

TIMBERLAND REGIONAL LIBRARY
BOARD OF TRUSTEES MEETING
Elma Timberland Library, 118 N. First, Elma, WA 98541

August 28, 2002

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MINUTES

BOARD MEMBERS PRESENT: Art Blauvelt, President; Ken Bragg; Edna Fund; Peggy Meyer; Pat Shults; Gene Weaver; Janelle Williams

STAFF PRESENT: Bette Anderson; Jean Barnett; Liane Bascou; Jimmy Burns; Gwen Culp; Ellen Duffy; Leanne Ingle; Corene Jones-Litteer; Thirza Krohn; Thelma Kruse; Tim Mallory; Christine Peck; Tina Roose; Cherie Rusk; Sandra Sebbas; Liz Stroup; Mary Thornton; Mike Wessells; Art Wuerth

GUESTS PRESENT: Mel Beeson; B. L. Buschlen; Rachelle Bryson; Teresa Carmody; Jean Chiveney; Debbie Cole; Cherie Cooperrider; April Fagemess; Wava Garza; Teresa Guajardo; Pat Hamilton; Chuck Haunreiter; Helen Hepp; Bill Huennekens; Eric Johnson; Kelly Katzer; Alice E. Knight; John Kraft; Linda Kraft; Adelheid Krohne; Ruth Longoria; John McCroskey; Brian Mittge; Laura Moon; Freddie Neal; Ellen Nelson; Diane Oberquell; Kevin O'Sullivan; Donnie Rostedt; Dianna Samuelson; Rod Samuelson; Ed Sand; Anna Schlecht; Brian Shay; Aaron Shepherd; Yvonne Shepherd; Janet Weaver

President Blauvelt called the regular meeting to order at 7:00 p.m.

AGENDA ITEM

NO.

- 1 Introductions were made.
- 2 Approval of Agenda

Mr. Blauvelt requested Agenda Item 6A, McCleary Partnership Application, be moved after Agenda Item 3. There were no further changes to the Agenda.

- 3 Focus on Elma

Ms. Jones-Litteer provided an update on Elma in Community Librarian Nancy Alconcel's absence. She said Yelm recently opened a new library and McCleary will be moving into a larger facility. These are events that are part of the continuing evolution of TRL in its collaboration with communities. Elma was one of the leaders in this effort. In 1992 residents of Elma approved a \$650,000 bond issue to build this building. Elma is a community that continues to improve itself including new sidewalks and streets, a thriving Chamber of Commerce, and new businesses. Elma is also emerging culturally, including a children's theater and a cultural exchange of middle school students with a sister school in Nakasatsunai, Japan, which the Elma Library supported with a display of Japanese artifacts. The library also contributes to the culture with displays of paintings, sculptures, and poetry of several well-known artists from this area. Ms. Jones-Litteer thanked the Elma community for their support. Their hard work and continuing efforts indicate the importance of the library to the city, not only as a place to borrow materials, do research, read, or access the web, but also as a cultural center of the community.

6 Unfinished Business

A. McCleary Partnership Application

At its meeting on July 24, 2002, the TRL Board moved that TRL allocate, through its partnership program, an amount not to exceed \$58,050 to the City of McCleary with the actual award to be determined upon receipt of a completed partnership application. The City of McCleary has submitted the partnership application request for TRL partnership funds in the amount of \$58,000.

Mr. Blauvelt turned the chair over to Vice-President Pat Shults for the purpose of making the following motion.

02-52

ART BLAUVELT MOVED TO APPROVE THE CITY OF MCCLEARY'S APPLICATION FOR TIMBERLAND REGIONAL LIBRARY'S PARTNERSHIP PROGRAM FOR LIBRARY FACILITIES IN THE AMOUNT OF \$58,000 FOR THE MCCLEARY TIMBERLAND LIBRARY; PEGGY MEYER SECONDED THE MOTION.

Mr. Bragg said TRL lacks an overall long-range plan. Without this plan, when the needs of McCleary are demonstrated, there are no other considerations made. McCleary, open 20 hours a week, is seven miles from Elma, which is open 40 hours a week. With a single library in Elma serving both communities, we could double the use of the Internet PCs. He said we need to look further ahead, such as a 10-year program, so that when other cities come forward we can have standards of distances and economy so we can increase our services. He said the other problem is that the rules have changed. Under the previous formula, McCleary would have received 7% of the total cost of the project, and now will receive 29%. He said this is fine, but we have other needs, especially in Olympia, which was recognized as a high priority need. There is no arrangement made to finance 29% of a library in Olympia. He said that though he wishes McCleary well, these are some of the drawbacks of the lack of an overall long-range plan.

Ms. Kruse said in the Services and Facilities Needs Assessment in 1999, the TRL Board recognized that McCleary was a small and crowded library. Since that time, use of the McCleary Library has increased. Two years ago, the TRL Board set as priorities both Yelm and Olympia. We recently opened a new Yelm Library. Olympia officials have advised TRL that they want to wait before proceeding on actively working on a new Olympia Library. In the meantime, the Olympia Library was remodeled which has provided us with more space. The TRL Board also identified three other important projects, Westport, McCleary, and Chehalis. Ms. Kruse said we are on target with the projects identified by the Board. The Needs Assessment took into account a 20-year plan for buildings within the TRL system. The Services and Facilities Committee has been presented the draft of a facilities plan, in which we are translating the items from the Needs Assessment into a 20-year plan.

Mr. Bragg asked if Ms. Kruse has a feasible way in which TRL, which is on record of supporting a 60,000 square foot library in Olympia, can finance 29% of the cost of a new library. Ms. Kruse said we work with the cities on projects and determine the needs and partnership arrangements. In every building project, the money comes from a variety of sources—bonds, grants, and community fundraising. Currently, TRL is working with a fundraiser on four city library projects. In Yelm, we worked with the city on a lease arrangement. We are open to creative ways to fund libraries. Ms. Kruse said TRL would not

- 6A be able to fund 29% of a new Olympia Library and we will have to find other ways to fund it by working with the city. Mr. Bragg asked how we justify increasing the amount from 7% to 29%. Ms. Kruse said that came from the Services and Facilities Committee and was approved by the TRL Board. Mr. Blauvelt commended the City of McCleary for seeking a solution to increase the size of its library. He said the TRL Board issued a mandate to the Director to look for creative ways to solve the concerns of the cities mentioned. TRL staff, under Ms. Kruse's direction, have done exactly what the Board has asked them to do. Mr. Blauvelt said he believes we should jump at every opportunity we can. The City of McCleary jumped at the opportunity to leverage grant money, McCleary Friends of the Library money, and TRL money to solve a problem.

MOTION CARRIED UNANIMOUSLY.

Ms. Shultz relinquished the chair back to Mr. Blauvelt.

4 Correspondence and Public Comments

A. Public Comments

Ms. Moore referred to a 1916 article from the Elma Chronicle that referred to adding books to the McCleary Library and collection of late fines. She invited everyone to a book and root beer float sale and community wide garage sale on September 21 to help raise funds for the new McCleary Library.

Mr. Blauvelt requested public comments regarding TRL's Internet Policy. He reviewed the guidelines for public comments that were used in two previous meetings at which the Board received comments. Seventeen people spoke. The list of speakers is attached to the original of these minutes.

B. Board Comments

Mr. Bragg commented on the recent incident at the Kent branch of the King County Library System (KCLS) where police took a computer without a search warrant that purportedly had been used to access child pornography. This incident was not related to the Patriot Act. He said KCLS decided to sue and was criticized by the press. He agrees with KCLS that the police should not have been allowed to take the computer without a search warrant. He trusts that the Director has instructed TRL staff on how to react in these kinds of situations so that TRL does not end up suing someone.

Ms. Fund referred to a Gallup poll regarding the number of books that people read. It has been consistent for the past 20 years—43% of Americans read 5 or fewer books per year while the top 7% read more than 50 books. She wants to increase patronage of our libraries and get people who aren't reading into our libraries.

C. Correspondence

There was no correspondence.

The meeting recessed at 8:20 p.m. and reconvened at 8:30 p.m.

5 Approval of Minutes

02-53 PAT SHULTS MOVED TO APPROVE THE MINUTES OF THE TRL BOARD OF TRUSTEES MEETING OF JULY 24, 2002, AS DISTRIBUTED TO THE BOARD; JANELLE WILLIAMS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

7 New Business

A. Internet Access Policy

On April 26, 2000, the Timberland Regional Library Board of Trustees adopted a policy "Illegal Activity on Library Computers." On July 26, 2000, the TRL Board approved the "Internet Access Actions" which detailed 8 steps to be taken. The Board agreed to review this matter in two years. The Board held a special meeting on July 16, 2002 for the purpose of hearing public comments regarding TRL's Internet Access Policy, and also set aside time after its regular meeting on July 24, 2002 for public comments.

Ms. Kruse has made a recommendation regarding the Internet Use Policy. She has talked with each TRL Board member individually, talked with staff, and visited libraries. She referred to a recent publication *Youth, Pornography and the Internet*, a study mandated by the U.S. Congress. She said she considered several factors in developing her recommendation, including legal boundaries, TRL's current practices and statistics, and public comments. As a government agency, TRL must show a compelling interest before restricting free speech and must use the least restrictive means possible. The Supreme Court has upheld adults' First Amendment rights to unfiltered Internet. According to information in the National Research Council study, children's rights are stronger the older they are. The Supreme Court stated that constitutional rights do not mature and come into being magically only when one attains the state-defined age of majority. Since the Internet Access Actions document was approved, TRL has had very few incidents in hundreds of thousands of Internet sessions. Inadvertent viewing of computer screens and printouts has been significantly reduced. TRL was not successful, however, in obtaining from most parents a decision on the Internet access level of their children. We received a low response from our mailing and many people have not responded on the library card application forms. It has always been TRL's policy to give parents responsibility in the selection of their children's materials. Ms. Kruse said she believes TRL does need to play a more active role to find out what parents want for their children regarding Internet access. She is recommending that TRL require parental selection of their children's Internet access level on all new library card applications. She is also recommending that we make a concerted effort to reach parents of children who are using the library by beginning with an in-library campaign, which she thinks will give us a much higher response. She recommends we change the default for children under 14 to filtered if parents do not select an Internet access level. The courts have said there is a difference between young children and those closer to the age of majority. Where the line should be drawn has not been determined. She recommends the age of 14 because in our libraries, children under that age usually use the children's areas, which are filtered environments. Children 14 and over are starting high school, using the entire library, and using the Internet more for research. Therefore, for ages 14 through 17, she recommends the default remain unfiltered unless the parents make a decision otherwise. Ms. Kruse recognizes that the TRL Board members are going through what she has been going through in making a decision. She is aware that each Board member has a strong opinion on this issue and that opinions are on each end of the spectrum. She hopes that even though it is difficult, the Board will be able to find a middle

7A ground and make a decision tonight so that we can all devote attention to positive things that are happening in the libraries. More people are using the library and have already checked out 80,000 more items this year compared with the same time period last year. Volunteers are putting in thousands of hours helping in the libraries. We have just completed a successful Summer Reading Program. We are continuing to serve people in this district in all of the traditional ways as well as in new ways.

02-54 PEGGY MEYER MOVED TO REFINE THE TIMBERLAND REGIONAL LIBRARY'S POLICY ON INTERNET ACCESS BY (1) REQUIRING PARENTAL CHOICE OF CHILDREN'S INTERNET ACCESS LEVEL ON ALL NEW CARD APPLICATIONS; (2) OBTAIN PARENTAL CHOICE OF CHILDREN'S INTERNET ACCESS LEVEL FOR CURRENT CARD HOLDERS UNDER 18 THROUGH IN-LIBRARY CAMPAIGNS TARGETING PARENTS OF CURRENT COMPUTER USERS UNDER 18; AND (3) FOR ALL MINORS WHOSE PARENTS/GUARDIANS DO NOT SELECT AN INTERNET ACCESS LEVEL FOR THEM SET A DEFAULT OF FILTERED ACCESS FOR THOSE UNDER 14 AND UNFILTERED ACCESS FOR AGES 14 THROUGH 17. PAT SHULTS SECONDED THE MOTION.

Ms. Meyer said she can wholeheartedly support the first two sections recommended by the Director and she proposes the third because she would like the Board to have an open discussion on the matter.

Regarding item No. 3, Ms. Fund said she has been doing research about that particular group, 14 through 17 years of age. Child Protective Services tells her this age group needs more rather than less guidance. She referred to data regarding residents receiving DSHS services and who are having difficulties adjusting to adolescence. Ms. Fund said we should do whatever we can do to shore up the family and shore up people who are trying to give these kids the kind of adult life we would like them to have. She commented on her visit with two other TRL Board members to the Tacoma Public Library and referred to a National Academies report on "Demographic Characteristics of Internet Users at the Tacoma Public Library, With Special Reference to the Issue of Internet Pornography", a White Paper for the National Research Council. She cited from the report: "The evidence from this study is clear: many young people are not making 'good choices' in their use of the Internet Mostly, these Internet users are young teens, on their own in the after-school hours, in family situations that do not include the provision of other activities in other places during this time. Another implication of this study is that public librarians should not believe that a lack of patron complaints . . . about sexually explicit materials displayed on library computers . . . mean that no such behavior is taking place in their libraries." At Tacoma Public Library "Internet users made nearly 28,000 attempts to access sexually explicit materials last year. It is likely that other libraries would find similar results to those presented here if they were to analyze logs of traffic" Ms. Fund said we have a lot to think about such as the dynamics of the individuals that may be very susceptible to pornography. The national study "Youth, Pornography, and the Internet" says that using arguments of the First Amendment is really not useful. What is useful is people getting together to solve the problem. She said the AMA did a study regarding sexual solicitation on the Internet. One out of five had a sexual solicitation and 80% of the kids were between 14 and 17 years of age. At Harbor View Psychiatric Center, they say that 43% of the sexual incidents being committed and are being treated for are done by kids between 10 and 15. She said pedophiles and child molesters go where kids are and where kids may not be supervised. She wants people to come to the library and when she sees a roadblock like this getting in our way, it frightens her for our society. She said we

- 7A should work in partnership with parents and law enforcement. She thinks we also need to empower our staff and help them feel this is not a hostile work environment.

Mr. Bragg made a general observation that we would not be here tonight if we were elected Trustees. He thanked Ms. Fund for providing inspirational ideas on how to proceed. He thanked Ms. Kruse and her staff for the effort they have given to develop these proposals. He is sorry that Ms. Kruse went ahead with this specific recommendation without waiting for the Board to request her to contact Commissioners and individual Board members. The Board members could not discuss this matter because of the open meeting law and have not had a chance after hearing the public testimony to discuss this matter among themselves. It may be possible that we can think beyond these specific proposals.

KEN BRAGG MOVED TO AMEND THE MOTION THAT THE TIMBERLAND INTERNET ACCESS POLICY REQUIRE VERIFIED WRITTEN PARENTAL APPROVAL FOR THEIR CHILDREN UNDER 18 TO ACCESS THE INTERNET; GENE WEAVER SECONDED THE MOTION.

Mr. Bragg said TRL's Internet Policy allows children Internet access unless their parents notify the library otherwise. The preponderance of public comment has been in favor of changing TRL's policy. He said the most feasible change would be to require parental approval for filtered or unfiltered Internet access by their children in order to shift the responsibility from the library to the parent. If a child later becomes a perverted adult as a result of Internet access or a child is harmed by a chat room contact, the parent is responsible and not the library. Hopefully with this change we can move forward in furthering TRL's programs and have public support for levy lid elections. Changing TRL's present policy would not violate the constitutional safeguard that Congress shall make no law abridging the freedom of speech. The ACLU has not hinted that it would seek redress in the courts to require 63.9% of all public libraries that require parental approval to reverse their policy. The ACLU of Washington State has been misled on this point in urging its members to speak out against mandatory Internet filters. Mr. Bragg said mandatory filters have successfully been challenged in the courts and are a threat to free speech, but requiring parental approval of Internet access is a matter of local option, not a First Amendment issue nor a slippery slope to censorship. He said the Patriot Act is the real threat to libraries and we should support the ALA and the ACLU in challenging the Patriot Act provisions relating to unreasonable searches and seizures prohibited by the Fourth Amendment.

Mr. Weaver addressed a political and economic look at this issue. After reviewing the public comments and listening to many citizens in his daily travels, he is concerned about the financial future of TRL. He said we have been receiving an increasing amount of input from taxpayers who are very dissatisfied with the Internet Policy and are threatening to withdraw both physical and financial support. This fact, together with deteriorating revenue projections, seems to indicate a bleak future for library services and future expansion of the library. Mr. Weaver said he couldn't imagine asking for any increase in taxes to support library services until the Internet Policy is drastically altered. He said an approximate 4 to 1 majority have clearly asked for a reversal of Internet access for minors. Since those who oppose TRL's policy include most of our more responsible citizens and leaders, including County Commissioners, law enforcement, counselors, teachers and clergy, he tends to lend a great deal of weight to their comments. Mr. Weaver said he is strongly in favor of limiting all Internet access for children under 18 years of age unless their parents or guardians grant specific and verified written permission.

7A Mr. Blauvelt said that the Board received 538 comments. Out of 240,000 cardholders, 118 said continue the present policy, 229 said filter everyone, and 191 said filter children at various ages. He said that obviously we have a substantial number of people who have a substantial number of opinions about what is best for children. He said the back of the library card states that "Parents or guardians are responsible for the selection choices of their own minor children." He received the letter mailed out to 68,000 cardholders. That letter clearly told him that the library is not going to control his own minor children by restricting their access to the Internet. He said that is the contract between TRL and himself as a library patron. Parents in TRL have 100% control over their own minor children. What he perceives is that some people want to have control over other people's minor children and he does not consider that the role of the library. The role of the library is to provide information. He said he would not vote in favor of the amendment. He thinks it would be subject to civil action, and he also thinks it is not appropriate. He said there are many people in the TRL system that do not have access to the Internet except through the library. He thinks that to restrict access would be deciding what constitutes a good parent. He is one of those 68,000 parents who did not respond because he knew the default would be unfiltered access for his children. He has made a choice that he wants his children to have access to the world, because he believes they need to learn there are evil, bad and nasty things in the world early on so they are better prepared.

Mr. Bragg disagreed with Mr. Blauvelt's comments. He said he hasn't heard anyone who wants to maintain the present policy give any reaction to the argument that it is not a First Amendment issue or censorship issue to require parental approval of Internet access.

Mr. Blauvelt cited a case in federal courts decided in May 2000, Playboy Entertainment Group vs. the United States. This case reaffirmed the constitutional mandate that the government must use the least restrictive alternative when attempting to control the transmission of adult movies over cable TV networks. The court found that the least restrictive alternative was to have the household call the cable company and have the channels blocked. The court stated that targeting blocking is less restrictive than banning and government cannot ban speech if targeted blocking is a feasible and effective means of furthering its compelling interest. Over the past two years, TRL has come up with the least restrictive alternative. Instead of outright banning access to Internet for all people under 18, we have said that all parents have to do is tell us and we will target and ban for their own children.

Mr. Bragg disagreed with Mr. Blauvelt since 63% of the libraries that require parental approval have not been apprehended for breaking the law. Ms. Fund added that Mr. Blauvelt's comments relate to cable and not libraries. She asked if there are not some improvements that have to be made since the Board heard public comments two years ago. Mr. Blauvelt said he has heard from many people who like the current policy because they are involved parents and do not want the library to be the parent of their child. Mr. Bragg said the recommendation made by Ms. Kruse would step up the campaign to get parents to make this decision voluntarily and would achieve the same thing as his amendment is proposing.

KEN BRAGG, GENE WEAVER AND EDNA FUND VOTED IN FAVOR OF THE AMENDMENT TO THE MOTION. PEGGY MEYER, JANELLE WILLIAMS, PAT SHULTS, AND ART BLAUVELT VOTED AGAINST THE AMENDMENT TO THE MOTION. AMENDMENT TO THE MOTION FAILED.

Ms. Williams said she supports the first item in the motion requiring parental choice on all new card applications, which we are already doing as much as we can. Regarding No. 2, we can do another campaign, which may be costly. She thinks our public meetings have helped

7A make people knowledgeable about what is happening in the library. No. 3 is a compromise, which she knows Ms. Kruse and staff have struggled with because several on the Board have spoken out that we should have open access. Ms. Williams said she teaches high school students and she can vote for No. 3, but she doesn't like it. Her first choice is the current policy because it makes parents responsible for their children. She said librarians cannot be expected to do it. She keeps hearing the word "safety." Getting rid of the library computers will not necessarily provide a safe area in the library. We don't ask people as they come in the door if they are registered sex offenders or if they have a criminal record. That is not what libraries should be about. She said she was appointed to the Board to represent all five counties, not just Lewis County. TRL is not a one-county library system and we have to take into consideration all of the people. Out of 240,000 cardholders, we heard from 538 of which 229 want to filter everyone, which is, according to Mr. Bragg, a First Amendment issue. Whether she continues on this Board or not is beside the point. The library is for information and open access for everyone. The question is not why she is supporting this, but the question is why isn't everyone supporting it. It is not First Amendment by accident--it is first because without it there isn't any need for any others. She feels very strongly about this.

Ms. Shults said she volunteers her time to serve on this Board and did not come to the Board with an agenda in mind. She is committed to library services in her county understanding that she does represent five counties. She agrees with Mr. Weaver that this has become a public nightmare, but she also believes we have heard from a vocal minority. When you consider 240,000 cardholders and 538 responses, that is .002% of our cardholders giving us public comment on this issue. She has spent hours of her time reviewing information, listening to public comments, recognizing the hard work her fellow Board members put in to develop the policy in the first place, and looking at how we can improve it. She wants to be proactive on library services rather than reactive about this issue. She can agree with No. 1, in which we will require parents to choose an Internet option for their children on new card applications. We will do a public campaign to educate parents. She has often heard that people would be appalled if they know what the policy is. She said they all should know what the policy is and embrace it. Statistically when we look at the policy in place and the implementation steps that have occurred in the past two years, we have seen a dramatic decrease in incidents. She will support as a compromise filtering as a default for minors under 14.

Ms. Meyer said she has been wrestling with this issue, the first time at great length two years ago. She loves the library. She doesn't want to see pornography in the library. She doesn't want the nature of the library to change. But she also doesn't want to fool people about what filters can do. Two of her fellow Board members and she went to Tacoma because they were told that they needed to see their system that effectively suppressed all sexual images. The public relations person giving them a tour turned on the computer and the first thing that popped up on their totally filtered system was a teaser with nudity. This showed her again that judgment is what makes the biggest difference. She said she supports kids learning how to stay away from things they should not see and getting support from their parents and other important significant adults in their home. She has long been an advocate of open access, but she is willing to bend and compromise and go with the staff proposal. She hopes if she compromises that the people who do not agree and want more restrictive access will step forward and reach out to those of us who have been only for open access and are willing to bend toward them.

Ms. Fund said this issue has taken a lot of time. She has talked with a lot of people as well as done a lot of reading about the issue. When someone talks about bending, she thinks about the kids they would be bending away from. She said she comes from a social service background

7A as a certified rehabilitation counselor. Her understanding of No. 1 in the motion is that if parents do not make a selection that there will be a dialog between staff and the parents. She said we need to educate and join arms with the parents. She doesn't agree with not requiring parents to make an Internet choice for 14 to 17 year olds. That age group is having a difficult time in society.

Mr. Weaver said he has heard that people who are opposed to the current policy are a bunch of rednecks from Lewis County. He considers that insulting considering the dedicated public officials and people he has been talking with. Why hasn't this controversy drawn out more people in favor of the current policy? He said this library system would have problems with finances if we don't recognize what people are telling us.

Mr. Blauvelt said he hasn't heard any critical comments about people from Lewis County. He said there were many people who spoke in favor of the policy this year and two years ago when we visited every county in the district. He said he is also willing to compromise and support item No. 3 in the motion. He certainly supports No. 1, which is another continuing effort by the library to encourage parental participation. Although crime statistics have been down, there have been some notable incidents in the past several weeks that have led us to believe that the world is more dangerous than it was 10 years ago. But parents still cannot be complacent. He believes TRL needs to aid in getting the word out that parents are responsible for the selection choices of their own minor children. He said he obviously has a very strong feeling about the freedom of speech issues and the need to continue to advocate for free speech. In public comments earlier, someone spoke about how an entire nation can turn against a group of people. Just because we hear from a vocal group, it does not mean that is the rule. We have freedom of speech so that minorities can speak out. He does not consider this matter a pornography issue but a freedom of speech issue.

Ms. Meyer said when she listened carefully through public meetings in Tumwater and in Lewis County, she listened to a great deal of highly emotional information. She wasn't able to speak back at that time because the Board was committed to listening. She said so much of what she heard did not sound like things that are actually happening in our libraries. She asked Ms. Kruse what really is happening and if this issue is getting blown out of proportion. She understands that the staff has reported to management about their ideas and what incidents they have had, even incidents that did not make it to the written incident report level. Ms. Kruse said she invited staff to give her their opinions about how they felt about Internet, how the policy is working, and what is happening in the libraries. She received about 30 responses. Staff are divided on the issue of whether we should filter children or have completely open access. Most of the responses said the current policy is working and to keep the policy. There were recommendations to filter, and there were a lot of things said about how we need to change the placement of computers and other improvements we could make in the library. She was impressed by the level of commitment by staff to what TRL is doing and to providing great service. She did not hear about very many negative incidents.

Mr. Bragg said he is curious about No. 1 and No. 2 in the staff proposal. The first one says any new card application will require parental choice. He wonders how we can separate existing cardholders from new cardholders.

- 7A KEN BRAGG AMENDED THE MOTION THAT ITEM NO. 2 BE THE SAME AS ITEM NO. 1, i.e., IF WE REQUIRE PARENTAL CHOICE FOR NEW CARDHOLDERS, WE WILL REQUIRE PARENTAL CHOICE FOR ALL CARDHOLDERS; GENE WEAVER SECONDED THE AMENDMENT TO THE MOTION.

Ms. Kruse said she doesn't understand how this could be put into effect. Mr. Bragg said it could happen over a period of time, whatever is manageable, but it would remove the situation of requiring new card applicants to do it one way and existing cardholders another way. Mr. Blauvelt said he would vote against this amendment because two years ago we sent out a letter to 68,000 cardholders, and applications for cards since then have requested parents to make a choice. Ms. Shults asked if this is feasible and possible to do. Ms. Kruse said we would have to cancel cards of all children until their parents make a selection. Therefore, children could not use the library if parents have not made a choice. Mr. Bragg said this should apply only to Internet access. Ms. Kruse said the library card application is the only application and includes Internet use as well as any other library service. She hopes we can take less restrictive ways to handle current cardholders, rather than cutting off their library service.

KEN BRAGG, GENE WEAVER AND EDNA FUND VOTED IN FAVOR OF THE AMENDMENT TO THE MOTION. PEGGY MEYER, JANELLE WILLIAMS, PAT SHULTS, AND ART BLAUVELT VOTED AGAINST THE AMENDMENT TO THE MOTION. AMENDMENT TO THE MOTION FAILED.

Mr. Bragg asked how Ms. Kruse arrived at the age of 14. He asked if the age of 14 was recommended so the motion would receive 4 votes. When looking at statistics around the country of the libraries that require parental approval, two-thirds of them have an age of 18. Ms. Kruse responded no Trustee recommended the age of 14. She had conversations with all of the Trustees at one time or another and with staff. She was discussing several ages and did want to try to get a consensus. Ms. Fund asked if it sways Ms. Kruse at all if she thinks about societal consequences of that age or what is happening nationally age wise. It appears to her that age 14 is out of step with what is happening nationally. Ms. Kruse said she was motivated by the book referred to earlier when she recommended an age. Mr. Blauvelt referred to the report on Internet access for children in Washington public libraries. The libraries which do not restrict Internet access for minors are King County Library System, Kitsap Regional Library, Mid-Columbia Library, Pierce County Library, Seattle Public Library, Spokane Public Library, and Timberland Regional Library. Fort Vancouver Regional Library requires parental choice for default filter under 13. Yakima Valley requires parents to sign a minor's Internet use agreement. Sno-Isle requires parental choice with default filtered under 18, as does Spokane County. Tacoma Public uses the cyber control. He said there is a wide variety, but each one reflects the best thoughts of the people who run those libraries.

Ms. Fund said she sat on the Centralia Citizens Adult Entertainment Committee to develop ordinances for adult entertainment. Throughout they always talked about age 18. Her constituents have said that their kids would be safer going there because they can't get in the door. She said we need to make sure parents say what their children's access will be, and if they don't ages 14 to 17 will be doing whatever they want.

Mr. Bragg said he has talked for the past two years with a number of people about this issue and most are surprised that we don't require parental approval and think it should be changed.

- 7A PEGGY MEYER, PAT SHULTS, JANELLE WILLIAMS AND ART BLAUVELT VOTED IN FAVOR OF THE MOTION; GENE WEAVER, EDNA FUND AND KEN BRAGG VOTED AGAINST THE MOTION. MOTION CARRIED.

The meeting recessed at 10:00 p.m. and reconvened at 10:10 p.m.

8 Reports

A. Regional Planning Councils

Mr. Bragg said that Thurston Regional Planning Council has decided to reduce TRL's dues by one-half. This year's fee was \$10,488. We requested a reduction last January, but it has taken this long for the decision to be made. It was his understanding that the reduction would apply to this year but TRPC has requested the other half be paid this year, and that the reduction will apply in 2003. He said that next year TRL can consider an associate membership for \$1,000. This type of membership would allow us to attend meetings and discuss issues, but we could not vote. We would also not be entitled to three hours of free service for each request we make. Ms. Kruse said that TRL did budget the full amount in its budget this year. It was the consensus that TRL should pay the other half this year.

Ms. Shults said she attended the Pacific County Council of Governments today and was pleased the South Bend Library elevator project was presented for the WA-CERT ranking. She spoke to them about the project. Mr. Wessells addressed the board about the application. There are 30+ projects that the board will rank. It will provide TRL some leverage in looking at other avenues for grant funding. Mr. Wessells added that just being on the list for WA-CERT grants helps qualify us for other grants.

Mr. Wessells said the Grays Harbor Council of Governments presented a work plan and budget for the coming year. Previously we have received membership to this organization for in-kind contributions by working with some of GHCOG's library materials. The previous director of GHCOG has not taken us up on that proposal and basically TRL received free membership. This year, however, we will be asked to participate and provide the required level of staffing. Mr. Wessells will be working with the director on a proposal for membership for next year. He will assess the value to TRL of being able to add the entire contents of their library to TRL's database. Mr. Bragg said he is impressed with the in-kind relationship TRL has with GHCOG. He asked if some TRL staff could check into the same kind of membership with TRPC. Ms. Anderson recalled that Doug Mah did discuss this idea with TRPC and they were not interested in pursuing it.

B. Patriot Act

Mr. Wessells referred to the report regarding the Patriot Act, which provides a summary of the act as it impacts libraries, and includes several pieces of information from web sites. The Act provides wide-ranging powers to the federal government. He called the FBI office in Olympia and asked them precisely what their routines would be if they are called upon to approach the library, how the agents would present themselves, if they will have a warrant with them, so that he can propose procedures in response. Mr. Blauvelt read the introduction in the report as follows: "In October 2001, in the wake of terrorist attacks, Congress passed the USA PATRIOT Act. Among its many provisions is the authorization of the FBI to access or seize library records with a search warrant signed by a specific court designated by the Act. This authorization overrides any state law which may protect such records." Mr. Blauvelt

8B explained that under state law, library records are exempt from public disclosure and the Patriot Act changes our state law. He continued, "In addition to requiring library staff to turn over such records, the Act requires staff not to reveal the existence of the warrant, or the fact of the FBI search, to anyone other than the appropriate supervisor or TRL's attorney. To date these aspects of the law have not been challenged in any court, but a recent survey by the University of Illinois found that 85 libraries reported that they had been approached by the FBI to turn over library records."

C. 2002 Goals and Service Priorities Progress Report

The report was presented at the June 26, 2002 Board meeting. There were no further comments or questions on the report.


D. Director

02-55 ENDA FUND MOVED TO APPROVE PAYROLL AND PAYROLL RELATED VOUCHERS NO. 31218 THROUGH NO. 31469 FOR JULY 2002 IN THE AMOUNT OF \$784,862.76; PAT SHULTS SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

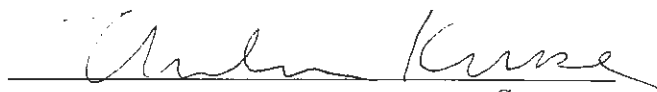
02-56 PEGGY MEYER MOVED TO APPROVE VENDOR VOUCHERS NO. 69608 THROUGH NO. 69954 FOR AUGUST 2002 IN THE AMOUNT OF \$562,934.66; EDNA FUND SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

The July 2002 Revenues and Expenditures report was presented. The grand opening of the new Yelm Library was held on July 27. The Service Center renovation is progressing. Phase 1 of the project is nearly completed and several staff have moved into their new quarters. Phase 2 will begin soon. The results of a second unobtrusive telephone reference survey of 30 libraries in the state were just released. TRL received the highest score of all the libraries surveyed with 95% correct answers. In the first survey, TRL scored 56.7% correct answers which shows that the training of all our public services staff in the Model Reference behaviors this past year has been successful. There is a TRL Board Work Session scheduled on October 5. Ms. Kruse requested Board members send her agenda items. The July 2002 Statistics were presented. Ms. Fund noted that it looks like people are accessing TRL's web page more often. She noted that the patron count is down from last year and specifically that Centralia's patron count is down by 11,000. Ms. Roose said some of that drop is attributable to problems with the patron counter and in 2001 there were more children's programs in Centralia than in 2002. Also streets in downtown Centralia are under reconstruction.

There was no further business and the meeting adjourned at 10:30 p.m.



President



Secretary