Report (Appendix A) within 24 hours of the incident.
2. A copy of the Rzone Incident Report should be forwarded to the department head or his/her designate within 48 hours of the incident.
3. The department head or his/her designate should provide notice to the identified individual of action to be taken, within 14 days of the incident.
4. Appropriate staff will be notified of any individual(s) who has been subject to remedial action under this policy as well as the action taken.
5. The Department will keep the original RZone Incident Report on file.

Consequences of Non-Compliance

1. Individuals who engage in any inappropriate behaviour, as defined in this procedure, may, depending on the severity, be removed immediately from the premises. A "Letter of Warning" (Appendix C) may be sent to an individual advising them of appropriate behavior. If necessary, a "Letter of Trespass" (Appendix D) will be sent to the individual(s). Length of the ban will be determined by the department head or designate, and will depend on the severity of the situation. Enforcement guidelines are referenced in Appendix B.
2. In addition to any other measures taken, where any damage to Town property has occurred, the individual(s) responsible will be required to reimburse the Town for all costs associated with any repairs, an administration fee, as well as any lost revenues or where appropriate, be required to repair the damage.

Appeal Process

1. If an individual wishes to appeal any action taken by the Town, the individual may present their case in writing, to the Director of the Department, within 14 days of the decision. A $200 non-refundable fee must accompany all appeals.
2. The appeal will be reviewed by the Director along with the Manager of the Department involved, and any decision made is final.

Definitions
Notice – where there has been a violation of this procedure, a letter may be issued to the identified individual providing details of the specific behaviour that is not tolerated and any Action To Be Taken.

Action To Be Taken – depending on the severity of the incident

a. A "Letter of Warning" (Appendix C) may be issued to the identified individual for any behaviour that is in violation of this policy.

b. For incidents where behavior is grossly inappropriate or threatening to another member of the pubic or staff or for repeated incidents, a "Letter of Trespass" (Appendix D) may be issued to the identified individual indicating that further participation is no longer welcome. A temporary or permanent ban is to be determined by the Manager.

Responsibilities

1. Staff and participants are responsible for behaving and acting in a manner that respects the rights of others in order to promote an environment that can be enjoyed by all.

2. The town shall work in partnership with the community to ensure everyone has the opportunity to enjoy a respectful and positive environment.

3. Training and education by the Town of Orangeville will be provided to staff to support the procedure.

4. Each town department is responsible for monitoring violations of this policy and following up with appropriate staff as necessary.

The Corporation of the Town of Orangeville

Report to the Library Board

To: Chairman and Members of the Board

From: Darla Fraser, Chief Executive Officer

Date: October 25, 2023

Report #: 23-20

Subject: Policy Review - Donations and Sponsorship

Recommendations:

That report 23-20 Policy Review - Donations and Sponsorship be received;

And that the Donations and Sponsorship Policy attached as Appendix A be adopted as presented.

Purpose:

The Orangeville Public Library welcomes and encourages contributions from individuals, groups, foundations and businesses for the purpose of enhancing and enriching the programs and services that the library provides. However, the library is not in a position to collect and store items which may not support the day to day operations of the library.

This policy provides staff with the language and the authority to filter donation opportunities brought forward without discouraging future opportunities.

Discussion:

This policy sets out the requirements for general gift acceptance including donations and/or sponsorship opportunities in accordance with the Library Board's vision, values and strategic goals.

First adopted in 2019, staff are recommending the following additions to the existing policy:

Conflict of Interest:

A conflict of interest may arise when an individual's personal, financial, or other interests could compromise their ability to make impartial decisions regarding a

donation or sponsorship. It is the responsibility of all individuals involved in the acceptance process to identify and disclose any potential conflicts of interest promptly and in writing.

Disclosure of a conflict of interest includes, but is not limited to, situations where an individual or their immediate family member: Has a financial interest in the donating organization or the sponsorship opportunity; Stands to gain personally, financially, or professionally from the acceptance of a particular donation or sponsorship. Holds a position of influence or authority in the donating organization.

When a conflict of interest is identified, the individual with the conflict shall recuse themselves from the decision-making process related to the donation or sponsorship in question. The Library CEO or the Library Board shall determine an alternative course of action to ensure an unbiased and fair evaluation of the donation or sponsorship.

The library shall maintain records of disclosed conflicts of interest and actions taken to address them. This information will be reviewed periodically and used to enhance transparency and uphold the library's commitment to ethical conduct.

Policy Statement:

Orangeville Public Library is committed to ensuring that the acceptance of donations and sponsorships is carried out with the highest standards of integrity, impartiality, and transparency. Board members, library staff, and those involved in the decision-making process shall act in the best interest of the library and its mission, free from any personal or organizational conflicts of interest.

Absence of Special Privileges:

The acceptance of a donation is based on the library's needs, mission, and the potential positive impact on library services and programs, rather than the desire to provide preferential treatment to any individual or organization. Donors are encouraged to support the library's mission, and their generosity is acknowledged without compromising the library's principles of fairness and impartiality.

Policy Statement:

Acceptance of a donation, sponsorship, or any form of philanthropic contribution does not confer special privileges, influence over library policies, or exclusive access to library resources or services upon the donor. The Orangeville Public Library maintains its autonomy, unbiased decision-making process, and dedication to equitable service to the community.

All donors and sponsors are treated fairly and equally in accordance with the library's policies, irrespective of the nature or size of their contribution. The library is committed to upholding the principles of openness, inclusivity, and impartiality in its interactions with donors and sponsors.

Prepared and respectfully submitted by,

Darla Fraser, Chief Executive Officer

Strategic Alignment:

Direction: Soar
Objective: N
Action 32: Transparent and accountable decision making processes..

Attachments:

Appendix A – Donations and Sponsorship Policy

Donations and Sponsorship Policy

Board motion number:	Date of next review: October 2027
Date Approved: October 25, 2023	Date of original motion: October 30, 2019
Policy type: Operational	Chair's signature: _____

_____

Purpose:

This policy establishes the guidelines for the acceptance of donations or sponsorship opportunities.

Scope:

These guidelines, established by the Orangeville Public Library Board, are intended for use by the Board and library staff along with those interested in donating to or sponsoring the library.

Other relevant policy documents include the Library's Collection Development Policy, Local History Policy and Strategic vision and values, and Equity, Diversity, and Inclusion Policy, along with the Town of Orangeville's Procurement Policy as adopted by the Library Board.

Definitions:

- **Cash -** Cash includes cheques, money orders, bank drafts, and money (bills & coin). Donations made through debit card are considered cash gifts.
- **Donation** – A donation is a gift, monetary contribution, or goods given voluntarily to the library as a philanthropic act without expectation or requirement of reciprocal benefit. Examples include items such as materials collected by the library, equipment and furnishings (including artwork), planned gifts (such as willed donations, bequests or endowments), and property.
- **Sponsorship** – A sponsorship is a mutually beneficial exchange between the Orangeville Public Library and an outside organization, in which an external party makes a contribution of cash or in-kind goods or services to

the library in return for recognition, acknowledgements or other considerations. Sponsors receive a benefit of reciprocal value in return for their support and contribution.

Policy:

1. Conditions of Acceptance

The library has no obligation to accept, display, or maintain any items donated to the Orangeville Public Library. Once an item is accepted, the library shall be the sole owner of the donated item(s) and will have the right, in its sole and absolute discretion, to deaccession, sell or transfer ownership, or dispose of any donated item(s) without providing notice to or obtaining the consent of the donor.

2. Material for the Collection

Donations of material for the collection must be in good physical condition, preferably published within the past 3 years or of local interest. Material will be considered for the collection only if it matches criteria established in the library's Collection Development Policy, otherwise it will be sold or recycled.

Artifacts, photographs, slides and other local history media other than books will be referred to the Museum of Dufferin unless these items are directly related to the history of the Orangeville Public Library.

All donated items are subject to the standard maintenance and withdrawal procedures of the library.

3. Equipment and Furnishings (including artwork)

Due to the Library's limited display and storage areas and focus on its primary mission, potential donors of large or valuable collections, equipment, furnishings, art or decorative objects are requested to discuss any possible gifts with the Library Chief Executive Officer. If considered, the Library CEO in consultation with the Library Board for higher value items, will evaluate these offers using the following criteria:

a) Items should be appropriate in scale, durability, material, form and content for the public library environment.
b) Items that create unsafe conditions or contain other factors that may bear on public liability will not be accepted.
c) Items shall not be or be perceived to be discriminatory or derogatory of race, colour, ethnic origin, gender identity or expression, sex, sexual orientation, creed, political affiliation, disability or other social factors.

d) Items should complement and enhance the building and its purpose. They shall be of local interest to the community, of a professional quality, well executed, and in good condition.
e) Installation (including transporting, framing, mounting and hanging the item) and any ongoing maintenance costs, including the use of staff time, should be minimal or provided for by the donor.

The library reserves the right to determine the location and display of artworks, along with the format and location of accreditation and/or donor information. They may request that artwork be accompanied by a current appraisal of value and may request evidence of artistic importance, merit of the work and reputation of the artist. An appropriate deed of gift or similar document transferring sole and exclusive ownership of the artwork to the Library will be required. The library may also request evidence of provenance and present ownership of the artwork from the donor.

4. Real estate or property

The library will accept gifts of real estate property that either support or could be sold to support the mission of the library. The library CEO, in consultation with the Library Board and Town of Orangeville Council will determine the suitability of the gift and the terms of acceptance compatible with the library's mission and policies, the donor's intent, and applicable laws.

5. Cash

The library welcomes monetary gifts for the purchase of materials for the grounds, services or collections given in recognition or memory of individuals or organizations. Whenever possible, the library will choose items which accommodate the donor's preferences. The name(s) of the donor(s) and those recognized by the gift will be listed if so desired. These gifts must support the mission of the library.

6. Sponsorships

Sponsorship opportunities should align with the library's vision and goals and should be relevant to library members or visitors. Sponsorship agreements valued at $25,000 or more shall be presented to the Library Board for approval. Sponsorship agreements valued at less than $25,000 may be approved by the Library CEO and will be reported to the Board. The library reserves the right to determine the location and format of display of accreditation and/or donor information.

7. Charitable receipts

The Town of Orangeville is a registered charity and follows all relevant rules and regulations of the Canada Revenue Agency (CRA). The library, through the Town of Orangeville, will issue charitable receipts for cash donations greater than $25.00, independently appraised collections of books or art. The library will not place a monetary value on gifts - donors, at their own expense, must coordinate with a qualified appraiser.

8. Conflict of Interest:

Orangeville Public Library is committed to ensuring that the acceptance of donations and sponsorships is carried out with the highest standards of integrity, impartiality, and transparency. Board members, library staff, and those involved in the decision-making process shall act in the best interest of the library and its values, free from any personal or organizational conflicts of interest.

9. Absence of Special Privileges:

Acceptance of a donation, sponsorship, or any form of philanthropic contribution does not confer special privileges, influence over library policies, or exclusive access to library resources or services upon the donor. The Orangeville Public Library maintains its autonomy, unbiased decision-making process, and dedication to equitable service to the community.

All donors and sponsors are treated fairly and equally in accordance with the library's policies, irrespective of the nature or size of their contribution. The library is committed to upholding the principles of openness, inclusivity, and impartiality in its interactions with donors and sponsors.

Related Documents:

Collection Development Policy
Local History Policy
Strategic Vision and Values
Equity, Diversity, and Inclusion Policy
Procurement Policy