

**FEDERATION OF ONTARIO PUBLIC LIBRARIES
MEETING OF THE BOARD OF DIRECTORS**

**FRIDAY, JUNE 16, 2023
10:00 AM, CIVIC CENTRE RESOURCE LIBRARY
2191 MAJOR MACKENZIE DR., MAPLE ON**
[JOIN VIRTUALLY VIA ZOOM](#)

1. CALL TO ORDER AND ROLL CALL

2. LAND ACKNOWLEDGEMENT

DOC 1

3. REGRETS

4. DECLARATIONS OF CONFLICT OF INTEREST

5. APPROVAL OF THE MINUTES OF THE FEBRUARY 3, 2023 BOARD MEETING

DOC 2

THAT this Board approve as circulated the minutes of the FOPL Board Meeting of February 3, 2023.

6. APPROVAL OF THE MINUTES OF THE MARCH 17, 2023 AUDIT APPROVAL BOARD MEETING

DOC 3

THAT this Board approve as circulated the minutes of the FOPL Audit Approval Board Meeting of March 17, 2023.

7. APPROVAL OF AGENDA

THAT this Board approve as circulated the FOPL Board Agenda for June 16, 2023.

8. TREASURER'S REPORT

W. GRECO

DOC 4

THAT this Board receive this report as information for the period ending May 31, 2023.

9. EXECUTIVE DIRECTOR'S REPORT

D. STEVENS

DOC 5

a. ANNUAL WORKPLAN

DOC 6

THAT this Board receive the Executive Director's report as information.

10. WORKING GROUPS AND COMMITTEES – REPORTS AND UPDATES

a. RESEARCH AND DEVELOPMENT WORKING GROUP

S. McDONOUGH

DOC 7

b. INDIGENOUS LIBRARY PARTNERSHIPS WORKING GROUP	F. MARACLE	DOC 8
c. MARKETING AND COMMUNICATIONS WORKING GROUP	S. SAUNDERS	DOC 9
d. GOVERNMENT RELATIONS WORKING GROUP	M. SINGLETON	DOC 10
e. CELUPL TERMS OF REFERENCE APPROVAL	D. STEVENS	DOC 11

*MOTIONS FORTHCOMING

11. DEFERRED BUSINESS

a. ONCA COMPLIANT BYLAWS	S. SAUNDERS
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12. NEW BUSINESS

a. SUPPORT FOR CONSUMER PROTECTION ACT RECOMMENDATIONS	D. STEVENS	DOC 12
b. EXLIBRIS ASSOCIATION PARTNERSHIP OPPORTUNITY	D. STEVENS	DOC 13
c. ONTARIO DIGITAL PUBLIC LIBRARY RECOMMENDATION COMMITTEE	M. SINGLETON	
d. SAFETY AND SECURITY ADVOCACY INITIATIVES	D. STEVENS	
i. PARTNERSHIP WITH CULC AND WHITE PAPER PROPOSAL		DOC 14
ii. RESEARCHERS PROJECT WITH BRANTFORD, BARRIE AND THUNDER BAY PLS		DOC 15
e. COUNSEL PUBLIC AFFAIRS CONTRACT RENEWAL	D. STEVENS	DOC 16
f. COLLECTIONS AND PROGRAMMING CHALLENGES	C. ROUSE	
g. STRATEGIC PLANNING WORKING GROUP REVIVAL	D. STEVENS	

13. NEXT MEETING:

FRIDAY, SEPTEMBER 8TH, 2023

HYBRID – LOCATION TBD

14. ADJOURNMENT

WE, the public libraries of Ontario acknowledge that the lands now referred to as Ontario have been inhabited by many distinct Nations since time immemorial. The Original Peoples have been and continue to be the traditional custodians of this land. Ontarians, as well as Canadians, need to remember and reaffirm our accountability to these Indigenous Nations, and the lands, resources and waters which nourishes life. We are grateful to have the opportunity to work in the community, on this territory. FOPL acknowledges the lands and treaties upon which our public libraries across Ontario prosper.

Federation of Ontario Public Libraries

Meeting Date: February 3, 2023

Meeting Time: 7:30 a.m.

Location: Hybrid via Zoom & OLA Super Conference

Secretary: Dina Stevens, Executive Director/Secretary of the Board

In Attendance: **First Nations Caucus:** Feather Maracle

Francophone Caucus: Catherina Rouse

Large Urban Caucus: Mary Chevreau, Wayne Greco, Alicia Subnaik-Kilgour,
Margie Singleton, Kathy Fisher

Small & Medium Caucus: Matthew Corbett, Sabrina Saunders

Northern Caucus: Rebecca Hunt,

Rural Caucus: Jennifer LaChapelle

Toronto Caucus: Paul Ainslie, Vickery Bowles

Regrets: Kathleen Copegog, Jacques Heroux, Sue Melcher, Nadine Williams

Absent: Alim Remtulla

FOPL Team: Dina Stevens, Executive Director

Hannah Saunders, Administrative Assistant

Prepared By: Hannah Saunders, Administrative Assistant

1. Call to Order & Roll Call

The Board meeting was called to order at 7:43 a.m. by the Chair.

2. Land Acknowledgement

3. Regrets

As noted above.

4. Declarations of Conflict of Interest

None.

5. Approval of the Minutes – November 18, 2022

FOPL-Resolution 2023-001

Moved by Jennifer LaChapelle and seconded by Wayne Greco, THAT this Board approve as circulated, the FOPL Board Minutes of November 18, 2022. CARRIED.

6. Approval of Agenda

FOPL-Resolution 2023-002

Moved by Margie Singleton and seconded by Kathy Fisher, THAT this Board approve as circulated, the FOPL Board Agenda of February 3, 2023. CARRIED.

7. Treasurer's Report

The Treasurer provided a summary of the distributed report. The Executive Director stated that following the auditors unaudited release of statements there is potential to move any unspent revenues into the High Interest Saving's Account, which will give FOPL a better interest rate. More information will be brought back at the Audit approval meeting in March.

FOPL-Resolution 2023-003

Moved by Wayne Greco and seconded by Catherina Rouse, THAT this Board receive the Treasurer's Report as information for the period ending December 31, 2022. CARRIED.

8. Executive Director's Report

a. Annual Work Plan

The Executive Director provided a summary of the distributed report. The Executive Director introduced FOPL's newest Board Member; Matthew Corbett, CEO of Bradford West Gwillimbury Public Library.

The Executive Director received an invite from the Ministry for consultations on FOPL's budget asks. Vickery Bowles and Feather Maracle have also been invited for separate consultations focusing on different areas of public libraries. The Executive Director will work on a document with specific messaging for each consultation to make sure the message is consistent and clear, "speaking with one voice". The Board discussed whether the pre-budget asks were aggressive enough for dialogue, with this opportunity the Board would like provincial funding to be discussed and the issues with the PLOG should be a key point. The value of the physical space of a library also needs to be addressed as well as the importance of equal access to digital materials. Vickery also mentioned that the Bridge data would be a good tool to use during discussions.

FOPL-Resolution 2023-004

Moved by Kathy Fisher and seconded by Mary Chevreau, THAT this Board receive the Executive Director's Report as information. CARRIED.

[Sabrina Saunders joined the meeting]

9. Working Group Reports

a. Research & Development Working Group

The Executive Director provided a summary of the distributed report. The Executive Director has reached out to Ontario Post-Secondary Institutions that offer library programs to offer student access to the Data Dashboard for an annual membership. The

Vice Chair suggested Board Members who are an alumni of one of these institutions to please reach out and pitch the benefits of joining FOPL.

FOPL-Resolution 2023-005

Moved by Jennifer LaChapelle and seconded by Sabrina Saunders, THAT this Board receive the Research & Development Working Group Report as information. CARRIED.

b. Indigenous Library Partnership Working Group

Feather Maracle, Chair of the Working Group, provided a summary of the distributed report. Feather gave a quick run through of the Truth & Reconciliation Plan, which was created from the 94 Calls to Action and CFLA's response to the document. This guide will provide tangible action items to incorporate T&R into library spaces.

FOPL's land acknowledgement will be updated by the Indigenous Library Partnership Working Group.

FOPL-Resolution 2023-006

Moved by Rebecca Hunt and seconded by Wayne Greco, THAT this Board receive the Indigenous Library Partnership Working Group Verbal Report as information. CARRIED.

10. New Business

a. ONCA Compliant Bylaws

Sabrina Saunders, Vice Chair of the Board, provided a verbal update. Sabrina will compare the base draft and layer FOPL's own language to meet their template. This will be included in the 2023 AGM. Margie volunteered to work with Sabrina.

[Sabrina Saunders and Feather Maracle left the meeting to attend an OLA session]

b. Administrative Assistant Laptop Replacement

The Administrative Assistant's laptop needs to be replaced as it is no longer working with the software used by FOPL for its financial management. The Board discussed creating a plan for future technology purchases and necessary upgrades, this would be built into the budget.

FOPL-Resolution 2023-007

Moved by Wayne Greco and seconded by Catherina Rouse, THAT this Board approve the purchase of a new Administrative Assistant laptop that fits the needs of the software used by FOPL. CARRIED.

11. Next Meeting

- March 17, 2023 @ 10:00 a.m. – Audit Approval (virtual only)

12. Adjournment

The Board meeting was called to adjourn by the Chair at 8:59 a.m.

FOPL-Resolution 2023-008

Moved by Margie Singleton and seconded by Catherina Rouse, THAT this Board does now adjourn. CARRIED.

Paul Ainslie, Board Chair

Dina Stevens, Board Secretary

Federation of Ontario Public Libraries

Meeting Date: March 17, 2023

Meeting Time: 10:00 a.m.

Location: Virtual via Zoom

Secretary: Dina Stevens, Executive Director/Secretary of the Board

In Attendance: **First Nations Caucus:** Kathleen Copegog

Francophone Caucus:

Large Urban Caucus: Wayne Greco, Mary Chevreau, Kathy Fisher

Small & Medium Caucus: Sabrina Saunders, Matthew Corbett

Northern Caucus: Rebecca Hunt

Rural Caucus:

Toronto Caucus: Vickery Bowles, Paul Ainslie, Lisa Radha Vohra

Absent: Feather Maracle, Catherina Rouse, Jacques Heroux,
Alicia Subnaik-Kilgour, Margie Singleton, Nadine Williams, Sue Melcher,
Jennifer LaChapelle, Alim Remtulla

FOPL Team: Dina Stevens, Executive Director

Prepared By: Hannah Saunders, Administrative Assistant

1. Call to Order

The Board meeting was called to order at 10:04 a.m. by the Chair.

2. Land Acknowledgement

3. Declarations of Conflict of Interest

None.

4. Audited Financial Statements of 2022

The Draft Audit was provided by BDCA. The Board worked with the updated audit and chart of accounts (draft circulated during the meeting) and not the original circuited draft. This draft had the updated chart of accounts which matched the FOPL Budget and included one less note.

The Board instructed the addition of an *Internal Restricted* to be added in the Assets. This would identify the activity which the Board has put into practice, rolling over 50% of the end of year cash into an Internally Restricted, as apposed to maintaining the investment. This Due To was

requested to be identified in the audit. Note 4 (Investments) should also make note of the move of this practice so it does not appear we are without reserves.

Also in Assets, the Board questioned if Deferred Revenue should be identified or bad debt, since there was no expectation to receive the unpaid memberships listed as AR. (also in Note 5).

The Executive Director was directed to instruct the Auditor to include a statement to Note 3 (Credit Facility) that describes the \$10,000 Visa hold at the end of the current statement.

The Board also requested the Project Fund have a statement that “The Project Fund is now referred to as an *Internal Restricted Fund* and is invested in a high interest savings account for use at the Board discretion”.

FOPL-Resolution 2023-009

Moved by Wayne Greco and seconded by Mary Chevreau, THAT the FOPL Board approve the Audited Financial Statements of the year ending December 31, 2022 with amendments.
CARRIED.

5. Adjournment

The Board meeting was called to adjourn by the Chair at 10:31 a.m.

Paul Ainslie, Board Chair

Dina Stevens, Board Secretary

Treasurer's Report

Report To: The FOPL Board
Prepared by: Dina Stevens on behalf of Wayne Greco
Prepared on: June 6, 2023

RECOMMENDATION

THAT the FOPL Board receive this report as information for the period ending May 31, 2023.

THAT this Board have three distinct accounts held in the name of FOPL: General Fund/Operational Chequing account; Internal Restricted high interest savings account; and an Investment savings account which is the credit card security; and that 50% of end of year surplus revenues be transferred from the General Fund to the Internal Restricted annually unless directed by resolution otherwise.

THAT the FOPL Board approve the revised 2023 Expense Claim Form.

BACKGROUND

The last report was for the period ending December 31, 2022 which presented the unaudited financial situation of FOPL. Since our February board meeting, the audited financial statements for the 2022 fiscal year end have been approved and presented at the AGM. This report covers the period January 1, 2023 to May 31, 2023 to present finances to date within the current fiscal year.

This report provides an unaudited status of our finances.

REPORT

Financial Reports (attached):

- Comparative Income Statement: Provides FOPL's operating revenue and expenditures from January 1, 2023 to May 31, 2023.
- Balance Sheet: Provides information on FOPL's full financial situation as of May 31, 2023 including accounts and investments.

Note: the adjusting journal entries from the 2022 financial year audit have not been entered into Sage. The Balance Sheet shows a balance for "Cash Investments" under Assets, which needs to be moved as we no longer have the GIC and all investment funds are now in the high interest savings account.

Revenue to Note:

- \$284,075 invoiced in membership revenue.
- \$939.95 in interest income from high interest savings account.

Expenditures to Note:

- \$7910 for auditing services with BDCA
- \$14,128.23 for Conferences and Exhibitions
- \$6136.20 for Public Relations Services

Total Assets as of May 31, 2023:

- Total Cash (chequing account): \$190,059.62
- Total Savings: \$102,426.07
- Total Receivable: \$6235.00

FINANCIAL UPDATES

1. Adjusting journal entries from the 2022 financial audit are still outstanding.
2. Ouseley Hanvey Clipsham and Deep LLP have been appointed for auditing services for the 2023 fiscal year end audit.
3. Libraries who have declined membership in 2023: Gananoque Public Library, Val-Rita Harty Public Library, Belleville Public Library (opted to donate \$500 and forgo membership as they could not afford the full membership fee), Clarington Public Library.
4. Libraries new to FOPL in 2023: Hearst Public Library, Norfolk County Public Library, Deseronto Public Library, Lambton County Public Library.
5. The Expense Claim form has been updated to reflect [2023 mileage reimbursement rates](#). A copy is attached and can be found in the FOPL Board Sharepoint folder.

Federation of Ontario Public Libraries

Comparative Income Statement

	Budget 2023-01-01 to 2023-12-31	Actual 2023-01-01 to 2023-06-07	Difference
REVENUE			
Revenue			
Sponsorships	0.00	500.00	-500.00
Gifts & Donations	0.00	0.00	0.00
Membership Fees	285,025.00	284,075.00	950.00
Grants	0.00	0.00	0.00
Sale of Material	0.00	0.00	0.00
Other Revenues	0.00	0.00	0.00
Special Peer Comparisons Fees	0.00	0.00	0.00
Library Training & Development ...	0.00	0.00	0.00
Interest Income	0.00	1,239.92	-1,239.92
Misc.	0.00	0.00	0.00
Total Revenue	<u>285,025.00</u>	<u>285,814.92</u>	-789.92
TOTAL REVENUE	<u>285,025.00</u>	<u>285,814.92</u>	-789.92
EXPENSE			
Payroll Expenses			
Part-Time Permanent Salaries	0.00	0.00	0.00
Contract & Temporary Staff	0.00	0.00	0.00
EI Expense	0.00	0.00	0.00
CPP Expense	0.00	0.00	0.00
Total Payroll Expense	<u>0.00</u>	<u>0.00</u>	0.00
Office Consultants			
Executive Director	107,000.00	45,656.53	61,343.47
Administrative Assistant	23,400.00	10,530.00	12,870.00
Marketing & Social Media	9,000.00	3,175.00	5,825.00
Total Office Consultants	<u>139,400.00</u>	<u>59,361.53</u>	80,038.47
Administrative Expenses			
Admin Meeting	200.00	0.00	200.00
Admin Travel	4,500.00	995.80	3,504.20
Admin Professional Development	2,000.00	5,510.00	-3,510.00
Total Administrative Expenses	<u>6,700.00</u>	<u>6,505.80</u>	194.20
Board Expenses			
Board Travel	9,000.00	0.00	9,000.00
Board Meeting	3,000.00	768.97	2,231.03
Board Professional Development	0.00	0.00	0.00
Board Recruitment	0.00	0.00	0.00
Annual General Meeting	0.00	0.00	0.00
Legal	0.00	0.00	0.00
Board Appreciation	200.00	20.16	179.84
Total Board Expenses	<u>12,200.00</u>	<u>789.13</u>	11,410.87
Committee Work			
CELUPL	500.00	0.00	500.00
Working Groups	0.00	0.00	0.00
Total Committee Work	<u>500.00</u>	<u>0.00</u>	500.00
Operational Expenses			
General Office Supplies	500.00	12.95	487.05
Postage & Courier	500.00	207.08	292.92
Photocopying Supplies	150.00	55.91	94.09
Printing	150.00	126.19	23.81
Telephone	2,000.00	324.87	1,675.13
Telecommunication	200.00	0.00	200.00

Federation of Ontario Public Libraries

Comparative Income Statement

	Budget 2023-01-01 to 2023-12-31	Actual 2023-01-01 to 2023-06-07	Difference
Insurance	1,700.00	1,922.40	-222.40
FOPL Memberships	3,400.00	113.00	3,287.00
Subscriptions	0.00	0.00	0.00
Total Operational Expenses	8,600.00	2,762.40	5,837.60
Furniture & Equipment			
Furniture	0.00	0.00	0.00
Equipment	0.00	0.00	0.00
Information Technology Hardware	0.00	1,129.99	-1,129.99
Information Technology Software	1,500.00	140.11	1,359.89
Total Furniture & Equipment	1,500.00	1,270.10	229.90
Finance			
Bank Charges & Interest	600.00	233.12	366.88
Credit Card Charges	115.00	75.00	40.00
Audit	6,800.00	7,910.00	-1,110.00
Services & Consultants	0.00	0.00	0.00
Total Finance	7,515.00	8,218.12	-703.12
Marketing & Promotion			
Conferences & Exhibitions	12,000.00	13,670.58	-1,670.58
Advertising & Promotions	250.00	0.00	250.00
Special Events	0.00	0.00	0.00
Publications & Printing	500.00	58.50	441.50
Presentation Supplies	500.00	0.00	500.00
Indigenous Language Translation	3,000.00	0.00	3,000.00
French Language Translation	1,000.00	0.00	1,000.00
Website	500.00	369.09	130.91
Total Marketing & Promotion	17,750.00	14,098.17	3,651.83
Programs & Projects			
Contract Services	0.00	0.00	0.00
Research & Development	0.00	0.00	0.00
Statistician Fees	0.00	0.00	0.00
Library Member Training	0.00	0.00	0.00
Working Groups	0.00	0.00	0.00
Legal Opinions	0.00	0.00	0.00
Public Relations Services	40,000.00	6,136.20	33,863.80
Total Programs & Projects	40,000.00	6,136.20	33,863.80
Miscellaneous Expense			
UNKOWN EXPENSE	0.00	0.00	0.00
Write-off	0.00	0.00	0.00
Total Miscellaneous Expense	0.00	0.00	0.00
TOTAL EXPENSE	234,165.00	99,141.45	135,023.55
NET INCOME	50,860.00	186,673.47	-135,813....

Federation of Ontario Public Libraries

Balance Sheet As at 2023-06-07

ASSET

Current Assets

Scotia Chequing Account	177,284.75	
Cash Investment Account Scotia	0.00	
Scotia Savings Account	102,426.07	
Payroll Clearing	0.00	
Total Cash		279,710.82
Investments	9,427.68	
Total Investments		9,427.68
Accounts Receivable	6,235.00	
Accounts Receivable Adjustments	-128,915.00	
Interest Receivable	191.26	
Total Receivable		-122,488.74
Prepaid Expenses	2,187.52	
Total Prepays		2,187.52
Total Current Assets		168,837.28

Other Assets

Due from OLA	0.00	
Total Due From		0.00
Organizational Costs		0.00
Total Other Assets		0.00

TOTAL ASSET 168,837.28

LIABILITY

Current Liabilities

Accounts Payable		384.72
Accounts Payable Adjustments		500.00
Accrued Liabilities		19,284.74
Visa Payable	121.08	
Credit Card Accrued Liabilities	0.00	
Total Credit Card Payable		121.08
EI Payable	-76.26	
CPP Payable	76.26	
Federal Income Tax Payable	0.15	
Federal Tax 2016 Adjustment	-291.98	
Total Rec General Source Deduc...		-291.83
Vacation Payable		-2,118.41
PST Payable		0.00
PST Paid on Purchases		0.00
GST Paid on Purchases		-5,218.43
Total Current Liabilities		12,661.87

Deferred Revenue

Deferred Revenue		-128,915.00
Total Deferred Revenue		-128,915.00

TOTAL LIABILITY -116,253.13

EQUITY

Equity

Net Assets		0.00
Contributed Surplus		0.00
Reserve / Project Fund		0.00
Project Fund		0.00
Retained Earnings - Previous Year		98,416.94
Current Earnings		186,673.47

Federation of Ontario Public Libraries

Balance Sheet As at 2023-06-07

Total Owners Equity	<u>285,090.41</u>
TOTAL EQUITY	<u>285,090.41</u>
LIABILITIES AND EQUITY	<u><u>168,837.28</u></u>

Executive Director's Report

Report to: The FOPL Board
Prepared by: Dina Stevens, Executive Director
Prepared on: June 8, 2023

Recommendation

THAT the FOPL board receive this report as information.

Report

I am pleased to provide an update on the recent activities and initiatives of the Federation of Ontario Public Libraries (FOPL). Since we last met in early February at the OLA SuperConference there has been a lot of action at FOPL.

1. **Deputations to the Standing Committee of Economic Affairs and Finance:** On February 13th, FOPL was granted a deputation to this Committee in support of our Pre-Budget Submission. In total, our sector made six deputations to the Standing Committee and the Minister of Finance combined this budget season. I want to extend a heartfelt thank you to all who applied and presented on behalf of libraries across the province.
2. **Consultations with the Ministry of Tourism, Culture, and Sport (MTCS):** On February 24th, FOPL and OLA were invited to consult with the MTCS to provide input for modernizing support for Ontario's public libraries. Other stakeholders such as the Ontario Library Service, Toronto Public Libraries and Six Nations Public Library were met with as well. These sessions concluded in late March and we will continue to collaborate with the Ministry on any necessary follow-up. We were very encouraged by the MTCS's interest in modernizing our sector's funding.
3. **2023 Provincial Budget:** The budget was released on March 23rd without any increase or additional commitment to public libraries. Given the short timeline for this budget, we are not surprised, and are already looking ahead to 2024. We have reached out to the MTCS to confirm that library sector funding will remain stable and they have confirmed that there is no change (decrease or otherwise) to the current funding envelopes for libraries. Our Pre-Budget Submission is attached.

4. **Meeting with Connor Scott, MPP Liaison and Policy Advisor to Minister Neil Lumsden:** This meeting proved to be a valuable connection, indicating that our recent media coverage has stimulated discussions at the Ministry about our sector.
5. **Caucus Meetings:** Caucus Meetings for all seven caucuses held the first two weeks of March. Overall, the meetings went well and we had some productive discussions about the issues our libraries are facing. Common threads of conservations and concerns included; emergency preparedness for libraries, incidents of safety and security (including drug trafficking, violence, the need for staff training and hiring additional security), truth and reconciliation action plans, the PLOG, post pandemic recovery and requests for budget increases.
6. **Media Coverage:** In March, an article by the Canadian Press featured FOPL in 56 news outlets, leading to further interviews and spotlights on our activities. Some of the articles and interviews can be [seen here](#). FOPL board members Vickery Bowles, City Librarian of Toronto Public Library, Sabrina Saunders, CEO of Blue Mountains Public Library and Mary Chevreau, CEO of Kitchener Public Library were also [featured on The View](#), doing a fantastic job discussing representing our sector.
7. **Meeting with the Ministry of Indigenous Affairs:** FOPL and OLA met with Amanda Pape, liaison officer, to discuss the issues affecting libraries on reserves and immediate measures needed to stabilize them.
8. **Federation of Northern Ontario Municipalities (FONOM) Conference:** Our attendance at the FONOM Conference in Parry Sound allowed us to engage with over 250 delegates about community libraries and our municipal engagement campaigns. We continue to promote the [Value of Public Libraries](#) and discuss the [Importance of Keeping Public Library Boards Independent](#).
9. **Safety in Public Libraries Event:** We participated in the Canadian Municipal Network on Crime Prevention Community of Practice event and found the panel presentation by CULC's Safety and Security Working Group highly insightful. A recording of the presentation has been made available by CMNCP and has given us permission to share with our members.
10. **CFLA's Intellectual Freedom Committee:** Given recent concerns about book bans, protests, and various challenges, I have joined the Intellectual Freedom Committee so that FOPL can stay engaged in the issue.

In closing, I want to express my gratitude for your continued support and look forward to our collective efforts to enhance the impact of public libraries in Ontario. We're in the midst of conference season so I will also be



attending the upcoming AMCTO Conference in Niagara Falls from June 11 to 14th, together with Alicia Subnaik Kilgour, and encourage anyone in the area to join us.

Kind Regards,

Dina Stevens, MLIS

Executive Director

Federation of Ontario Public Libraries

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Protecting Local Public Libraries Across Ontario

2023 Pre-Budget Submission

Public libraries are an essential part of communities across Ontario – but many who depend on them are still falling through the gaps.

- Public libraries are Ontario's farthest-reaching, most cost-effective public resource and community hubs.
- Millions of Ontarians rely on local public libraries in their communities: to work, to learn, to connect to community and government services, and to find or train for a job.
- Public libraries continue to provide access to important digital and in-person resources, including:
 - **Job training** – and re-training – programs and resources
 - **Small business support** and community economic development
 - **Equitable, reliable access to broadband** internet in underserved areas
 - **Frontline access and support for digital government services** through ServiceOntario
 - **Affordable, high-quality children's programs** for young families
 - **Community and residence-based** seniors programming
 - **Direct supports and partnerships with service agencies** to support vulnerable populations, including connecting to support services, food banks, and space for group programs
- Despite these essential supports, many individuals and families across the province are struggling and unable to access the local public library resources they need.
- Many of these challenges existed prior to the pandemic, but the impact of the pandemic health emergency brought them to a critical point for many communities across Ontario.
- The situation for public libraries located on First Nations Reserves in Ontario is even more challenging, as these libraries do not receive funding from municipal taxes. This has overburdened an unsustainable local funding model that has left many public libraries on reserve closed or with severely reduced access.

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

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

- Maintain critical provincial funding for Ontario's public libraries at current levels and work with municipalities and the Federal government to prevent unsustainable cuts to public library funding.
- Working alongside First Nations Public Library leaders, rapidly implement a sustainable funding model for public libraries on reserve to ensure that these important local hubs are fully-funded and viable. This includes enhancing the existing direct provincial funding support for public libraries on reserve to sustainably fund library operations and ensure a living income for frontline library staff in these communities.
- Provide critical e-learning support and fair access to modern, digital resources for all Ontario public libraries through the creation of an Ontario Digital Public Library, thereby leveraging the province's significant purchasing power to give all Ontarians access to a common core of high-quality e-learning & online resources and more e-books.

Priorities

1. Maintain critical provincial funding for Ontario's public libraries at current levels and work with municipalities and the Federal government to prevent unsustainable cuts to public library funding.

- Unlike most sectors in Ontario, provincial funding for public libraries has been frozen for over 25 years.
- Despite no net increase in provincial or municipal funding over this period, public libraries have effectively managed their resources, evolved to meet the needs of their communities and embraced major leaps in technology.
- The Ontario government's 2022/23 Budget maintained funding support for Ontario's public libraries sector at \$25.2 million.
- While the majority of public library budgets are municipally supported, the provincial portion (the Public Library Operating Grant) of funding is critical to support operations, shared resources, broadband connectivity and pay equity.
- Continuing to maintain this critical provincial funding at existing levels is vital to supporting the sustainability of local public libraries and the services they provide.
- OLA and FOPL strongly urge the Ontario government to work with the Federal government and municipalities to ensure that our communities have the funding they need to protect jobs and the vital importance of local public libraries.
- *Projected cost:* no change to present annual provincial funding.

2. Working alongside First Nations Public Library leaders, rapidly implement a sustainable funding model for public libraries on reserve to ensure that these important local hubs are fully-funded and viable. This includes enhancing the existing direct provincial funding support for public libraries on reserve to sustainably fund library operations and ensure a living income for frontline library staff in these communities.

- Public libraries on reserve serve as an accessible gathering place and information sharing resource for First Nations communities. They are deeply important to maintaining a sense of community and to minimizing social isolation in these communities, many of which are remote or face systemic social and economic challenges.
- Furthermore, public libraries on reserve perform a unique role in the preservation of their communities' memory, archiving community photos and historical information, and in revitalizing First Nations languages through cultural resources, language learning programming, storytelling events, and craft groups.
- Public libraries on reserve are chronically under-funded. The municipal tax revenue used to support most public libraries does not exist for public libraries in First Nation communities. Provincial funding through the Public Library Operating Grant (PLOG) and the First Nation Salary Supplement Grant (FNSS) provides on average \$15,000/year to each of the existing public libraries on reserve. Band Councils must therefore allocate essential funding support such as rent, hydro, internet, fax and telephone services.
- There is little to no funding available for collections, programming and technology resources.
- Librarians rely on one-time grants or donations to develop their collections, and many librarians contribute personally to purchase programming supplies and food.
- Many public libraries on reserve operate with only one staff person who is expected to perform many functions – librarian, archivist, community liaison, fundraiser, administrator, tech support, and more. Public libraries on reserve need additional funding to provide staff with a living wage and to increase staffing levels so that they can meet their communities' needs for library programs and services.
- Of the 133 First Nations communities in Ontario, only 39 have public libraries. The number has steadily dropped in recent years and the pandemic has only made this situation worse, with four public libraries on reserve closing their doors due to inadequate funding over the past 20 months.

Recommended Priority:

- As an immediate first step, the First Nations Salary Supplement must be increased to ensure that all existing staff of public libraries on reserve are fairly compensated for the work they perform.
- *Projected cost:* \$2 million / annually (First Nation Salary Supplement increase for existing public libraries on reserve).

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

- Ontario's Public Libraries are essential to equitable, reliable access to broadband internet and computers. They are especially vital for many First Nation, rural and Northern communities where at home connectivity is limited, and for hundreds of thousands of Ontarians that cannot afford in-home internet services.
- The Ontario Government has recognized the crucial importance of public libraries to broadband internet access, making a \$4.8 million investment to install or upgrade broadband connectivity at over 100 public libraries across the province.
- In particular, people rely on local public libraries for access to digital and online resources, which contribute to student success and life-long learning, as well as towards entrepreneurship and job readiness.
- However, these resources are expensive, especially when purchased on a patchwork, library-by-library basis.
- Many public libraries in Ontario, particularly in smaller and First Nation communities, struggle to pay for or are unable to afford these high-quality resources.
- People living in communities of less than 5,000 have access to less than half the e-books and less than a third of the online databases as those living in Toronto – despite accessing them twice as often per capita as people in large urban communities.
- Creating an Ontario Digital Public Library through a targeted provincial investment would leverage the province's significant purchasing power to give all Ontarians – no matter where they live – access to a common set of high-quality digital resources and more e-books through their public library.
- *Projected cost: \$9.4 million / annually.*

Ontario Library Association / Federation of Ontario Public Libraries

The **Ontario Library Association (OLA)** is the oldest continually-operating non-profit library association in Canada, with over 5,000 members comprised of library staff and supporters from public, school, academic, and special libraries.

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

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

Strategic Objectives and Initiatives for 2021 - 2023

Advocacy & Influence

Positively influence legislation and government initiatives impacting Ontario Public Libraries, especially surrounding the global pandemic and its impact periods.

1. Build relationships with provincial elected officials and civil service to influence government policy and practices.
2. Collaborate with other library associations, organizations, and agencies to lobby for public libraries in provincial political arena such as Library Day at Queen's Park.
3. Support members' libraries efforts in municipal government advocacy.
4. Support First Nations libraries with national and provincial advocacy.
5. Remain agile to enable timely response to emerging issues and opportunities.
6. Act as a conduit for government to supply information to Public Libraries.

Objective	Method	Timeline	Result
Collaborate with other library associations, organizations, and agencies to lobby for public libraries in provincial political arena and speak with a united voice.	Participate in 2023 Standing Committee of Finance and Economic Affairs and Minister of Finance budget consultations.	Q1	FOPL deputation to the Minister of Finance on January 11 th . Two other member libraries granted deputations as well. Nine library CEOs and FOPL requested to attend deputations to the Standing Committee.
Ensure that libraries are at the table and considered as integral social institutions that require provincial support and attention.	Submit Official 2023 Budget Request for Ontario's Public Libraries.	Q1	Official 2023 Pre-Budget Submission to the Ministry of Finance submitted January 13 th .
Respond to emerging issues and opportunities.	Monitor upcoming bills and potential municipal level changes that can affect library governance.	Ongoing	Letter send to Toronto and Ottawa CAOs/Clerks re: Bill 3
Build relationships with provincial elected officials and civil servants to influence government policy and practices.	Engage with cabinet members, Ministry staff, and other officials.	Ongoing	Members engaged to reach out to selected members of elected PC Caucus Meetings with Ministry staff to brief them

			on our sector priorities; Hannah Andersen, Connor Scott Participated in MTCS consultations re: our priorities
Support members' libraries efforts in municipal government advocacy. Participate in the education of new board and new councils across the province.	Available to member libraries to provide advocacy specific board orientation and training.	Q1/Q2	Booked with Niagara PL and Orangeville PL to provide a presentation.

Marketing Public Library Value and Impact

Coordinate and assist in the implementation of strategic marketing for Ontario Public Libraries.

1. Be recognized as the trusted voice of Ontario Public Libraries.
2. Inspire and mobilize the library community.
3. Develop and provide research to inform marketing initiatives.
4. Develop province-wide social media marketing campaign tools.
5. Pursue partnerships beyond traditional library partners such as AMO, school boards, vendors and media.
6. Collaborate to create consistent promotional messaging for use by Public Libraries.

Objective	Method	Timeline	Result
Produce resources for libraries to advocate for themselves and create community awareness of social impact.	Provide letter templates, social media graphics and offer consultation to board and CEOs.	Ongoing	Taken meetings to consult with Cobourg PL, Simcoe County Libraries, Clarington PL and Cobalt PL
Inspire and mobilize the library community. Develop and provide research to inform marketing initiatives.	Provide the Data Dashboard to member libraries so they might better market their own success and impacts.	Ongoing	Research and Development WG preparing opinion papers on AI/ChatGPT, looking into grants for a student to maintain dashboard. Additional research and presentations on Asset Management and Bill 23 in the fall.
Be recognized as the trusted, authoritative voice of Ontario Public Libraries. Raise the	Produce social media that will market FOPL as well as be in a	Ongoing	Digital Marketer contracted to provide professional content. The traffic on the

public profile of FOPL within the library sector.	format that member libraries can easily edit for local impact.		website, our social media accounts and newsroom blog has exploded.
Be recognized as the trusted, authoritative voice of Ontario Public Libraries. Raise the public profile of FOPL within the library sector.	Attend municipal conferences to promote the value impact of Ontario's public libraries on their local communities.	Ongoing	Jan 22-24 – ROMA, 250+ people Feb 1-4 – OLA, presentations + booth May 7-10 – FONOM, 250+ people June 11-14 – AMCTO August - AMO

Training & Development

Provide Ontario's Public Libraries with professional training and development.

1. Coordinate training opportunities such as seminars, workshops, symposia, and webinars.
2. Collaborate in creation of trustee training tools.
3. Share expertise at professional conferences and events such as OLA Super Conference and Marketing Think Tank.
4. Build consensus in the Ontario Public Library community.

Objective	Method	Timeline	Result
Increase added value for member libraries. Establish training opportunities related to advocacy and library promotion.	Continue the FOPL Annual Info Series	Q3/Q4	Presentation Topics: Truth and Reconciliation Report AI/Chat GPT and Its' Implications for Libraries Asset Management Requirements Bill 23 and its' Implications for Libraries
Share expertise at professional conferences and events.	OLA SuperConference 2023	Q1	Tradeshow booth Session "Advocacy with Attitude" Session "Advocacy Primer"

Increase awareness of grant and subsidy opportunities. Offer resources for educational and sector awareness purposes.	Ongoing addition of resources and blogs shared with our members via email and the website.	Ongoing	Very positive feedback from our members regarding our website resources, blogs and monthly advocacy updates. The information is shared with boards and keeps FOPL relevant and top of mind.
Develop and provide advocacy resources for our members. Provide research to aid in advocacy initiatives.	Create an Advocacy Primer video for our members to use with their boards and councils. Collaborate with OLBA and OLS and contribute to their board training efforts.	Q1	Shared with Members on January 27 th .

Organizational Resilience

Increase organizational resiliency.

1. Seek alternate sources of funding to ensure fiscal stability.
2. Grow and retain membership through increased member engagement.
3. More effectively and more frequently communicate with individual members and FOPL caucuses.
4. Increase involvement and contribution of FOPL Working Groups.
5. Overcome challenges of diversity and geography.
6. Develop a succession plan for Executive Director and Administrative Assistant.

Objective	Method	Timeline	Result
Overcome challenges of diversity and geography. Grow and retain membership through increased engagement.	Host AGM virtually. Offer hybrid board meetings.	Q2	April 21 – 90+ participants
Seek alternate sources of funding to ensure fiscal stability.	Create Former Library Leaders Caucus. Promote MLS/LT student access to FOPL resources.	Q1	All MLS and LT schools emailed – will follow up in February.

			Three new members for FLL. Pursuing a partnership with ExLibris.
More effectively and more frequently communicate with individual members and FOPL caucuses.	Virtual Annual Caucus Meetings to engage with all members.	Q1	Meetings booked for March.
Overcome challenges of diversity and geography. Increase involvement and contribution of FOPL Working Groups.	Provide portions of the website, our resources, and the opportunity to request items in French Translation. Work with the ILPWG to create resources in First Nations languages.	Ongoing	Translations provided on an as needed basis. Have provided a few items in translation for the CFLA IFC in kind.
Grow and retain membership through increased member engagement.	Non-Member Campaign	Q4	

Indigenous Library Partnerships Working Group Board Report June 2023

Report To: FOPL Board
Report Name: Government Relations Working Group Report to the Board
Prepared by: Sabrina Saunders on behalf of the Working Group

Working Group: Kelly Bernstein, Waterloo Public Library
Kathy Fisher, Ottawa Public Library
Feather Maracle, Six Nations Public Library
Kathleen Copegog, Beausoleil First Nation Public Library
Sabrina Saunders, The Blue Mountains Public Library
Alicia Subnaik-Kilgour, Niagara Falls Public Library
Aly Velji, Toronto Public Library

Staff Resource: Dina Stevens, FOPL ED

Meetings: Monthly and as necessary

A. Recommendation

THAT the FOPL Board receive this report as information.

THAT the FOPL Board approve the allocation of \$5000 in funds for the production of a video campaign to support the organizations provincial priority for public libraries on reserve.

THAT the FOPL Board approve and adopt the position statement on UNDRIP.

B. Background

This Working Group has been a standing committee of FOPL for a number of years. Since the reauthorization of Working Groups, this committee has been meeting regularly. Membership includes 2 CEOs from First Nation public libraries and five members from municipal public library systems.

C. Discussion of Needs, Issues and Work Completed

The Members met to discuss these items:

1. Adoption of an UNDRIP Position Statement for FOPL.
2. A potential video campaign.
3. The FOPL Reconciliation Action Plan.

4. The FOPL Series and our Involvement in a September session.

The video campaign was proposed by Council Public Affairs and a short video they had made on consultation was viewed. This was seen as a strong option for us to put forward needs of FNPLs. The Working Group decided it could be done at a low cost (similar to CPA at \$5,000). Each of the two or 3 library participants should be given a small honouraria for participation. This could be used for an activity of event that we could do recording for B-roll footage. It was agreed that an Indigenous firm, if available, be utilized. Three libraries of Beausoleil, Rama, and Chippewas of Georgina Island be invited. Others could be used, but then grouped in a different location for ease of footage. The Rama librarian was recommended as the voice over.

The Action Plan was presented to the members. This has already been released to our members via the Blog. An email will be forthcoming and will include a description and link to the closed resources. An invitation to a September event will be forthcoming.

The speaker series was discussed as a compendium to the Action Plan. A date was selected in September.

The following position statement for review by the board was crafted by the working group. The position statement acknowledges the importance of the United Nations Declaration on the Rights of Indigenous People to the work FOPL does for the libraries in Ontario and recommends that we adopt this statement for our purposes.

FOPL Position Statement on UNDRIP (2007)

The Federation of Ontario Public Libraries (FOPL) acknowledges the history of oppression and atrocities the Canadian, provincial and territorial governments have committed against the Indigenous Peoples of what we now call Canada. We also acknowledge the importance of the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as the fact that Canada did not move to endorse UNDRIP until 2016. As a federation of public libraries, we see the importance of UNDRIP to the work that we do as knowledge specialists and are able to provide content and activities across the 46 Articles of this human rights document pertinent to Indigenous Peoples and Canadians in general.

D. Next Steps

1. A working group meeting will be scheduled to coordinate the video campaign commission and next steps.
2. The FOPL Position on UNDRIP will be released to the membership and posted on the website.
3. The information session in September will be promoted to the membership.



TRUTH & RECONCILIATION PLAN

FOPL, as a provincial federation, made up of Ontario library system members, has the opportunity to be a leader in Truth and Reconciliation work within our provincial library system. This document outlines areas where FOPL can be a catalyst for change and disruptor of current mores. Additionally, this document will provide a shortlist of efforts our library members may wish to address in their own systems.



TRUTH & RECONCILIATION PLAN

In 2015 the Truth and Reconciliation Commission published their 94 Calls to Action. While this document did not have libraries as their intended audience, libraries and associations across the country have been struggling to find ways to provide meaningful mechanisms to support these calls.

The FOPL Truth and Reconciliation Plan considers the 94 Calls to Action from a library service lens, and provides recommendations to our Member Libraries. Additionally, the FOPL Board has used this same lens to determine how we can be a leader in advocacy and in supporting our members in their reconciliation efforts.

FOPL RECONCILIATION ACTION PLAN 2022 & 2023

03

Action	Status
Prepare a Strategic Plan and Annual Workplans with a focus on Indigenous librarianship needs.	
Establish a FOPL Indigenous Acknowledgement Statement and open all meetings with the statement.	Completed Updated March 2023
Establish the Indigenous Library Partners Working Group who will continue to address ongoing needs which support public libraries on-reserve, Indigenous librarians, and public library systems work around Indigenous matters and truth and reconciliation.	Est. September 2021 Work ongoing
Hold member caucus meetings where FNPL CEOs can express the needs and concerns, informing the advocacy initiatives of FOPL.	Semi-Annually Most recently March 2023
Advocate for the provincial government to properly fund our current public libraries on reserve so each CEO receives a full-time living wage through provincial funding.	Began with the 2023-24 Provincial Budget
Advocate for Indigenous communities to have equal access to libraries in Ontario.	Little NHL March 2023
When developing materials for reserve communities, use Indigenous languages where appropriate. [Calls 13, 14]	In 2023 Budget
Provide an in-service for member libraries on UNDRIP and how the best practices and principles can be incorporated in public libraries. [Call 43]	Planned Fall 2023
Provide in-servicing for member libraries on reconciliation activities. [Call 57]	Fall 2022 Available on website
Provide member libraries with resources on reconciliation activities including info graphics, Book reviews, etc. [Calls 63, 80]	Planned June 2023 Blog
Be an active member of National Indigenous Knowledge & Language Alliance (NIKLA).	Joined 2022 Ongoing membership
Endorse the CFLA Truth & Reconciliation Committee Report.	Completed

RECOMMENDED ACTIVITIES BASED ON THE CALLS TO ACTION

04

CALL TO ACTION 10

We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:

i. Providing sufficient funding to close identified educational achievement gaps within one generation. ii. Improving education attainment levels and success rates. iii. Developing culturally appropriate curricula. iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses. v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems. vi. Enabling parents to fully participate in the education of their children. vii. Respecting and honouring Treaty relationships.

FOPL

FOPL

Provide in servicing for members.



Member Libraries

1. Support local community education with resources and curriculum materials available in the public library. 2. If available, open local history collections content to educators through edukits.



CALL TO ACTION 13

We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights.

FOPL

FOPL

When developing materials for reserve communities, use Indigenous languages where appropriate.



Member Libraries

1. Provide multi-language collections. 2. Support community entities to provide Indigenous language programs onsite.

CALL TO ACTION 14

We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:

i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them. ii. Aboriginal language rights are reinforced by the Treaties. iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation. iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities. v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.

FOPL

When developing materials for reserve communities, use Indigenous languages where appropriate.

FOPL

Member Libraries

1. Provide multi-language collections. 2. Support community entities to provide Indigenous language programs onsite. 3. Provide information to the community on UNDRIP and treaties, with a focus on local communities.



CALL TO ACTION 43

We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

FOPL

FOPL

Provide an in-service in 2023 on UNDRIP and how the best practices and principles can be incorporated in public libraries.



Member Libraries

1. Include UNDRIP best practices and principles in library planning and programming. 2. Adopt an Indigenous Acknowledgement Statement which addresses treaty, ceded/unceded and traditional territory where the library is located.



CALL TO ACTION 63

We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including: i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools. ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history. iii. Building student capacity for intercultural understanding, empathy, and mutual respect. iv. Identifying teacher-training needs relating to the above.

07

FOPL

FOPL

Provide in-servicing for member libraries on reconciliation activities.



Member Libraries

1. Provide accurate collections which can support curriculum and personal education and awareness of contemporary and historical Indigenous communities and legacy issues. 2. Provide curriculum supports. 3. Provide programs that support for intercultural understanding, empathy, mutual respect, and understanding of historical issues. 4. Invite Indigenous speakers, elders, storytellers, authors, etc to hold events, workshops or speaker series.

CALL TO ACTION 67

We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the United Nations Declaration on the Rights of Indigenous Peoples and to make recommendations.

FOPL

Provide in servicing for members.

FOPL

Member Libraries

1. For GLAM sites, work with museum associations to advance museum practices surrounding Indigenous content.





08

CALL TO ACTION 77

We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.

FOPL

FOPL

Provide in servicing for members on integrated and decolonized collections.



Member Libraries

As a public sector representing our local community histories, collect, make available, and support the local research needs of those participating in personal research pertaining to residential school systems and truth and reconciliation.

CALL TO ACTION 80

We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.

FOPL

Provide resources to libraries for Reconciliation Day including info graphics, Book reviews, etc.

FOPL

Member Libraries

Commemorate, celebrate, program, and conduct programs pertaining to truth and reconciliation, both on the National Day of Reconciliation and throughout the year.



CALL TO ACTION 93

We call upon the federal government, in collaboration with the national Aboriginal organizations, to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal peoples of Canada, including information about the Treaties and the history of residential schools.

FOPL

FOPL

As a National Indigenous Knowledge & Language Alliance (NIKLA) Institutional Member, promote the activities of NIKLA's Respectful Terminology Platform Project.



Member Libraries

When providing newcomer collections and resources, ensure Indigenous materials are part of those resources or cross cataloged in a way that will be easily found by newcomers.



LET'S TAKE ACTION

...

ONE VOICE FOR ONTARIO PUBLIC LIBRARIES

In 2022 the Indigenous Libraries Partnership Working Group began to look at the role FOPL could take in Truth and Reconciliation within our provincial library systems. The culminating efforts are this document, approved by the Board February 2023.

Members:

- Feather Maracle (Chair), Six Nations Public Library
- Kelly Bernstein, County of Brant Public Library
- Kathleen Copegog, Beausoleil First Nations Public Library
- Kathy Fisher, Ottawa Public Library
- Alicia Subnaik Kilgour, Niagara Falls Public Library
- Dr. Sabrina Redwing Saunders, The Blue Mountains Public Library
- Aly Veliji, Toronto Public Library



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Working Group Report

Report To: The FOPL Board
Report Name: Marketing & Communication Working Group June 2023
Prepared by: Dr. Sabrina Saunders, Working Group Chair

Working Group:

Board Members: Paul Ainslie, Toronto Public Library [regrets]
Jennifer LaChapelle, Clearview Public Library
Catherina Rouse, Bibliothèque publique de Clarence, Rockland Public Lib.
Sabrina Saunders, The Town of the Blue Mountains Public Library

Operational Mbrs: Kiley Percy, Grimsby Public Library
Mikayla Gora, Ajax Public Library

Staff Resource: Dina Stevens, FOPL ED

Meeting Date(s): April 27, 2023 2:30pm

Location: Via Zoom

Recommendation

THAT the FOPL Board receive this report as information.

Purpose

The FOPL Board recognizes that the importance of Marketing on the work and impacts of the organization. Marketing is completed by paid staff and consultants, as well as volunteers.

Activities of the Working Group Since the Last Report

Operational Members: The operational team has been reconfigured since the end of 2022. With libraries in a staffing crunch there were less available hours available to provide staff to support FOPL. Further, as FOPL began working with these voluntold members, it quickly became evident that they were experts in the areas of marketing and could be used more effectively as planners, as opposed to developers of social media posts. The two remaining operational members joined the Board members for the April meeting.

Meeting Highlights: The Board Members with the 2 operational members met for 90 minutes and took a high-level view of the FOPL presence and our products.

- The website is significantly improved. Review of public vs member occurred to ensure we are providing our members with distinct advantages, while still enticing others to join.
- A comprehensive discussion occurred around social media, our 4 channels and the success and voice of each channel. A summary is provided later in this report.
- The blog was discussed, and formal subscriptions will be added, with all member library CEOs being auto subscribed as part of their membership. This will allow additional members staffers/boards to receive the information, as well as stakeholders. As well, through subscriptions, the blog can be delivered directly to inboxes, assisting us in the promotion of the product.
- The Communication Plan was reviewed. While the main portions of the Plan are relevant for 2023, some cleaning will be done, making the Plan a longer-term document with an Annual Action Plan as an appendix.
- Utilizing the website and marketing consultant was discussed and a number of questions on the FOPL usage were posed. These will further inform the Communication Plan and Annual Workplan as we better determine where our voice should be best utilized for impact.
- InfoGraphics were discussed. These will come back to the committee to review what are the key messages we want to provide annually (with updated numbers) so we can put these into an easily accessed program such as Canva, and which are one offs which we would not reuse and need to redesign annually. To better promote the infographics, we discussed needing to better utilize them in our own marketing, how to place them and release them to the website and our members, and a campaign for use and resharing by members.
- Finally, the Working Group determined that the operational and Board components should be merged into one Working Group. As a result, the Terms of reference will be revamped and brought to the Board for approval at a future meeting.

Social Media Channels and Voice

In the review of the usage of our socials, it was determined that there are some doing better than others. A full review will occur for the next meeting, but this is a brief overview of the four channels we have and their usage. Having this information will let us decide where to publish, what to publish and how best to market ourselves. Information provided by our Digital Marketer is attached to this report.

While not all information is available at this time, we will continue to track and improve upon our reports to the Board.

Requests for Support

- Consider voluntolding a staffer to this Working Group. We can always use marketing and communication professionals to make recommendations and help us to be cutting edge.

Information Requested by the FOPL Marketing and Communications Working Group
Mark Pagliaroli, Digital Marketer

- Information on the people who are following us for each social media account
 - Numbers of how many per account

Instagram: 203

facebook: 47

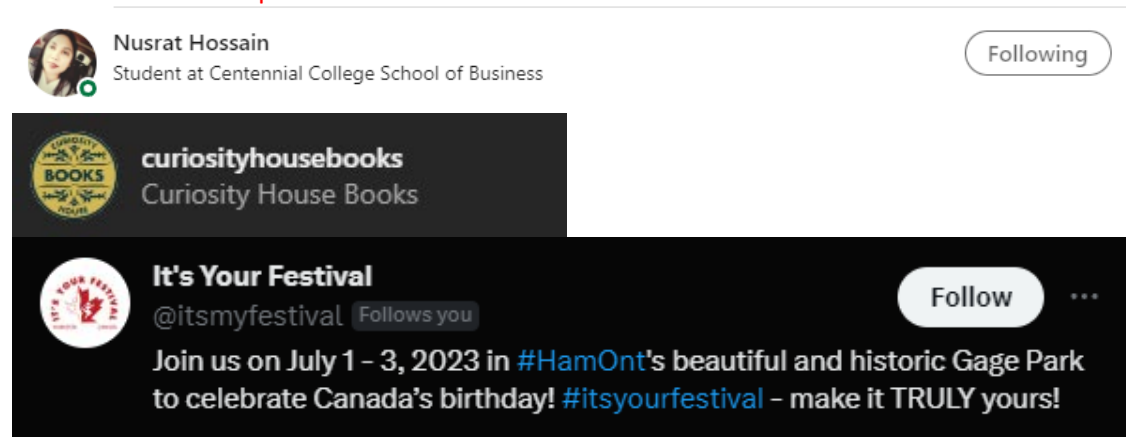
Twitter: 1,216

Linkedin: 167

- Who are they (libraries, public, etc), Regional if possible

Mostly libraries (as well as CEOs, Managers, customer service staff). We do have the odd person working outside the library system, but I assume they either worked at a library at some point or possibly want to start a career there, or they're library enthusiasts.

Here are some examples:



From what I gather, most are in Toronto and surrounding areas (GTA), as well as Bradford, Hamilton and Barrie.

- Any other analytics which make sense from easily source areas

On Instagram, our followers' top age range is 35-44yrs of age, and 85% are women.

And here are some detailed analytics I found on LinkedIn on our followers...

Visitor demographics

Job function ▾

Community and Social Services · 12 (17.9%)

Business Development · 11 (16.4%)

Information Technology · 6 (9%)

Research · 4 (6%)

Arts and Design · 3 (4.5%)

Consulting · 3 (4.5%)

Military and Protective Services · 3 (4.5%)

Finance · 2 (3%)

Marketing · 2 (3%)

Media and Communication · 2 (3%)

- How are each of our social media accounts being used

Primarily as a source of library-related information, whether it's about FOPL, Ontario libraries, or libraries internationally. I typically try to tie back to the FOPL website by saying "this is what we offer, sign up today by visiting our site!", or "here's this story about so and so library, read the full article on our website blog". I try to post almost all our content across the board because, while certain platforms cater to certain demographics, I think the content we're posting is relevant to everyone, especially because we're talking to our libraries and not necessarily the library customers.

- Is there a voice of the channel—if not, what is the voice that has traction

There is definitely a voice. I try to post using captions with a professional, yet fun approach, to give FOPL some likeable personality. I think people had the impression that FOPL was out of touch so giving our posts some of this personality helps us better communicate. I'll also note that each piece of content that is shared is designed by me with brand consistency in mind. You'll notice a lot of the content had the hue of purple from the FOPL logo, and I think that adds to our voice.

- Top 2 or 3 posts per channel

Twitter:

Top Tweet earned 3,886 impressions

The British Columbia government says it will provide a one-time funding boost of \$45 million to public libraries across the province. The investment will be shared between all 71 public library organizations in B.C., supplementing the \$14 million in annual operating funds.

pic.twitter.com/YNIYzzMiYU



2 5 23

Top Tweet earned 1,228 impressions

Happy International Pi Day!

[#piday pic.twitter.com/TCmsMgFGW8](https://pic.twitter.com/TCmsMgFGW8)



6 7

[View Tweet activity](#)

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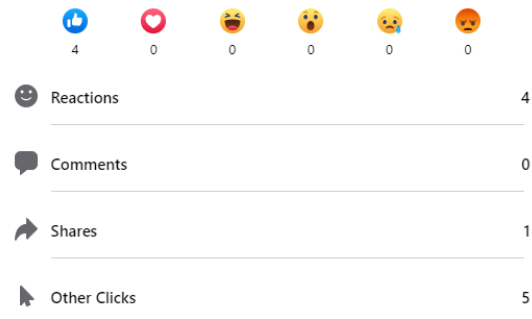
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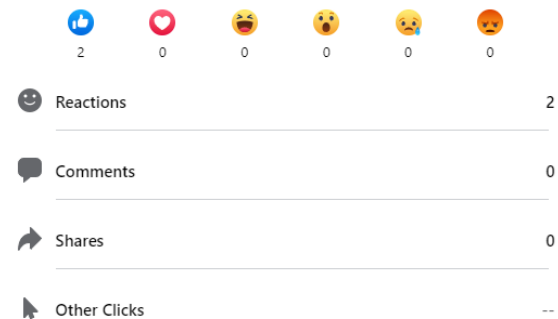
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Grants Available for 2023

Resilient Communities Fund
Deadlines: February 1 and October 25

Capital Grant
Deadline: June 14

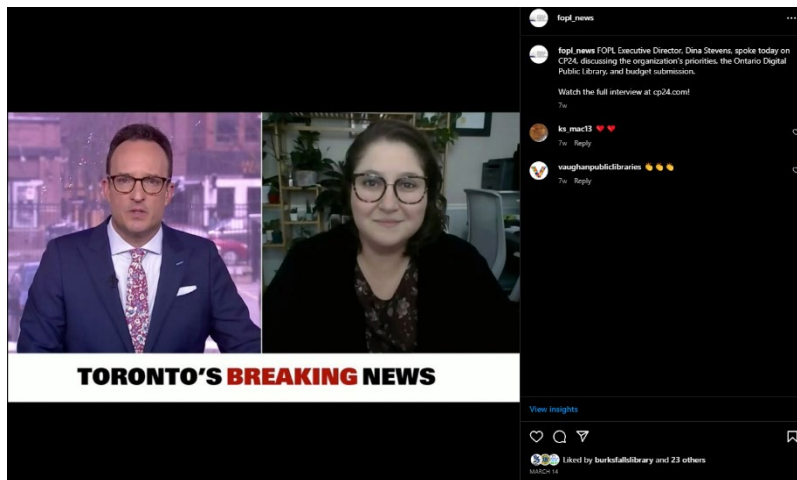
Youth Opportunities Fund
Deadlines: June 21 and November 1

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Please let me know if I missed anything or if you need anything else.

Thanks!

Mark

Government Relations Working Group Board Report June 2023

Report To: FOPL Members and Board
Report Name: Government Relations Working Group Report to the Board
Prepared by: Margie Singleton

Working Group: Vickery Bowles, Toronto PL
Michael Ciccone, London PL
Jodie Delgado, Springwater PL
Sonia Bebbington, Ottawa PL
Margie Singleton, Vaughan PL (chair)
Christine Row, Mississippi Mills PL
Stephanie Clare, Georgian Bay PL

Staff Resource: Dina Stevens, FOPL ED

Meetings: February 10, 2023
April 28, 2023

Recommendation

THAT the FOPL Board receive this report as information

And THAT the FOPL Board work with CULC Safety and Security Task Group to pursue joint initiatives to support Ontario Public Libraries in their quest to deliver safe and secure spaces

And THAT the FOPL Board support by submission of a letter, the CULC/CIPPIC/CARL/CFLA request for changes to the Consumer Protection Act (CPA) and additional sector specific legislative proposals to ensure library protection against unfair digital contracts that target publicly supported libraries.

And THAT the FOPL Board ensure the FOPL priority of increased PLOG funding be integrated into all future provincial government advocacy initiatives.

Background

This Working Group has been a standing committee of FOPL for a number of years. Since reauthorizing Working Groups in the Fall of 2021, this committee has met several times and expanded their membership to include a wider variety of representation from our member libraries.

Discussion of Needs, Issues and Work Completed

Safety and security of staff and customers in public libraries was discussed. It was proposed that FOPL liaise with Canadian Urban Libraries Council (CULC) Safety and Security Task Group to see if best practices identified could be shared with FOPL members and potential joint initiatives pursued.

A request was received from Canadian Urban Libraries Council (CULC), Canadian Association of Research Libraries (CARL), Canadian Internet Policy- and Public Interest Clinic (CIPPIC) and Canadian Federation of Library Associations (CFLA) requesting the FOPL support these national groups in advocating the provincial government to include libraries in their definition of consumers under the Consumer Protection Act (CPA) and support additional sector specific legislative proposals to ensure library protection against unfair digital contracts that target publicly supported libraries. These actions will promote public libraries' sustained access to eBooks and eAudiobooks for their customers. The Government Relations Working Group proposes that FOPL endorse this initiative by submitting a letter of support.

The Government Relations Working Group asked that the *Protecting Local Public Libraries Across Ontario* document used in provincial advocacy be updated to reflect the desire of FOPL to advocate for an increase to the Public Library Operating Grant (PLOG) as identified at the February 3, 2023 meeting of the FOPL Board.

Library Day at Queens Park was deferred until Queen's Park reopened requests for this type of event.

As the position of Working Group Chair was vacated, Margie Singleton, CEO Vaughan Public Libraries volunteered and was acclaimed as Chair, Government Relations Working Group.

Next Meeting

The working group will meet June 16th, 2023 at 9:00am.

Chief Executives of Large Urban Public Libraries
Working Group – Terms of Reference
(Approved at the CELUPL Meeting on April 14, 2023)

1. Name and Role

- 1.1. The name of this working group shall be the Chief Executives of Large Urban Public Libraries Working Group.
- 1.2. The Working Group serves the Federation of Ontario Public Libraries (FOPL) in an advisory capacity with a direct reporting relationship to the Federation's Board of Directors through the Working Group's Board representatives.
- 1.3. The role of the Working Group shall be to:
 - 1.3.1. Work in concert with and under the auspices the Federation of Ontario Public Libraries in support of the Federation's strategic initiatives.
 - 1.3.2. Communicate the interests of large urban public libraries in Ontario to the Federation of Ontario Public Libraries.
 - 1.3.3. Provide input into the development of the Federation's budget by recommending priority projects within the context of the FOPL strategic plan.
 - 1.3.4. Initiate and implement projects which are of common interests.
 - 1.3.5. Work towards the continuous improvement of large urban public libraries.
 - 1.3.6. Assemble and disseminate information regarding the administration, organization and functions of large urban public libraries
 - 1.3.7. Meet regularly to exchange information and discuss matters of interest to chief executives of large urban public libraries.
 - 1.3.8. Encourage education and training in public librarianship and administration
 - 1.3.9. Prepare responses to matters affecting large urban libraries, which are consistent with the positions taken by the Federation of Ontario Public Libraries' Board.

2. Membership

- 2.1. Membership shall be open to any person who:
 - 2.1.1. Is the Chief Executive Officer of an Ontario Public Library serving a population of 75,000 or greater, and whose library is a current member of the Federation of Ontario Public Libraries. A member may occasionally send a delegate to a meeting of the Working Group, if the member is unable to attend and so desires. The membership may choose to invite other staff at its discretion.

3. Officers

- 3.1. The Officers of the Working Group shall consist of:
 - Chair
 - Vice-Chair
 - Secretary/Treasurer

- 3.2. The members of the Executive shall be elected at the first meeting of the calendar year, for a term of two years.
- 3.3. The Chair shall appoint two members not holding an office to act with the Chair as the Nominating Task Group. The Nominating Task Group shall present nominees for each office at the first meeting of the calendar year, every two years. Additional nominations to any office may be made at the first meeting of the calendar year, every two years. Where more than one person is nominated to any office, an election shall be held by secret ballot.
- 3.4. Positions of resigning Officers may be filled at any regular meeting of the Working Group.
- 3.5. The Working Group will appoint a Chair who shall:
 - 3.5.1. Act as the Working Group's point of contact between the Working Group and the Federation of Ontario Public Libraries Board and/or staff
 - 3.5.2. Liaise with the other executives on an 'as required' basis
 - 3.5.3. Set the agenda, call two meetings per calendar year and any such additional meetings as deemed necessary, or at the request of three members of the Working Group.
 - 3.5.4. Chair meetings or arrange for the Vice-Chair to do so in his/her absence. In the absence of a Chair or Vice-Chair, the Working Group shall appoint a chair pro tem.
 - 3.5.5. Sign official correspondence
 - 3.5.6. Perform other tasks as agreed upon by the Working Group.
- 3.6. The Working Group shall appoint a Vice-Chair who shall:
 - 3.6.1. Carry out the Chair's duties in the absence of the Chair
 - 3.6.2. Perform other tasks as agreed upon by the Working Group.
- 3.7. The Working Group shall appoint a Secretary/Treasurer who shall:
 - 3.7.1. Distribute notices of meetings three weeks in advance of meetings.
 - 3.7.2. Distributes the agenda and meeting package one week in advance of meetings.
 - 3.7.3. Keep accurate minutes of each meeting.
 - 3.7.4. Distribute minutes to the members and to the Federation of Ontario Public Libraries and such other groups as shall be agreed to by the members as soon as possible but not later than the time of the notice of the next meeting.
 - 3.7.5. Sign official correspondence when designated by the Chair.
 - 3.7.6. Ensures that meeting space and catering are arranged.
 - 3.7.7. Forward Working Group information for posting on the FOPL website.
 - 3.7.8. Works with the Chair to develop an annual operating budget request for submission to the FOPL Board.
 - 3.7.9. Work with FOPL's Treasurer to ensure that the Federation maintains separate financial records and makes all necessary disbursements on behalf of the Working Group.
 - 3.7.10. Prepare annual financial statements for the Working Group.
 - 3.7.11. Perform other tasks as agreed upon by the Working Group.

3.8 In accordance with FOPL's By-Law #1 the Working Group shall elect or appoint CEO representatives to the FOPL Board who shall:

- 3.8.1. Communicate information from the FOPL Board to the Working Group.
- 3.8.2. Seek guidance from Working Group members or the Working Group's Executive on matters of collective interest to the membership.
- 3.8.3. Present the opinions, concerns, and questions of members of the Working Group to the FOPL Board or staff.
- 3.8.4. Perform other tasks as agreed upon by the Working Group.

4. **Finances**

4.1. The fiscal year of the Working Group shall be in accordance with that of the Federation of Ontario Public Libraries, November 1 to October 31.

4.2. Annual membership fees, if levied, for the Working Group (in excess of the Federation's membership fees) shall be recommended by the Officers and approved by a majority of members. Invoices shall be sent by the Treasurer in the month of December for the following calendar year.

~~4.3. The Working Group can receive monies and make expenditures for any purpose it deems necessary.~~

4.3. If the Federation of Ontario Public Libraries makes a request to the Working Group to take on a project for the Federation that requires resources, the Federation must provide the funding.

4.4. If the Working Group wishes to take on a project which is in line with the Federation's strategic initiatives and would require funding, it will submit a proposal to the Federation.

4.5. If the Working Group wishes to undertake a project which is not consistent with the Federation or its positions, and also not a strategic initiative of FOPL, the Working Group could seek to raise the funds through its membership.

5. **Meetings**

5.1. There shall be a minimum of two meetings in a calendar year.

5.2. Other meetings shall be called as deemed necessary by the Chair or at the request of three Working Group members.

5.3. A quorum will be a majority of Members.

- 5.4 Guests may be invited for specific purposes and/or for specific portions of the meetings.
- 5.5 The Large Urban Working Group CEO representatives on the FOPL Board shall be expected to provide a FOPL update to Working Group members at each meeting.
- 5.5. When a point of parliamentary procedure arises, Wainberg's Society Meetings, 2nd Edition shall be the authority unless specified differently in the Federation's By-laws.

6. Task Groups

- 6.1. The Officers shall meet as required to assist the Chair in carrying out his/her duties and to achieve the objectives of the Working Group.
- 6.2. Upon the agreement of the Working Group other Task Groups may be created.
 - 6.2.1. The terms of reference of each Task Group shall be agreed upon by the group.
 - 6.2.2. Members of the Working Group or Task Groups on official business for the Federation of the Ontario Public Libraries may be reimbursed for their reasonable out-of-pocket expenses.
 - 6.2.3. Working Group members or their designates will participate on FOPL Task groups or Committees.

7. Amendments to the Terms of Reference

- 7.1. Amendments to the Terms of Reference may be proposed by the Working Group or by the Federation of Ontario Public Libraries Board.
- 7.2. Revisions sought by the Working Group shall be set-out in writing and forwarded to its membership at least three weeks prior to the meeting at which they will be discussed and upon approval by a majority vote will be submitted to the Federation of Ontario Public Libraries Board for its information.

8. Dissolution of Working Group

- 8.1. The Working Group will dissolve after giving 90 days written notice to the FOPL Board.

Request from CULC to Support Recommendations to the Consumer Protection Act

Report To: The FOPL Board
Prepared by: Dina Stevens
Prepared on June 7, 2023

Background

OLA and FOPL were approached by CULC via a Working Group to support a formal recommendation the group made to the Ministry of Public and Business Service Delivery. This Ministry opened the Consumer Protection Act for Consultation in March. CULC took this opportunity to make formal recommendations that would benefit public libraries as it pertains to attaining electronic media.

Recommendation

The recommendation report requests that public libraries are considered “consumers” under the act and requests additional sector specific legislation be included. Simply put, this would lower the cost of electronic content for libraries to purchase and make it more accessible overall for libraries to acquire. Currently, some publishers refuse to sell to libraries and those that do, often do so at three times the list price. Expanding the definition of consumer to include libraries would protect against unfair trade practices, such as the inflation of prices far above market value and force publishers to make their content available.

CULC has requested that the FOPL board formally support this recommendation. Additionally, FOPL would share this information with members and share information on how libraries can advocate for this initiative themselves at the municipal level.

The recommendation letter is attached.

March 17, 2023

VIA EMAIL (consumerpolicy@ontario.ca)

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

³ *Ibid.*

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

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

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

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

2. Recommendation: Libraries as a consumer under the CPA

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

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

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

3. Additional sector specific legislative proposals

Recommendation: Implement sector-specific protections against unfair digital contracts that target publicly-supported libraries. These include:

- fair and equitable licensing terms in eBook contracts
- provisions that require publishers to make eBooks available

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

⁴ Geoffrey Fowler, "Want to borrow that e-book from the library? Sorry, Amazon won't let you" (March 2021), online: *The Washington Post* <<https://www.washingtonpost.com/technology/2021/03/10/amazon-library-ebook-monopoly/>>.

⁵ Library Futures, "Library Futures Ebooks Policy Paper: Mitigating the Library eBook Conundrum Through Legislation" (June 2022), online (pdf): *Library Futures* <<https://www.libraryfutures.net/library-futures-ebooks-policy-paper/>>.

⁶ *The Consumer Protection and Business Act*, SS 2-13, c 30.2, s 10(1)(d).

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

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

We would be pleased to discuss these proposals with you.

Yours truly,

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

On behalf of:

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

⁷ Juliya Ziskina, "Library Futures Ebook Bills are on the Move" (9 February 2023), online: *Library Futures* <
<https://www.libraryfutures.net/post/library-futures-ebook-bills-are-on-the-move>>.

⁸ US HD 3425, An Act empowering library access to electronic books and digital audiobooks, 113th Cong., 1st Sess., MA, 2023.

⁹ Library Futures, *supra* note 6.

Appendix A – CULC/CBUC Digital Content Policy Paper

DIGITAL EQUITY FOR CANADIAN PUBLIC LIBRARIES

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

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

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

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

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

Multinational Publishers Dominate the Market and are Restricting Access

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

International French Publishers

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

Canadian Publishers

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

Amazon

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

Publisher Licensing Practices

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

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

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

Implications

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

Guiding Principles

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

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

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

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

Interpretation

1 In this Act,

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

Unconscionable representation

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

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

Appendix C – United States Legislative Proposals

1. MASSACHUSETTS LEGISLATIVE PROPOSAL – [BILL HD.3425](#)

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

A. Definitions

For purposes of this act, the following terms mean:

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

B. Contracts Between Libraries and Publishers

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

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- (C) Precludes, limits, or restricts the library's right to make non-public preservation copies of the electronic literary materials;
 - (D) Precludes, limits, or restricts the library's right to loan electronic literary materials via interlibrary loan systems; or
 - (2) Precludes, limits, or restricts the library from performing customary lending functions, including any provision that:
 - (A) Precludes, limits, or restricts the library from loaning electronic literary materials to borrowers;
 - (B) Restricts the library's right to determine loan periods for licensed electronic literary materials;
 - (C) Requires the library to acquire a license for any electronic literary material at a price greater than that charged to the public for the same item;
 - (D) Restricts the number of licenses for electronic literary materials that the library may acquire after the same item is made available to the public;
 - (E) Requires the library to pay a cost-per-circulation fee to loan electronic literary materials, unless substantially lower in aggregate than the cost of purchasing the item outright;
 - (F) Restricts the total number of times a library may loan any licensed electronic literary materials over the course of any license agreement, or restricts the duration of any license agreement; unless the publisher also offers a license agreement to libraries for perpetual public use without such restrictions; at a price which is considered reasonable and equitable as agreed to by both parties
 - (G) Restricts or limits the library's ability to virtually recite text and display artwork of any materials to library patrons such that the materials would not have the same educational utility as when recited or displayed at a library facility;
 - (3) Restricts the library from disclosing any terms of its license agreements to other libraries.
 - (4) Requires, coerces, or enables the library to violate the law protecting the confidentiality of a patron's library records found in Chapter 78, Section 7.

C. Remedies

(A) Unfair and Deceptive Practices

- (1) Offers to license electronic literary materials that include a prohibited provision listed in Section 3 constitute unfair and deceptive practices within the meaning of Section 2 of Chapter 93A, Regulation of Business Practices for Consumer Protection, and any remedy provided pursuant to Chapter 93A shall be available for the enforcement of this act.
- (2) Actions for relief pursuant to this act may be brought by libraries, library officers, or borrowers.
- (3) Parties shall be enjoined by the courts from enforcing license agreements that include a prohibited provision listed in Section 3.

(B) Unconscionability

- (1) Contracts to license electronic literary materials that include prohibited provisions listed in Section 3 of this chapter are unconscionable within the meaning of Chapter 106, Section 2-302 in violation of Massachusetts public policy and are deemed unenforceable and void. Any waiver of the provisions of this title is contrary to public policy and shall be deemed unenforceable and void.
- (C) Any publisher that violates this title shall be subject to an injunction and liable for a civil penalty of not more than two thousand five hundred dollars (\$2,500) for each violation or seven thousand five hundred dollars (\$7,500) for each intentional violation, which shall be imposed by the court.

D. Severability

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

E. Existing Contracts

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

F. Effective Date

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

2. HAWAII LEGISLATION – [HB1412 HD.1](#)

A Bill for an Act Relating to Libraries

BE IT ENACTED BY THE LEGISLATURE FOR THE STATE OF HAWAII:

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

“CHAPTER CONTRACT AND LICENSE AGREEMENTS FOR ELECTRONIC BOOKS”

SS –1. Definitions. As used in this chapter:

“Aggregator” means an individual or entity whose business is the licensing of access to electronic literary material collections that include electronic literary materials from multiple publishers.

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

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

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

“Library” means

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

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

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

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

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

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

SS – 2 Contracts between publishers and libraries.

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

-
- c) A library's right to make non-public preservation copies of electronic literary materials; and
 - d) A library's right to loan electronic literary materials via interlibrary loan systems;
- 2) Preclude, limit or restrict the library from performing customary lending functions, including any provision that:
- a) Precludes, limits or restricts the library from loaning electronic literary materials to borrowers;
 - b) Restricts the library's right to determine loan periods for licensed electronic literary materials;
 - c) Requires the library to acquire a license for any electronic literary material at a price greater than that charged to the public for the same item;
 - d) Restricts the number of licenses for electronic literary materials that the library may acquire after the same item is made available to the public;
 - e) Requires the library to pay a cost per circulation fee to loan electronic literary materials, unless substantially lower in aggregate than the cost of purchasing the item outright;
 - f) Restricts the total number of times a library may loan any licensed electronic literary materials over the course of any license agreement, or restricts the duration of any license agreement, unless the publisher offers a license agreement to libraries for perpetual public user without such restrictions, at a price that is considered reasonable and equitable as agreed to by both parties; and
 - g) Restricts or limits the library's ability to virtually recite text and display artwork of any materials to library patrons such that the materials would not have the same educational utility as when recited or displayed at a library;
- 3) Restrict the library from disclosing any terms of its licensing agreements to other libraries; and
- 4) Require, coerce or enable the library to violate the law protecting the confidentiality of a patron's library records as specified in section 8-200.5-3, Hawaii Administrative Rules.

SS – 3. Remedies.

- (a) An offer to license electronic literary materials to a library that includes a prohibited provision listed in section -2 shall constitute an unfair or deceptive act or practice within the meaning of section 480-2 and shall be deemed void and unenforceable pursuant to section 480-12. Any remedy provided pursuant to section 480-13 shall be available for the enforcement of this chapter. Actions for relief pursuant to this section may be brought by libraries, library officers, or borrowers. Parties shall be enjoined from enforcing license agreements that include a prohibited provision under section-2.
- (b) A contract to license electronic literary materials to a library that includes prohibited provisions under section-2 shall be unconscionable within the meaning of section 490:2-302 and shall be deemed unenforceable and avoid. Any attempt to waive any provisions of this chapter is contrary to public policy and shall be deemed unenforceable and void."

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

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

ExLibris Association Partnership Opportunity

Report To: The FOPL Board
Prepared by: Dina Stevens
Prepared on June 7, 2023

Background

Ex Libris is a national organization for retired library professionals. FOPL and ExLibris first connected at the OLA SuperConference in February 2023. As FOPL launched the new “Former Library Leaders” Caucus in January 2023, avenues for collaboration were immediately apparent.

Partnership Options

FOPL and ExLibris met in May to discuss the possibility of a partnership between the two organizations. ExLibris is seeking to promote membership to their organization and offer more learning opportunities to their members such as with webinars.

Areas of potential intersection discussed:

- Joint membership with ExLibris and FOPL – would require some vetting on our end as ExLibris accepts library professionals from all sectors across Canada. We would want to limit membership to library leaders from Ontario.
- Cross promotion for events such as webinars as well as access to attendance to these webinars for both organizations’ members.
- Cross promotion and increased involvement in mutual working groups.
- Increased visibility for advocacy initiatives through information sharing.

Another option: ExLibris to purchase an Association Membership (\$500 annually) to FOPL which would provide discounts to their members for our info sessions.

Next steps: Should both board offer agreed upon terms, an MOU will be created to move forward.

Safety and Security: Partnership with CULC

Report To: The FOPL Board
Prepared by: Dina Stevens
Prepared on June 7, 2023

Background

Late last year, the FOPL Board decided to adopt Issues of Safety and Security in Public Libraries as an advocacy priority. As a result, I reached out to CULC's Safety and Security Working Group and met with the chair, Pilar Martinez, CEO of Edmonton Public Library.

Partnership Options

Pilar and I discussed the work that is already underway by the group and how we can best intersect to strengthen this initiative so that we don't repeat efforts on either part. FOPL is the only provincial advocacy organization in Canada and represents a large percentage of Canadian libraries.

The Working Group is currently amassing research via a survey of public libraries across the county. Their goal is to create a Toolkit and devise messaging for an advocacy strategy. One option for collaboration is for FOPL to contribute a White Paper that can be sent to provincial leaders, shared with municipalities and boards, and used for federal level advocacy as well. As one of our strategic priorities is Research and Development, we thought this would be a natural fit for FOPL. Pilar also invited me to attend the next working group meeting so that our organizations can liaise further.

Please see CULC's Safety and Security Working Group Terms of Reference attached.

Recommendation

That FOPL formally partner with CULC for the advocacy initiative of Safety and Security in Public Libraries and approve the commission and necessary budget required for a White Paper to contribute to the knowledge transfer and research efforts of this working group.

Safety and Security: Research Project with Brantford, Barrie and Thunder Bay Public Libraries

Report To: The FOPL Board
Prepared by: Dina Stevens
Prepared on June 7, 2023

Background

Rae-Lynne Aramburo, CEO of Brantford Public Library reached out to discuss the possibility of FOPL becoming involved in a research project on safety and security in public libraries. They hope to work with Brantford Public Library, Barrie Public Library and Thunder Bay Public Library, and plan to apply for a [SSHRC \(Social Sciences and Research Council\) Grant](#) to support the research. They are particularly interested in these sites, as they represent some of the recent and unexpected changes they have witnessed around safety in mid-sized communities. However, after this initial study, they are hoping to expand to other locations across Ontario and nationally.

Here is a summary of the proposed research:

Concerns about safety and security are increasing in cities across Canada. This is especially true for libraries, as they represent some of the last public, civic, and impartial spaces in our communities. With mandates to promote free and equitable access, this inclusiveness brings its own challenges. Some libraries are struggling with managing increasing demands for their services while also keeping their staff safe. Others are receiving pressure from local businesses and politicians to securitize these spaces. This project examines libraries as one of the last public spaces. Specifically, we understand libraries as a social infrastructure that seek to meet the unique needs of the communities they serve, by providing access to information, encouraging social inclusion and equity, fostering civic engagement and community building, and promoting social and economic vitality. However, beyond this, libraries are increasingly providing shelter, sanctuary, facilities, care, and safety. Our proposed research intends to partner with three libraries in Ontario — Brantford Public Library, Barrie Public Library, and Thunder Bay Public Library — chosen specifically for their municipality size and community needs—to explore these challenges and work together, with all stakeholders, to create solutions that not only improve safety, but do so in a manner that maintains the inclusive and public-serving mandate of the public library in Canada.

Partnership Options

The research project is looking for a show of support for the partnership in order to secure funding from SSHRC (upwards of \$25,000). This could include a few possibilities:

1. Monetary contribution: \$2000-\$3000 for a student to assist with conducting research. For our community partners, this usually comes from a leftover grant or discretionary funding, and we can often match this funding with support from our respective universities.
2. Administrative support: 25-50 hours of in-kind administrative support. This could include organizing meetings, providing data or other resources.
3. Space and access: Library space or resources offered in-kind to support meetings or data collection.
4. Knowledge mobilization: In-kind support to share findings through partner funded channels like websites, blogs, social media, or podcasts.

Recommendation

We are not able to assist with requests for either administrative support (without taking on another contract person) or with space and access. Knowledge mobilization is the easiest support option and would mostly likely bring the most value to our members.

If we are interested in pursuing this partnership, I would meet with the research team to discuss further.

May 25, 2023

Confidential

Ontario Library Association

Shelagh Paterson, Executive Director
2080 Danforth Avenue
Toronto, Ontario
M4C 1J9

Dear Shelagh,

Re: Ontario Government Relations Services Agreement

Thank you for giving Counsel Public Affairs Inc. (Counsel) the opportunity to continue to work with the Ontario Library Association (OLA) to provide you with government relations services in Ontario.

We have greatly enjoyed working with you, alongside your partners at the Federation of Ontario Public Libraries (FOPL), to help achieve your government relations objectives. Over the past year, we have supported these efforts by providing direct advocacy, messaging, materials development, and strategic advice as part of a coordinated government relations effort. We've also worked collaboratively to maintain a strong working relationship with the Ontario Government that has solidified the reputation of both OLA and FOPL as effective, constructive stakeholders on behalf of the library sector. This has contributed to significant success over the previous year, including:

- Building strong and effective relationships with the Ministry of Tourism, Culture and Sport during the post-election transition to a new Minister, including direct and positive engagement with the Minister's Office, new senior leadership among Ministry officials, and the participation of the incoming Minister and Parliamentary Assistant in major sector events, such as Ontario Public Library Week and the OLA Superconference;
- Protecting all existing provincial funding for the public library sector for the current fiscal year;

- Initiating focused, substantive discussions and consultation with Ministry of Tourism, Culture and Sport officials on identified sector priorities for access to digital resources and the sustainability of First Nations Public Libraries;
- Maintaining direct engagement with the Ministry of Education on the outcomes of enhanced accountability requirements for school library staff funding provided to school boards through the Grants for Student Needs, and discussion of opportunities to align priorities for school libraries with the Ontario Government's recently announced literacy prioritization;
- Advice and support on municipal issues impacting Ontario public libraries, including strategic guidance and input related to municipal conferences including AMO and AMCTO; and
- Ongoing strategic advice and guidance on other issues of priority to OLA and the library sector at both the provincial and municipal levels.

We have mutually recognized the need for, and value of, continuing our government relations partnership over the course of the year ahead. It is critical to continue the execution of our government relations strategy to protect your success to date and make progress towards those objectives still to be achieved, as we build momentum with the Ontario government on the sector's identified priorities.

We look forward to the opportunity to continue our work with the OLA and its partners at FOPL. Our Agreement is attached below for your review and signature.

Thank you,

FOR COUNSEL PUBLIC AFFAIRS INC.



Caroline Pinto
Founding Partner

CONSULTING SERVICES AGREEMENT

This Consulting Services Agreement (“Agreement”) is entered into and made effective by and between Counsel Public Affairs Inc. (“Counsel”) and the Ontario Library Association (“Client”).

Counsel and the Client agree as follows:

1. Services and Fees

Services

As part of a continuing Agreement, Counsel will continue providing direct advocacy and strategic advisory services on matters pertaining to the Ontario Government and its support for the library sector, in accordance with the level of resources identified in the proposed fee structure. These include:

- Provincial funding support for public libraries, including the impact of reductions in provincial funding for centralized library services, working to continue to protect and increase existing provincial operating funding, and opportunities to improve and modernize provincial support for the public library sector, including new investments such as digital library resources and broadband expansion;
- Attention and financial support to address the unique needs and challenges faced by First Nations public libraries, which are essential and irreplaceable resources for their communities;
- The recovery following the COVID-19 pandemic, specifically the impact on public library operations and services;
- Ensuring the continuing viability of school libraries and library staff across Ontario, specifically the impact of enhanced reporting requirements for school library funding; and opportunities to enshrine alignment between this priority and the Ontario Government’s new mandates in education sector accountability as well as student literacy achievement;
- Strategic advice regarding municipal issues impacting the public library sector; and
- Other priority issues impacting Ontario’s library sector.

Team

Devan Sommerville will lead the services in this Agreement with support from Counsel personnel listed below. Additional Counsel personnel may participate as required.

TEAM	TITLE
Caroline Pinto	Managing Principal and Founding Partner
Devan Sommerville	Vice President, Ontario Government Relations
Johanna Chevalier	Associate Vice-President; Municipal Advocacy Advisor

Fees

A fixed monthly fee of \$5,500 exclusive of taxes, administrative fees, and disbursements is payable.



Administrative Fee

Counsel will charge a flat 3% administrative fee for basic photocopying, couriers, long-distance calls, and cellular calls.

Disbursements

The client shall also reimburse Counsel for reasonable expenses for meals, mileage, travel, parking, and printing as itemized per occurrence on the invoice.

Additional Services

Additional services may be provided with written agreement of both parties.

Payment

Invoices shall be issued on the last day of each month, and provided and directed to the Ontario Library Association, to the attention of Shelagh Paterson. Invoices are payable by the Client within 30 days of issue.

2. Terms

The Agreement is effective from June 1, 2023 and shall end on May 31, 2024.

Extension

The Agreement may be extended with mutual agreement of both parties.

Termination

Either party may terminate the Agreement for any reason by giving written notice to the other party 30 days before the date of termination.

In addition, either party may terminate the Agreement without notice or payment in lieu thereof, for cause, where such cause is valid and is clearly stated in writing.

Confidentiality

Except for information available in the public domain, all material provided by either party will be held confidential by the other. Both parties agree not to disclose, divulge, or otherwise communicate to any person such confidential information without prior consent from the other party.

Indemnification

The Client shall indemnify, hold harmless and defend Counsel, its affiliates, and their respective partners, directors, officers, employees, agents, representatives, shareholders, managers, successors, and permitted assigns from and against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses (including professional fees and reasonable legal fees) of whatever kind or nature, that are suffered or incurred by Counsel (forthwith as when payments accrue, are due and payable), including third party liability claims, arising out of any claim from:

- a) Counsel's use of the facts supplied by the Client that are not accurate, complete, and up to date;
- b) the Client's breach or non-fulfillment of any representation, warranty or covenant set forth in this Agreement or inaccuracies or misrepresentation in any of the representations or warranties by the client;
- c) any negligence or wilful misconduct or more culpable act or omission of the Client or its Personnel (including any reckless misconduct) in connection with the performance of its obligations under the Agreement;
- d) any failure by the Client to comply with any applicable federal, provincial, or territorial laws, regulations, or codes in the performance of its obligations under this Agreement; or
- e) any and all third-party claims, awards, fines, damages, costs and liabilities (including those costs associated with defending against such claims, as well as finally determined) which are brought against Counsel related to this engagement and/or as a result of Counsel providing services hereunder.

3. Lobby Registration

Ontario Lobby Registration – Counsel

Under the *Lobbyists Registration Act, 1998*, Counsel must register within 10 days with the Office of the Integrity Commissioner of Ontario as Consultant Lobbyist on behalf of the Client, its relevant subsidiaries, other beneficiaries, and any funder of the lobbying activities, to lobby with the Provincial Government, Members of Parliament and/or Government Agencies. Counsel must update the registration periodically, and when the submitted information changes.

The client represents, warrants, and agrees to:

- a. provide accurate, complete, and up to date information required by the Office of the Commissioner of Lobbying upon Counsel's immediate request;
- b. comply with all applicable laws and regulations;
- c. immediately disclose to Counsel the source, amount, and date of any funding, in the form grants, transfer payments, employer wage subsidy, forgivable loan or the forgiven part thereof, and/or any other funding arrangement, it has received from any level of government, or government agencies, in the government's previous corporate fiscal years, as defined by the Act and outlined in the Interpretation Bulletin;
- d. immediately disclose the name and business address of any entity that contributed \$750 or more toward lobbying activities on behalf of the Client in the previous fiscal year;
- e. immediately disclose to Counsel its corporate structure, ownership and control, funding partnerships or coalitions established, its status as a designated broader public sector organization, or other information, which impacts its independence in directing Counsel's lobbying activities;
- f. be solely responsible for directing activities under this Agreement;
- g. immediately disclose to Counsel changes in the information required to maintain ongoing accuracy of Counsel's registrations;
- h. acknowledge these obligations, representations, and warranties as fundamental terms of the Agreement, and that while there are varying due dates to file registrations and updates, immediate communication will enable Client and Counsel to comply with lobbying laws and regulations.

Ontario Lobby Registration – In-House Lobbyists

The Client is solely responsible for the activities of its employees, and for compliance with all requirements for in-house lobbyists under lobbying laws and regulations.

4. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

5. Acceptance

Counsel Public Affairs Inc. and the Ontario Library Association acknowledge acceptance of the terms and conditions in this Consulting Services Agreement.

The undersigned have authority to bind their respective organizations.

COUNSEL PUBLIC AFFAIRS INC.

By: 

Name: Caroline Pinto

Title: Founding Partner

Date: May 25, 2023

Address:

95 St. Clair Avenue West, Suite 1606

Toronto, Ontario M4V 1N6

Attn: Caroline Pinto

Email: cpinto@counselpa.com

ONTARIO LIBRARY ASSOCIATION

By:

Name: Shelagh Paterson

Title: Executive Director

Date:

Address:

2080 Danforth Avenue

Toronto, Ontario M4C 1J9

Attn:

Email: spaterson@accessola.com