



AGENDA
WATAUGA CITY COUNCIL
WORKSHOP MEETING
MONDAY, OCTOBER 14, 2019
CITY HALL COUNCIL CHAMBER, 7105 WHITLEY ROAD
5:30 PM

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **City Council Workshop Meeting** of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

CALL TO ORDER (Council Members, City Staff, Members of the Public - when speaking during the meeting please speak directly into the microphones on the dais or podium)

ROLL CALL

PRESENTATIONS

1. Discuss and provide direction on the Library Advisory Board recommendation to eliminate library fines for Watauga Library patrons
Andrea Gardner, City Manager
2. Discuss and provide direction to City staff on cyber security assessment and training requirements per HB 3834 from the 86th Legislative Session
Bradley Fraley, Chief Information Officer

ADJOURNMENT

Meeting Notices and Reservation of Rights

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas

Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Andrea Gardner, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Friday, October 4, 2019 before 6:00 p.m., in accordance with Chapter 551 of the Texas Government Code.



Andrea Gardner, City Secretary





AGENDA MEMORANDUM

DATE: October 1, 2019

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

THROUGH: Lana Ewell, Director of Library Services

SUBJECT: Discuss and provide direction on the Library Advisory Board recommendation to eliminate library fines for Watauga Library patrons

BACKGROUND/INFORMATION:

More and more library professionals contend that charging overdue fines undermines the mission of public libraries to provide free and equitable access to information so that all citizens may educate themselves. They state that late fines are a barrier to access, especially for low-income families, and can create adversarial relationships between customers and library staff members. Patrons who are ashamed of their overdue fines or financially unable to pay them may stop using the library entirely.

At the 2019 Midwinter Meeting the American Library Association (ALA) passed a resolution calling monetary library fines "a form of social inequity" and urging libraries "to scrutinize their practices of imposing fines on library patrons and actively move towards eliminating them."

This issue has been discussed multiple times by the Watauga Library Board. At the July 2019 Board Meeting, after a lengthy discussion they voted unanimously 5-0 to recommend to the City Council that overdue fines for Watauga Library materials be eliminated in the future.

As of October 1, 2019 all the members of the MetroPAC Consortium (Fort Worth, Keller, Haltom City, Benbrook, Burleson, and Richland Hills Public Libraries) are late fine free, except for Watauga Public Library.

FINANCIAL IMPLICATIONS:

If the City Council decided to eliminate library late fees there would be a decline in the overall collection of library fees that go into the general fund. The amount would vary.

RECOMMENDATION/ACTION DESIRED:

For City Council to discuss and provide direction to staff.



AGENDA MEMORANDUM

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. 1. Report for City Manager regarding proposed elimination of overdue fines
2. 2. Library Board Minutes from 07112019
3. 3. Removing Barriers to Access Eliminating Library fines and Fees on Childrens Materials
4. 4. Revenue Collected - FY2014 - FY2019 completed
5. 5. Fort Worth Library Drops Late Fees
6. 6. TED Talk A librarians case against overdue book fines
7. 7. Dallas Public Library Goes Fine-Free for Late Returns
8. 8. The Fine Free Library
9. Library Late Fine Workshop

REVIEWED BY:

Lana Ewell, Director of Library Services

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 10/3/2019

Final Approval - 10/4/2019

Report for City Manager

Subject: The Library Board and the Library administration recommend that the City Council eliminate the imposition and collection of overdue fines for late return materials.

Background information:

Public libraries across the United States are increasingly eliminating overdue/late fines, recognizing that these fines serve no positive purpose but act as a significant and inequitable barrier to service, disproportionately impacting children and community members with the least financial resources. Late fines have not been shown to be an effective deterrent to the late return of materials. Late fines are in opposition to the Library's core values of equitable service, fostering early literacy, and barrier-free access to information and services. From both a mission and a values standpoint, late fines should be eliminated.

Libraries in Texas that report success with a move to a fine-free library include Benbrook Public Library, Burleson Public Library, Cozby Library and Community Commons (Coppell, TX), The Colony Public Library, Flower Mound Public Library, Frisco Public Library, Haltom City Public Library, Irving Public Library, Town of Little Elm Public Library, McKinney Public Library, Mesquite Public Library System, and Richland Hills Public Library. This summer the Dallas City Council recently voted in favor of eliminating late fines for the Dallas Public Library system. The Fort Worth Public Library and Keller Public Library are actively working in this direction also.

An increasing body of research and direct experience supports the elimination of late fines. Libraries that have eliminated late fines have consistently reported that:

- There is no significant negative impact to the return of materials
- Circulation of materials increases
- Library card registrations increase
- Staff morale is improved
- Staff time is redirected from transactions to more customer-focused activity
- Customer satisfaction increases

In 2017 the Colorado State Library issued a white paper entitled Removing Barriers to Access that explored the impact of fines and fees on access to library services for children. The comprehensive study indicates that:

- The profession has little empirical evidence that charging fines results in greater circulation of library materials, or the return of items in a timely manner.
- The threat of accumulating fines for overdue materials is keeping low-income families away from libraries, or from checking out items to take home.
- Based on the research, these (fine-free) user-friendly policies will bring more community members into the library, especially the low-income populations who need libraries the most.

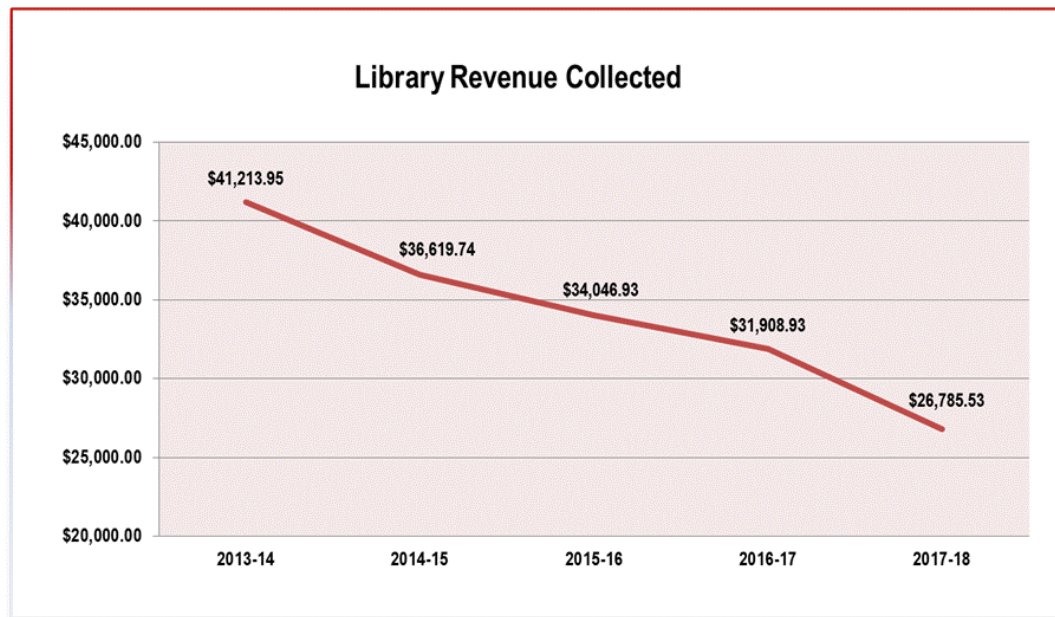
Fiscal Impact/Staff Impact

The Library currently charges overdue fines as follows:

Books, CDs, book kit, audiobook, DVDs and periodicals	\$.25 per day per item
Literacy Kits and Book & Puppet Kits	\$1.00 per day

The chart below outlines the decline in Library revenue with the switch the MetroOPAC made to the Polaris integrated library automation system. The activation of the automatic renewal of material checked out allows (2 times per item as long as no request for the item has been activated) customers more time to return items.

REVENUE COLLECTED	Year to Date 2013-14	Year to Date 2014-15	Year to Date 2015-16	Year to Date 2016-17	Year to Date 2017-18	Year to Date - June 2018-19
Library General Fund	\$30,654.74	\$25,330.21	\$22,859.10	\$18,452.52	\$14,774.43	\$12,685.17
Lost/Damaged Materials	\$2,175.33	\$2,523.30	\$1,740.39	\$2,096.84	\$2,128.13	\$1,991.58
Library Copier Revenue	\$8,301.88	\$8,588.13	\$9,268.99	\$11,228.97	\$9,731.17	\$7,074.09
Non-Resident Fee	\$40.00	\$40.00	\$80.00	\$40.60	\$40.00	\$0.00
Other	\$42.00	\$138.10	\$98.45	\$90.00	\$111.80	\$96.20
Total	\$41,213.95	\$36,619.74	\$34,046.93	\$31,908.93	\$26,785.53	\$21,847.04



Staff time is involved in numerous interactions with patrons that revolve around fines including:

- Negotiating the appropriateness of fines and fine waivers
- Negotiating fine payment plans
- Assisting patrons in paying their fines in cash, check or credit card
- Assisting patrons in paying their fines on the web
- Fiscal staff tracking and reconciling fine payments from six other MetrOPAC locations in three forms (cash, check, credit), and through multiple access points (library cash registers, online catalog). Payments from all sources must then be reconciled with the fine records of Polaris, our Integrated Library System.

**MINUTES
WATAUGA LIBRARY BOARD
REGULAR MEETING
CITY HALL COUNCIL CHAMBERS
7105 WHITLEY ROAD
THURSDAY, JULY 11, 2019
6:00 P.M.**

Members present:

Kip Woodruff	Chairperson
Henrietta Egenti	Vice-Chairperson (absent)
Carol Z. Coy	Secretary (absent)
Brian Beaudry	Member
Lindsey Neal	Member
Sharon Subjeck	Member
David Villafuerte	Member

and

Kim Irving	Council Liaison
Lana Ewell	Library Director
Tara Rogers	Deputy City Secretary
Terri Johnson	Interim City Secretary

CALL TO ORDER

Chairperson Woodruff called the meeting to order at 6:05 p.m.

CITIZEN'S OPEN FORUM

None

REPORTS FROM STAFF

1. Library Director's Report.

Library Director Lana Ewell gave her report to the Board.

APPROVAL OF MINUTES

1. Consideration of Library Board Meeting Minutes for March 21, 2019 and May 9, 2019

Brian Beaudry made the motion to approve the minutes of the March 21, 2019 Library Board Meeting.

The motion was seconded by Sharon Subjeck and passed unanimously with a vote of 5-0.

Lindsey Neal made the motion to approve the minutes of the May 9, 2019 Library Board Meeting.

The motion was seconded by David Villafuerte and passed unanimously with a vote of 5-0.

UNFINISHED BUSINESS

1. Discussion and possible action on the issue of overdue Watauga library materials fines.

Library Director Ewell presented the proposal to the Board to eliminate overdue fines for Watauga Library materials in the future.

Pros and cons of the proposal were discussed at length by the Board members.

Upon a motion by Lindsey Neal and seconded by Sharon Subjeck, the Board voted unanimously 5-0 to recommend to the City Council that overdue fines for Watauga Library materials be eliminated in the future.

NEW BUSINESS

ADJOURNMENT

With no further business to discuss, Chairperson Woodruff adjourned the meeting at 6:55 p.m.

APPROVED: this ____ day of _____, 2019.

SIGNED: this ____ day of _____, 2019.

APPROVED:

Kip Woodruff, Chairperson

ATTEST:

Carol Coy, Secretary

Removing Barriers to Access:

Eliminating Library Fines and
Fees on Children's Materials

MEG JOHNSON DEPRIEST, MLIS, MSSW
PREPARED FOR THE COLORADO STATE LIBRARY



COLORADO
Department of Education
Colorado State Library



INSTITUTE of
Museum and Library
SERVICES

Abstract

The Supporting Parents in Early Literacy through Libraries (SPELL) research revealed that library fines and fees for overdue, damaged, and lost materials are barriers that prevent low-income parents and caregivers of young children from using public libraries. After reviewing the academic and professional literature regarding library fines and fees, including qualitative research, quantitative studies, and editorial pieces, as well as using finding from the two studies with parents and public libraries in Colorado, the Colorado State Library (CSL) recommends public libraries eliminate fines and fees on children's materials. The scant research on the value and impact of library fines and fees does not indicate a clear benefit of administering these policies, and they may be costly to enforce. Library governing authorities that develop policies to remove fines and fees on juvenile material find it effective in building a positive relationship with families with young children.

Introduction

Public libraries play a vital role in the development of early literacy skills of children and families in the communities they serve; storytimes and other programming give librarians an opportunity to teach parents of young children the importance of reading, writing, singing, talking and playing with their children. Thoughtfully developed children's collections are available for borrowing by families, particularly those that might not have the household income needed to purchase them. Unfortunately, while children's librarians encourage all parents and their children to avail themselves of the collection, the policies of many libraries are doing just the opposite.

The threat of accumulating fines for overdue materials and the fees associated with damaged or lost books is keeping low-income families away from libraries, or from checking out items to take home (Zhang, 2013). Whether the intended function of library fines and fees is to encourage the prompt return of materials, to supplement the library budget, or to teach patrons responsibility, overdue fines and replacement fees on children's materials can negatively affect the borrowing habits of members of our community who need the library the most (Zhang, 2013).

This white paper reviews the scant research on the costs and benefits of library fines and fees, summarizes the professional editorials on the subject, and asserts that these financial costs, particularly for children's materials, may be

more detrimental than beneficial to libraries with goals of meeting community literacy needs. Early evidence from Colorado libraries that have changed policies to be more accommodating of late, lost, and damaged materials offers additional evidence to justify these recommendations.

Literature Review

Librarians have been discussing, and in some instances debating, the propriety of charging fees for late, lost or damaged materials for decades. A review of the professional and academic literature reveals only a handful of small-scale studies of the effect of library fines on the borrowing behavior of library users (Breslin & McMenemy, 2006; Hansel, 1993; Burgin & Hansel, 1984; Burgin & Hansel, 1991; Reed, Blackburn & Sifton, 2014; Smith & Mitchell, 2005). In absence of empirical proof of the effectiveness of fines and fees, there exists a largely philosophical conversation in the literature with many authors in favor of eliminating fines and fees--at the very least for children's materials--and focusing on the inequitable access to materials for low-income families (Caywood, 1994; Chelton, 1984; DeFaveri, 2005; Holt & Holt, 2010; Livingston, 1975; Venturella, 1998).

Library Fines and Circulation Rates

While it is challenging to study the effect of library fines and fees on circulation patterns, a few researchers have attempted to do so. In 1981, Hansel and Burgin (1983) sent a survey to all public libraries in North Carolina to discern which circulation activities affected overdue rates over three years. They found no significant difference in overdue rates between libraries that charged fines and those that did not; and libraries that did not charge fines tended to have higher overdue rates in the short run, but lower overdue rates in the long term. Reflecting on their research, the authors stated "with overdues, as with so many aspects of librarianship, there are no easy answers--that seems to be the primary finding of the study" (Hansel & Burgin, 1983, p. 350).

Perhaps unsatisfied with the "no easy answers" conclusion in their first attempt, Burgin and Hansel replicated their study in 1983 and 1990. The 1983 study revealed much the same data as the 1981 survey, but added a new result: the amount of the fine charged by a library had a significant correlation with the overdue rate--low fines did not reduce overdue rates, but steep ones did (Burgin & Hansel, 1984). In the third study, the authors concluded "In short, it appears that few strategies used by the libraries in the present survey had any significant effect on overdue rates" (Burgin & Hansel, 1991, p. 65). As diligent as they were, in three research projects over fifteen years, these authors could not uncover data to support the assumption held in the profession that the existence of nominal fines is a successful incentive to patrons to return materials

on time; and only very steep fines seem to have had any significant effect on overdue occurrences.

While not conducted in a public library environment, Mitchell and Smith's (2005) experiment in an academic library is worth noting. They attempted to determine whether rewards, rather than punitive fines, affected the timely return of academic library materials. Even the presence of rewards as incentives did not influence the promptness, or lack thereof, of students in returning materials. Also in academia, librarians at Vancouver Island University removed fines to determine if this might improve use of the physical collection by their student population of non-traditional, adult and first generation students (Reed, Blackburn & Sifton, 2014). The authors reported the removal of overdue fines did not increase circulation, but the collection wasn't "pillaged," and there was no increase in overdue items. The authors believe "fines are a contentious topic among librarians, with many strongly held beliefs about their effectiveness backed by little evidence" (p. 275).

In seeking to determine why borrowing rates were down in libraries in the United Kingdom, Breslin and McMenemy (2006) conducted a survey of patrons and found that library rules, restrictive hours and "not feeling welcome" were all factors in the decline. Clayton and Chapman (2009) reported on a survey of public libraries in England and Wales. Like Burgin and Hansel, these authors found a lack of published research on the attitudes toward, and the effectiveness of, fines and fees in public libraries. Instead, they highlighted a

lack of consensus in the profession as to the effectiveness of charging fines. They reported that over 81% of the libraries responding to the survey did not charge fines for children's materials and concluded "it is difficult to reach any definite conclusion as to the impact of fines on library usage and image. There is an urgent need for more research in this field, particularly studies which investigate the opinions of library users and nonusers" (Clayton & Chapman, 2009, p. 15).

Colorado State Library's (CSL) SPELL research (Zhang, 2013), funded by the Institute of Museum and Library Services, included distribution of surveys in 2013 to caregivers of young children in low-income urban and rural areas of Colorado. In addition to learning about library habits among this group, CSL was interested to learn what barriers prevented low-income families with young children from visiting the library. Along with transportation and scheduling issues, respondents to the survey identified library fines as a one of the "things that get in the way" of their use of the library (Zhang, 2013, p. 17). Further anecdotal stories in focus groups with low-income parents in the study reveal that both fines for late items and fees for lost or damaged books make parents reluctant to check out books and to have their children enjoy library books at all.

Neuman and Celano (2004) conducted a study examining the influence of school and public libraries on young children's literacy skills. They found libraries in economically disadvantaged areas of the community had significantly lower circulation rates than middle class neighborhoods. Using

ethnographic research methods, including interviews and observation, they discovered "many families in low-income areas did not own a library card, or if they did, family members were reluctant to check out books because they feared having to pay overdue fines" (p. 83). The traditional practice of charging late fees has left a lasting impression on the very people who most need libraries: community members who are economically disadvantaged, many with young children at home.

In summary, the library profession lacks data to support the argument that the presence of fines for overdue materials positively influences return rates on materials. In addition, a few research studies conclude that circulation rates among low-income families are lower due to the presence of library fines and fees. With such inconclusive evidence of the value of fines and indicators of the negative effects, the 1984 *Library Journal* editorial titled "What Are Fines for?" could have been written today:

In the absence of circulation, delinquency, collection turnover, and collection loss rates by age group, it is impossible to say whether any particular library is achieving this goal or not, especially if there are no data showing trends in these rates prior to the implementation of a fine system. Discussion of the spurious issues seems to rise in direct proportion to the absence of data to examine the third (Chelton, 1984, p. 868).

One is left to conclude that policy decisions surrounding the collection of late fees from patrons cannot be supported by hard data. Policies surrounding overdue materials, especially children's materials, must be based on careful consideration of the role of libraries in the community and the lives of its

members. There is no shortage of articles, editorials and other opinion pieces on this subject in the library profession's literature.

Professional Discussion on Fines and Fees

Library Fines and Civic Responsibility

Some community members, including librarians, staff, administrators, and users of libraries, believe that fines for late materials function to provide equal access to materials by encouraging patrons' sense of civic responsibility. Their philosophy is that the threat of fines teaches borrowers to return material on time so that others may access the collection. In his *Library Review* editorial "On Library Fines: Ensuring Civic Responsibility or an Easy Income Stream?", McMenemy (2010) examined both sides of the argument, and he concluded "It seems to me they serve a vital function for any library that requires efficient and equitable circulation of stock" (p. 81). Jerome (2012) addressed the issue with passion in "Occupy the Library. Fines: A Manifesto." When she was a younger librarian, she believed that libraries should not charge fines, but she now believes that not charging for late material, or adjusting them for certain portions of the population, has lead to a sense of entitlement in patrons. By waiving fines for some borrowers, libraries are denying other community members access to those materials that are late. She asks "How 'right' is it to let

a few essentially take advantage of the rest?" (p. 7). Both authors emphasize that the collection is for all members of the community, and the threat of fines serves as an incentive for the prompt return of materials that can then be used by other community members.

Many opponents to library fines disagree with the socialization argument. They believe it is the job of parents, not libraries, to socialize children, and charging fines on children's materials is punitive and a barrier to access. In her article "Penny Wise, Pound Foolish," Caywood (1994) emphasized this point:

Some librarians argue that fines teach children responsibility. This is an ironic view since it often is the parent--if not the child--who decides if they can return to the library by the due date. I have watched some parents become so incensed over a child's fines that they forbade library use. I don't know whether these kids are learning responsibility, but I'm certain they are not learning to regard the library as a welcoming place (p. 44).

In an analysis of this topic, faced with a hypothetical situation in which a librarian feels uncomfortable about collecting late fees from an adolescent borrower, Galloway (1984) asked "Since when is it the duty of librarians to teach kids responsibility?" (p. 869). In the same discussion, Chelton (1984) cast doubt at the "predictable, spurious socialization arguments" with the query: "if the purpose of fines is socialization, how does one justify fines for adults, who are presumably already socialized?" (p. 869).

At a time when the role of libraries in the community is under examination, it is time to move away from the traditional notion of libraries as quiet institutions with authoritarian rules of behavior where children learn to fear incurring

fines. Instead, library staff can leave the socializing of children to parents, and provide the tools parents need to foster literacy skills in their children without threat of financial retribution for small infractions to rules.

Fines, Fees and the Library's Budget

In some library systems, funds generated by fines and fees supplement library budgets. McMenemy (2010) highlights income generation lessening the tax burden on the community as one of the reasons people advocate for these charges (p. 79). Those who disagree with this notion argue that administrative costs associated with collecting fines and fees can surpass the revenue they generate. Vernon Area Public Library (Illinois) is just one library that has eliminated overdue fines and fees that amounted to less than one percent of their budget and cost far more to collect (Pyatetsky, 2015).

High Plains Library District (Colorado) eliminated late fines on library materials and found the financial repercussions to be "neutral" because they were able to eliminate costly credit card technology on their self-check machines (J. Reid, personal communication, April 26, 2016). Staff time and money-collecting technology are expensive, and when the amount generated by charging fines is compared to the costs associated with collecting them, it becomes clear charging fines for revenue may not make sense.

Fines, Fees, and Low-income Populations

In 2012, the ALA issued a policy statement, "Library Services to the Poor," that called upon libraries to acknowledge the important role they can play in "enabling poor people to participate fully in a democratic society" (ALA, 2012, para. 1). Libraries are encouraged by the ALA to promote "the removal of all barriers to library and information services, particularly fees and overdue charges" (para. 2). The ALA joins many members of the library community in the opinion that charging library fines for materials, while equal treatment, is not fair because the practice disproportionately affects low-income members of our society.

The idea that charging fines is unfair to children, especially those who are from low-income families, is not new. In 1975, the King County Library System's Children's Services Department Committee on Fines presented a proposal to eliminate fines for overdue materials to the King County (Washington) administration. They advocated for removing fines on children's materials, discussed other libraries that had removed fines without negatively affecting circulation patterns, and they were adamant about the negative effect on borrowing among low-income families:

We feel that fines are not justifiable theoretically or practically for either adults or children, however we feel that they are particularly damaging to children's attitudes to and use of the library. We believe that children have a right to use the library independent of

their parents' financial pressures and that fines discourage library use particularly among children (Livingston, 1975, p. 80).

The administration rejected the proposal, despite the passionate support of committee members and librarians.

Over forty years later, the library profession is still divided on fines (and fees) on children's material, and the policies of many institutions still include these practices. For example, in San Jose, California, libraries raised their fines to 50 cents per item, per day. In poor neighborhoods, almost one-third of the residents were barred from using the library because of unpaid fines (Pogash, 2016). An elementary school principal interviewed about the San Jose libraries' policy stated that fines are a "slap on the wrist" for middle income families, but if forced to choose between paying library fines "and putting food on the table and a roof over the children's heads, it's a no-brainer: it's better not to check out library books" (para. 18). Thus, treating all library patrons equally by assessing a fine for late materials is inequitable: it disproportionately affects low-income families.

With regard to fees for lost items, in "Breaking Barriers: Libraries and Socially Excluded Communities," DeFaveri (2005) described a situation in which a mother was charged \$25.00 for a lost picture book. The author asks members of our profession to contemplate the long-term consequences of choosing to collect \$25 in the short term:

Will this family be comfortable returning to the library?

If the library does not charge for the damaged book, it loses about \$25.00. When the library fails to recognize situations where charging replacement costs means losing library patrons, it loses the opportunity to participate in the life of the patron and patron's family. By choosing to make a \$25 replacement cost more significant than the role the institution can play in the social, developmental, and community life of the family, the library forfeits its role as a community and literacy advocate and leader.

It will cost the library more than \$25.00 to convince this mother to return to the library. It will cost the library more than \$25.00 to persuade this mother that the library is a welcoming community place willing to mount literacy programs aimed at her children, who will not benefit from regular library visits and programs. And when these children are adults, it will cost the library more than \$25.00 to convince them that the library is a welcoming and supportive place for their children (DeFaveri, 2005, para. 20-22).

DeFaveri also discussed the ingrained nature of fines, and she called for librarians to understand that they affect different populations differently:

Fines, replacement costs and processing fees are affordable for the middle class, but represent significant and often overwhelming costs for poor people. As a result, poor patrons with fines over \$10.00 who cannot pay the fines are excluded from accessing library resources. This barrier to library use has short and long-term consequences for the library and the community it serves" (para. 17).

In agreement with DeFaveri, Venturella (1998) emphasized the leadership and advocacy roles of libraries. She argued that overdue fines are a burden to low-income library users, and she insisted "It is a moral imperative that we be responsive to the needs of the community" (p. 33).

The ALA urges libraries to play a significant role in supporting low-income users as valued members of our society. Children's librarians encourage parents to use the library and teach them how to grow early literacy skills in their young

children. Yet, as Holt and Holt (2010) observed, "Reacting to fines and the cost of lost books, or just fearing such expenses, parents and caregivers in poor families may make a rational decision to not allow their children to get a library card or to check out books that might get lost" (p. 51). The SPELL research (Zhang, 2013) confirms this assertion.

Removing Fines and Fees in Public Libraries

Some public libraries across the United States are changing their policies and seeing little difference in their circulation statistics and, more importantly, improving the library experience of community members. In Pyatetsky's (2015) opinion piece "The End of Overdue Fines?" she suggested the act of eliminating library fines is becoming more widespread and accepted. Algonquin Public Library (Illinois) removed fines; at the one year anniversary of the policy change, they saw no negative effects. Witnessing this, Vernon Public Libraries in the northwest Chicago suburbs followed suit (Pyatetsky, para. 2, 2015).

After determining that charging fines was costing more than the revenue it brought in, Gleason Public Library (Illinois) stopped charging fines and saw no significant difference in the amount of time people were keeping materials (West, 2012). The library director, Angela Mollet, said having a "fine-free" policy was in keeping with the library's mission: "What role do fines play in a library? I want to encourage people of all ages to read, to discover, to be curious, and it doesn't make sense to put up any barriers that might prevent that" (West, 2012,

para. 29). The staff and trustees at Gleason Public Library placed emphasis on removing obstacles to accessing materials, especially for children.

Some libraries offer innovative programming along with policy changes. For example, The New York Public Library, which does not charge fines for late children's books, waived the outstanding fees for lost materials on children's accounts as part of their summer reading program on the condition that children participate in the program and read. The library subtracted one dollar off of their fines for each 15 minutes each child spent reading (Allen, 2011, para. 2). Another creative program can be found at the Public Library of Cincinnati and Hamilton County. While this system does charge fines, the rate is five cents per day for children and 20 cents for adults (The Public Library of Cincinnati and Hamilton County, 2016). Regardless of the status of their accounts, children and teens in this system could ask for their own cards, issued immediately upon request, that allow them to check out a set number of books at a time during the summer. When one book was returned, they could check out another. "The timing on these new cards was key to encouraging and enabling kids and teens whose regular cards have been blocked because of fines or losses, or whose parent were too worried about them running up fines and fees to be able to participate in the Summer Reading program, and to keep up their reading skills over summer break" (Keller, 2011, p. 14). The staff and governing entities of both of these libraries recognized the importance of

removing barriers for young children and developed innovative programs and policies to address the library fines problem for children.

The High Plains Library District (Colorado) participated in a second SPELL research project in which recommendations for the initial research, including removing fines and fees on children's materials, were tested in eight communities. Upon learning that parents and guardians of young children reported library fines to be a barrier to visiting the library, the district eliminated fines on all late returns of materials (excluding DVDs). The main objective of the policy was to increase circulation of children's materials, and the board and administration wished to bring new users into the library. Six months after fines were eliminated, overall circulation was up, and 95% of their materials were returned within a week of the due date (J. Reid, personal communication, April 26, 2016). Staff members of libraries are pleased with the policy change, as they have far fewer unpleasant interactions with patrons about fines, and have more time to accomplish their other duties. The financial effect on the institution, as indicated earlier, has been labeled "neutral." In order to determine if late return of items was affecting the experience of patrons waiting for items, the district examined circulation data and found no increase in "patron disappoints." While patrons might be slightly slower at returning items, this is not negatively affecting the experience of other users of the library.

Other Colorado libraries participating in the second SPELL project have policies regarding children's materials that support early literacy in their

community. Pueblo City-County Library District does not charge fines on picture books and board books, and Denver Public Library has no fines for juvenile and young adult items. Guided by SPELL research findings, Garfield County Public Library District no longer charges fines on picture books, waives fees for damages to board books, and has become more lenient about damages to picture books in the interest of encouraging families to make full use of the materials. According to the library's director, Amelia Shelley, "The library district believes the financial impact will be small, but the impact on children will be immeasurable" (Shelley, 2014, para. 4). There are no fines charged for overdue materials checked out from the Montrose Regional Library District's bookmobile:

The reasoning for this is two-fold. First, these patrons can struggle to have consistent access to the library, so getting materials returned on time can be a real challenge and we want to make using the library as easy as possible for these patrons. Secondly, many of our target families are low-income and having library fines could prevent continued use of the Bookmobile if they weren't able to pay them off (Lizz Martensen, personal communication, May 26, 2016).

Moving away from the traditional practice of charging library users for late, lost or damaged children's materials has allowed libraries participating in the second SPELL project to focus on nurturing early literacy skills development in low-income households. Removing the financial barrier to library use aligns them with their missions and the ALA's position regarding library services to economically disadvantaged members of our community.

Conclusion and Position

The Colorado State Library recommends public library administrators and governing bodies eliminate library fines, and reconsider fees for lost or damaged items, on children's materials, and other items as deemed appropriate for local service. Fines are punitive, not educational incentives. Damaged and lost material is an inevitable aspect of library use, particularly with very young children, and needs to be considered the cost of doing business with the library's young patrons.

The profession has little empirical evidence that charging fines results in greater circulation of library materials, or indeed the return of items in a timely manner. The administrative costs, including equipment rental, collection contracts, and staff time associated with collecting funds from patrons, often equals or exceeds the revenue earned from library fines and fees. At a time when libraries struggle to remain relevant and increase library use, it may be counterproductive to enforce policies that are punitive in nature and further the stereotype of libraries as authoritarian institutions to be feared.

Librarians have an opportunity to play a meaningful role in the lives of children and families in their communities. By eliminating library fines and fees, particularly on children's materials, public libraries become more welcoming to

children and families. Early literacy skills are crucial to school readiness, so it is important that parents and caregivers from all income-levels in our society have access to materials they can use daily in the home to practice reading, singing, talking, writing, and playing with their children. Children's librarians are thrilled when they see families checking out a stack of picture books, and families should be encouraged to do so, rather than be fearful of the late fines and book damage fees that might accrue. Based on the research, these user-friendly policies will bring more community members into the library, especially the low-income populations who need libraries the most.

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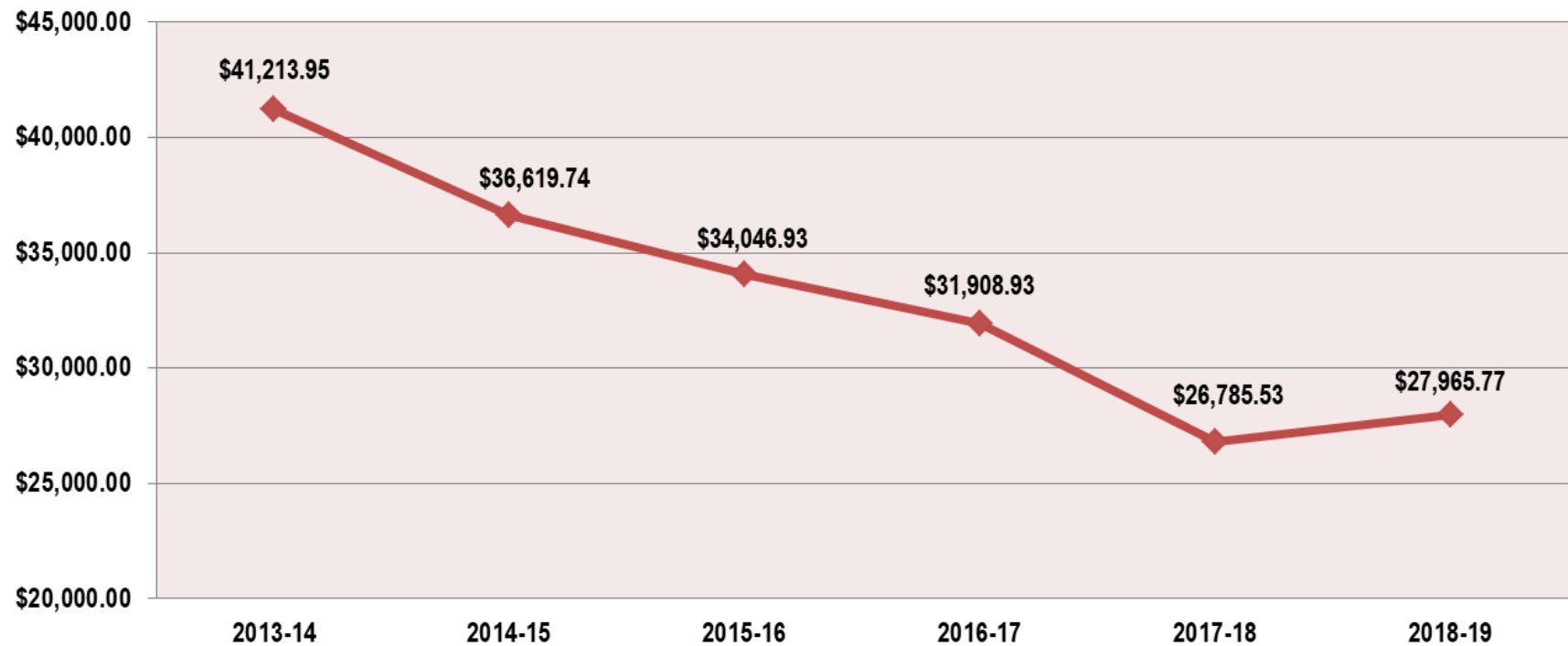
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Denver, CO 80203
303.866.6900
www.ColoradoStateLibrary.org



The SPELL Project and other projects administered by the Colorado State Library are made possible in part by grant funds from the Institute of Museum and Library Services (IMLS).

REVENUE COLLECTED	Year to Date 2013-14	Year to Date 2014-15	Year to Date 2015-16	Year to Date 2016-17	Year to Date 2017-18	Year to Date 2018-19
Library General Fund	\$30,654.74	\$25,330.21	\$22,859.10	\$18,452.52	\$14,774.43	\$15,419.34
Lost/Damaged Materials	\$2,175.33	\$2,523.30	\$1,740.39	\$2,096.84	\$2,128.13	\$2,729.53
Library Copier Revenue	\$8,301.88	\$8,588.13	\$9,268.99	\$11,228.97	\$9,731.17	\$9,662.70
Non-Resident Fee	\$40.00	\$40.00	\$80.00	\$40.60	\$40.00	\$40.00
Other	\$42.00	\$138.10	\$98.45	\$90.00	\$111.80	\$114.20
Total	\$41,213.95	\$36,619.74	\$34,046.93	\$31,908.93	\$26,785.53	\$27,965.77

Library Revenue Collected



Fort Worth Library Drops Fines, Late Fees

As of Tuesday, Oct. 1, any and all outstanding debts to the Fort Worth Public Library will be wiped clean

By [Ben Russell](#)

Published Oct 1, 2019 at 6:36 AM



Late fees are officially a thing of the past in the [Fort Worth Public Library system](#).

As of Tuesday, Oct. 1, the library has wiped clean any outstanding fines for overdue books or movies, and it has unblocked the accounts of approximately 18,000 people who had previously accrued a minimum of \$5 in late fees.

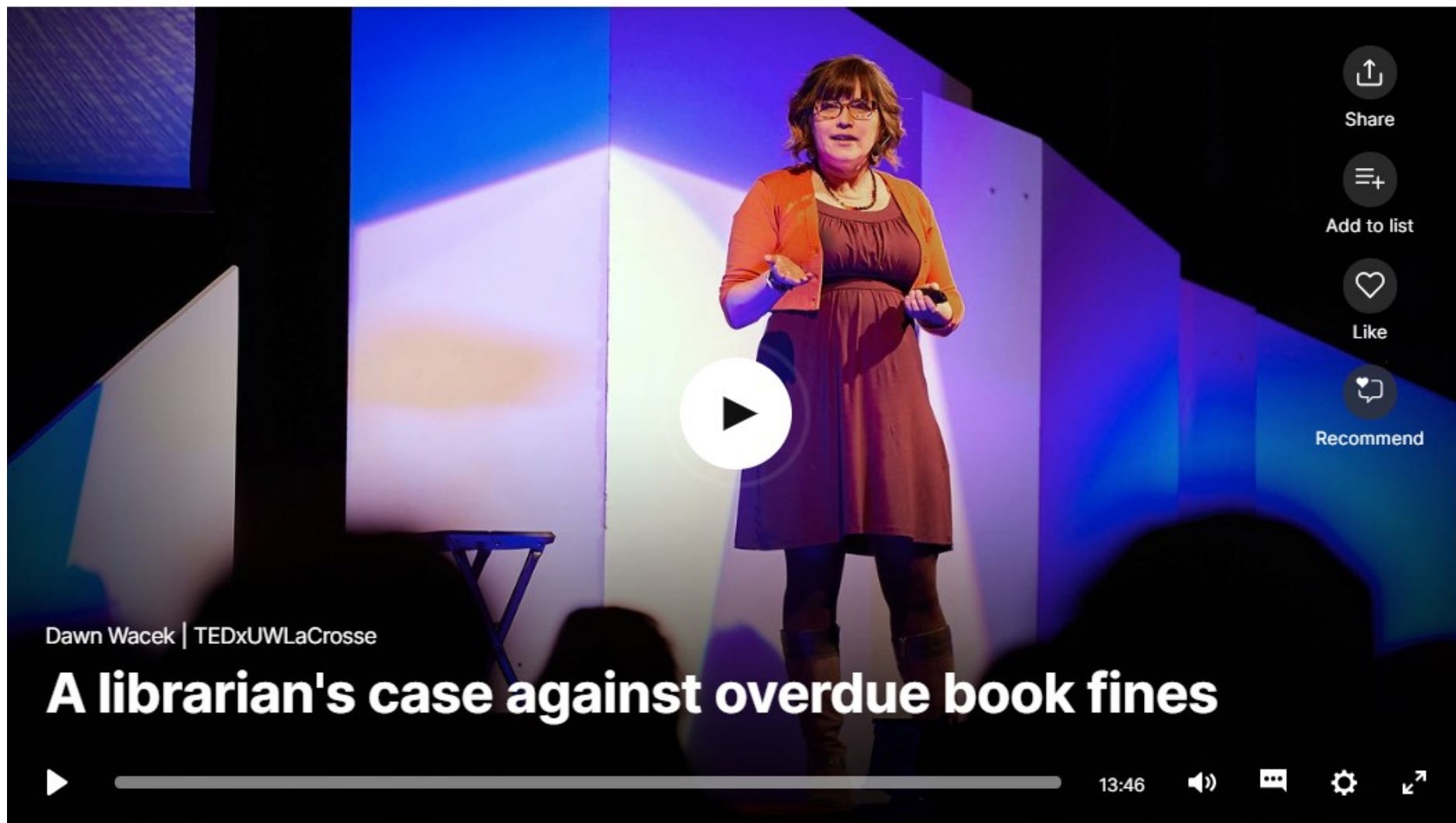
The only financial penalties that borrowers will face moving forward are for items that are truly lost, or are returned with damage. But the Fort Worth library will not block someone's account, and prevent them from checking out items, until and unless they have accrued \$50 in fines for lost or damaged items.

The change in policy is an attempt to get people to use the library system.

TED Ideas worth spreading

WATCH

DISCOVER



What

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https://www.ted.com/talks/dawn_wacek_a_librarian_s_case_against_overdue_book_fines/transcript?language=en



Dallas Public Library Goes Fine-Free for Late Returns

May 29, 2019



DALLAS, TX – Dallas City Council voted in favor of amending the city ordinance to eliminate the long-standing practice of issuing a fine when an item is returned late. Fees for replacing lost library cards and looking up account numbers were also eliminated.

Jo Giudice, director of libraries sought the change to bring back customers who have not been able to access library services because of excessive fines. "The library's mission is to provide access for all," said Giudice. "Late fines create barriers by punishing people who are unable to pay them. Eliminating fines is a step towards equity."

Beginning immediately, late fines will no longer be assessed. The library is working with its vendor to zero-out existing balances, a process likely to take several weeks. In the meantime, card holders visiting the library can request to have their accounts cleared of fines for returned materials.

"I know there are people out there holding on to material because they know it's long overdue," said Giudice. "We want the customers and the books to come back. All is forgiven."

Under the fine-free rules, when an item is a week overdue, the account will be blocked from further checkouts until the overdue items are returned. The replacement cost of the book plus a processing fee will be charged to the account. These charges will be waived as soon as the book is returned.

For customers who have lost items on their accounts and cannot pay the replacement cost, special events twice a year will give them an opportunity to "work off" the fees by volunteering or participating in other community activities.

Dallas is joining a movement among libraries nationwide to eliminate charging fines, including Denver Public Library, San Diego Public Library and Salt Lake City Public Library. Library systems in nearby cities, including Irving and Plano, also have no-fine policies.

A library card is free for any Dallas resident. For information on the many free programs and services available at Dallas Public Library, visit www.dallaslibrary.org

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The Fine Free Library: One Year Later



[The City Library](#)

[Aug 9, 2018](#) · 4 min read



Zion holds her Little House on the Prairie–inspired ragdoll, Charlotte.

Tonight, Pam and her daughter Zion are going to have a supper of homemade bread and baked beans, then sit down to read a book from the series that inspired the meal, *Little House on the Prairie*. The pair visits The Big Library in the City every day. Zion, age 6, sports a big smile as she runs around the Children’s Library at Main and adds books to her stack. This summer, they’re working their way through both the *Little House on the Prairie* books and

the DVDs, and Zion even has a ragdoll named Charlotte, just like Laura Ingalls. “Getting rid of fines has really changed the way we use the Library,” Pam said, adding that their frequent visits wouldn’t have been possible in the era of late fees. “I’m a single mom and I simply couldn’t afford to come to the Library if there were still late fees. But this has taken so much stress off of me. I’m not afraid to take books out anymore. Coming to the Library is such a pleasure.”

Every few years, a news story pops up about someone returning a book to the public library that’s been overdue for decades and the astronomical late fees that have accrued. There’s a reason this is a popular story: anyone who has used a library in the last century is familiar with the sting of late fees. Some people — like Pam — are all too familiar, and a forgotten book here or there in the life of a busy mom can lead her to stop using libraries altogether.

The Salt Lake City Public Library recognizes that in this ever-changing world, libraries need to listen closely to the community and adapt to their needs. While traveling to a library conference in 2017, City Library Executive Director Peter Bromberg asked his Lyft driver for her thoughts on libraries. According to the [Salt Lake Tribune](#), “She told him she grew up loving her library, but now, with three kids ages 7 to 15, the late fees were ‘like having an extra credit card bill that we couldn’t afford at the end of the month.’”



Checking out books can be challenging if you're worried about overdue fines.

In May of 2017, The City Library Board of Directors voted to eliminate late fees at all eight Library locations. The Fine Free policy went into effect on July 1, 2017. Prior to the policy change, late fees accounted for just 0.3% of The City Library's total revenue.





Happy customers, happy Library staff.

Now that a full year has passed since it went into effect, it's more clear how the Fine Free policy is affecting the culture of The City Library. "Without fines, more community members are stepping into the Library, and this allows us to better fulfill our mission," said Tommy Hamby, The City Library's Data Coordinator. "The number of items checked out during the 17–18 fiscal year increased 16% from the previous year. We also signed up nearly 26,000 new cardholders."

"When a mother of four brings in a stack of picture books a week late and wants to know if she can get some new ones, I get to say, 'Yes!'," said Tanya Platt, Circulation Assistant at the Main Library. "All those 'yeses' contribute to building a better relationship with

our customers because they can see us as allies. And that feels really good!”



Thank you, Zion and Charlotte!

<https://medium.com/@SLCPL/the-fine-free-library-one-year-later-d28c69743c15>



Late Fine Fee Workshop

The Mission of Public Libraries



**TO PROVIDE FREE AND
EQUITABLE ACCESS TO
INFORMATION SO THAT
ALL CITIZENS MAY
EDUCATE THEMSELVES.**

1

Fines are not
a stable
source of
revenue.

2

Patrons
ability to pay
fines
continues
to decrease.

3

Fines are not
a large
source of
revenue.

4

Collecting
late fines
costs more
than the
fines are
worth.

Late
Fees
DON'T
Work.

Questions ?



AGENDA MEMORANDUM

DATE: September 6, 2019

TO: Honorable City Council Members

FROM: Bradley Fraley, Chief Information Officer

SUBJECT: Discuss and provide direction to City staff on cyber security assessment and training requirements per HB 3834 from the 86th Legislative Session

BACKGROUND/INFORMATION:

HB 3834, effective June 14, 2019, requires city employees with access to a City computer system or database and elected officials to complete cyber security training each year. Per the law, the training may be handled internally by the City, under certain circumstances, or an approved third party training program may be utilized to provide the training.

City staff awaits the specific course content requirements before scheduling the training.

FINANCIAL IMPLICATIONS:

Unsure certain as to the total costs to provide the required training but the new State mandated requirement is an unfunded mandate.

RECOMMENDATION/ACTION DESIRED:

City staff respectfully requests the City Council be prepared to participate in the required training once the State mandated requirements are released and the course is developed and scheduled.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

None

REVIEWED BY:

Bradley Fraley, Chief Information Officer
Andrea Gardner, City Manager
Approved as to form for inclusion on Agenda

Approved - 10/1/2019
Final Approval - 10/1/2019