ALA Editions • SPECIAL REPORTS

PRIVATIZING LIBRARIES

JANE JERRARD, NANCY BOLT, AND KAREN STREGE

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AMERICAN LIBRARY ASSOCIATION

Chicago 2012

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Printed in the United States of America

16 15 14 13 12 5 4 3 2 1

ISBNs: 978-0-8389-1154-9 (paper); 978-0-8389-9408-5 (PDF); 978-0-8389-9409-2 (ePUB); 978-0-8389-9410-8 (Mobipocket); 978-0-8389-9411-5 (Kindle). For more information on digital formats, visit the ALA Store at alastore.ala.org and select eEditions.

Library of Congress Cataloging-in-Publication Data

Available at http://catalog.loc.gov

Series cover design by Casey Bayer.
Series text design in Palatino Linotype and Avenir by Karen Sheets de Gracia.

∞ This paper meets the requirements of ANSI/NISO Z39.48-1992 (Permanence of Paper).

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FOREWORD

For over two hundred years, public libraries have earned the respect of the residents they serve. Public libraries have been viewed as a public good—a common resource available to all. However, in the past ten years city and county government bodies are increasingly considering the privatization of public libraries—that is, transferring library management and operations from a government agency to a commercial company.

Public libraries have a unique role in the community—that of providing a broad range of services to sustain a well-informed and well-educated public. Libraries are, indeed, the great equalizer—connecting people to information, providing access to twenty-first-century technologies, preserving our history, and cultivating our future, all without regard for background or means. The library is an institution that embodies the American dream like no other.

As local officials are forced to make tough choices, they should understand the full scope of services their libraries offer and the impact libraries have on their communities. If considering privatization of a public library, they must be ready to answer the following difficult questions:

- Can a private company maintain the level of public trust that has been earned by the local library?
- Will the library director always make the operational decisions that are in the best interest of the community, even if those decisions reduce or do not contribute to the private company's profit?
- Does the relationship between a public library and its community change when a library is privatized?
- Does the role of the library as a public good change when the library is privatized?

The American Library Association affirms that policy making and management oversight of public libraries should remain securely in the public domain. It formally adopted a policy against privatization in 2001. As economic conditions have changed and privatization of public services has increased, a new Task Force on Privatization was formed in spring of 2011 to assist library supporters in addressing the issue. The task force cited the quality of library services, loss of local community and government control, loss of control of tax dollars, intellectual freedom, collection development, and loss of community involvement with foundations, Friends groups, and other nonprofit partners as the most crucial issues at stake. Among the most pressing messages that need to be conveyed to decision makers and stakeholders are these:

- There are certain community services that should be held by the public. Libraries are one of them.
- The public should be kept in public libraries. Privatizing the library threatens two pillars of public control: accountability and transparency.
- Decisions made regarding public library services should be driven by the best interests of the community and not driven by profit.
- The notion that privatization saves money is often a false one: hidden and uncontrolled costs may not save money in the long run.
- Apparent reductions in labor costs may be offset by increases in legal costs resulting from employment actions.
- Professional standards and quality of service may be at risk with privatized service.

Privatizing Libraries: A Special Report builds on ALA's *Keeping Public Libraries Public: A Checklist for Communities Considering Privatization of Public Libraries.* This report examines trends and statistics in privatization, presents case studies of privatized public libraries across the country, and—we hope—will assist the library community in informing decision makers about the need to keep this critical public institution in the hands of the public.

Patricia A. Tumulty, Chair, ALA Committee on Library Advocacy and ALA Task Force on Privatization

Marci Merola, Director, ALA Office for Library Advocacy

INTRODUCTION

When did privatization of public services begin? Some say it was when Alexander the Great "privatized" his army, but in the United States we know that as early as 1826 New York City privatized its street sweeping.[1] But the privatization trend this country is currently experiencing began much more recently, in the 1980s, with the strong support of president Ronald Reagan—influenced by U.K. prime minister Margaret Thatcher. While Thatcher was implementing national privatization initiatives in her country, Reagan was primarily a cheerleader for privatization efforts in Eastern bloc countries. His administration did, however, establish the President's Commission on Privatization in 1987, and it privatized the railroad that the federal government acquired from bankrupt Penn-Central, creating ConRail.[2]

By the end of the 1980s, the idea that privatizing services and assets could reduce government's size and potentially save costs and increase efficiency had gained traction. And when the 2008 recession squeezed state and local governments, more and more of them privatized their assets and services either to cut payroll and other service costs or to realize a sudden increase of ready cash through leaseback deals. A combination of tight budgets and low reserves in cities, counties, and states and a wave of conservatism that values smaller government contributed to a flourishing of privatization.

In 1993, in response to increased privatization efforts (some of which were suspected of involving cronyism and lack of competition), the Massachusetts legislature passed the Pacheco Law, which requires the state auditor to conduct a cost-benefit analysis on any proposal to privatize the state's services or assets.[3] The state auditor reviews each application for privatization to determine if the cost of the outsourced service would be less than that performed by the government while maintaining the same quality of service or better. The same year, the Washington, D.C., city council passed a similar law, which states that the government must prove it would save at least 10 percent over the contract's duration, and that, if hired, the contractor must offer all displaced employees comparable employment for six months.[4]

A SNAPSHOT OF PRIVATIZATION TODAY

Every ten years, the International City-County Management Association (ICMA) tracks privatization of resources. Its most recent survey, released in 2007, reviewed sixty-seven local services in more than a thousand U.S. municipalities.[5] The report shows that, of these public services, 17 percent were handled through for-profit privatization, with 16 percent provided through intergovernmental contracting (i.e., the county may handle some municipal services). According to this study the most common local services that are contracted out include waste collection, waste disposal, management of vehicle fleets, hospitals, vehicle towing, electric utilities, drug programs, and emergency medical service—among many others.

Slightly more than 50 percent of respondents to the 2007 ICMA survey said that their local government had "studied the feasibility of adopting private service delivery within the past five years." Those respondents indentified the following reasons for considering privatization:

86.7%	Internal attempts to decrease costs of service delivery
50.3%	External fiscal pressures, including restrictions placed on raising taxes, e.g., California Proposition 13 of 1978
15.9%	Unsolicited proposals presented by potential service providers
14.0%	Change in political climate emphasizing a decreased role for government
10.1%	Concerns about government liability
9.9%	State or federal mandates tied to intergovernment financing
3.9%	Active citizen group favoring privatization
12.1%	Other

(The total percentage is over 100 percent because respondents could select all applicable reasons.)

These responses provide a concise summary of why local governments today look to privatize assets—to decrease costs and ease budget restrictions. Asked if their government had returned any previously privatized services to public management in the previous five years, 78.4 percent answered yes. Of those, respondents identified the following factors in the decision:

61.2%	Service quality not satisfactory
52.4%	Cost savings insufficient
33.9%	Local government efficiency improved
17.0%	Problems monitoring the contract
17.0%	Strong political support to bring back the service delivery
10.0%	Problems with the contract specifications
13.3%	Other

Today, the number of local governments considering private management of public assets is steadily increasing, and it is becoming more common for those assets to include the public library. This special report takes a close look at what this entails, including the effects on specific libraries and communities, and provides advice to readers on how to handle efforts to privatize their libraries.

NOTES

1. Moshe Adler, "In City Services, Privatize and Beware," *New York Times on the Web,* April 7, 1996, www.columbia.edu/~ma820/privatization.nyt.html.
2. Robert W. Poole Jr., "Ronald Reagan and the Privatization Revolution," *Heartlander,* August 1, 2004, www.heartland.org/policybot/results/15469/Ronald_Reagan_and_the_Privatization_Revolution.html.
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PRIVATIZATION OF PUBLIC LIBRARIES: AN OVERVIEW

For various reasons, local and state governments across the United States are privatizing selected assets and services, with decidedly mixed, often unclear, results. From the late 1990s to the present day, this trend has expanded into the public library sector, as local governments look to private companies to fulfill essential management responsibilities traditionally met by public employees.

PRIVATIZATION DEFINED

Historically, *privatization* referred specifically to the transfer of ownership from the public sector, or government, to the private sector—a for-profit or in some cases nonprofit organization. In recent times the definition has been broadened to include the transfer of *function,* or management, of public assets, services, facilities, and agencies, including everything from contracting out management of a city's water sanitization to hiring a private company to provide a community's emergency medical services.[1] This latter definition is the type of privatization covered in this book, and it occurs at the local, state, and federal level.

The Public Library Association (PLA), a division of ALA, used the following definitions in its 2000 report on privatization. The definition of privatization derived from the 1998 deliberations of ALA's Outsourcing Task Force.

> **Outsourcing** involves transfer to a third-party or outside vendor, or contractor, or independent workers, or provider to perform certain work-related tasks involving recurring internal activities that are not core to the mission of the library.

> **Privatization** is the shifting of library service from the public to the private sector through transference of library management and/or assets from a government agency to a commercial company.

Some in the library community suggest that there is no difference between the two. They argue that in outsourcing a third party provides a service and makes a profit just as in privatization. But one of the main differences is that in outsourcing the contract is typically narrow, encompassing an easily defined, specific service that is easily monitored—such as cataloging or standing orders with a book jobber. In these cases, the private company decides *how* a service is delivered but the publicly funded library staff controls, via contract, what those services are. Privatization takes outsourcing to another level—involving all library services and including not only *how* services are delivered but *which* services are offered and delivered.

Pro-privatization individuals in the library community routinely argue that privately managed public libraries are not privatized because the authority to approve library policy and the title to assets remain "public." In fact, in every privately managed library we researched, the library's governing body did retain authority over policy approval. But policy creation and policy approval are two different tasks, and the power to frame a policy, along with its rationale and operational implications, typically rests with library management, whether that management is public or private.

The library's *assets* are typically defined in business literature as having tangible and intangible elements. The tangible elements include facilities, inventory, and equipment. Intangible assets include the organization's brand, goodwill, public opinion, and service delivery. In library privatization contracts, the governing body retains ownership of tangible assets, but the private company controls their operation and, for equipment and resources, the selection as well. The intangible assets are completely in the control of the private company.

ALA AND STATE POLICIES ON PRIVATIZATION

After considering the issues of outsourcing and privatization in 2001, the ALA Council voted to adopt the following policy:

> ALA affirms that publicly funded libraries should remain directly accountable to the public they serve. Therefore, the ALA opposes the shifting of policymaking and management oversight of library services from the public to the private for-profit sector.

The PLA report characterizes the opposing positions regarding outsourcing of public library management:

> Proponents maintain that outsourcing [of library management] offers unique opportunities to reduce costs and capitalize on the investments, innovations, and special capabilities of external suppliers. . . . Opponents maintain that outsourcing of core functions threatens public library institutional viability, diverts local control, and diminishes the contributed value of professional librarians.

In addition to the ALA policies, state libraries and state library associations have issued statements on privatization or outsourcing. For example, the Florida Library Association took a strong position against privatization in 1999, stating that "it is not in the best interest of the residents of Florida for publicly supported libraries to be managed by for-profit organizations. Therefore the Association opposes any efforts to provide library services by contracting with such organization."[2]

New Jersey adopted its Statement on Outsourcing Public Library Services in 1998 and revised it in 2001. It states in part that any decisions on outsourcing management of public library service should be governed by six criteria and concludes, "It is the position of the New Jersey Library Association that outsourcing the management of a public library is a most serious step and should only be undertaken after careful study and as a last resort."[3]

The Massachusetts Board of Library Commissions published *Privatization of Public Libraries: A List of Information Resources* to help public libraries sort through the issues related to privatization. The document includes a short list of Massachusetts laws pertaining to public libraries that must be followed for a privatized library to continue to receive state benefits.[4]

California has had much privatization activity, with five library systems covering forty-three branch libraries under private management. In 2011, with active union support, California passed a bill dictating that cities or library districts that intend to contract with a private company to manage a public library must meet specific benchmarks: offer public notice, demonstrate cost savings for the duration of the contract, participate in competitive bidding, and prove the qualifications of the contractor. The California Library Association (CLA) took a "watch" position on this bill, basically neither endorsing nor opposing it. In doing so they made the following statement:

> CLA absolutely believes that, under most circumstances, public libraries are a critical community resource that should be just that: public. Nevertheless, we also note that limiting local government's ability to manage resources during the current challenging economic climate is almost certain to result in the reduction or elimination of library services. While many CLA members work for city governments that are actively opposing the bill, many CLA members are also members of SEIU or other local unions. We also recognize that employees of LSSI—the only private provider of library services in the U.S.—are CLA members.[5]

California's position reflects the tension within the library community of being responsive to local government's concerns about library service and the desire to keep the library publicly managed. It raises the question, Is privatized library service better than no library service at all?

STATE OF LIBRARY PRIVATIZATION

As of August 2011, seventeen public library systems in five states had contracts with a private management company. An additional six had such contracts but have returned to public management. The number of communities in the United States—and in Canada and the United Kingdom—considering privatizing the public library seems to be increasing every month.

To date, only one company, Library Systems & Services, LLC (LSSI), contracts with public libraries for management services. Based in Maryland, LSSI is majority owned by a private equity firm called Islington Capital Partners, has approximately 800 employees, and earns about $35 million in annual revenue.[6] Historically, the company has provided management and outsourcing services for libraries in schools, colleges, corporations, and the federal government. Now that the privatization trend has gained momentum, the company's website indicates that its focus has narrowed to acquiring new customers in that sector.

At least two other companies have submitted proposals to manage public libraries, but neither has managed yet to break into the market. Ron Dubberly, president of LSSI, says his company would welcome competitors: "Competition is healthy, it's good for our customers, and I would welcome it."

A BRIEF HISTORY

The trend of privatizing public libraries started in 1997, when California's Riverside County Library System contracted with LSSI. This system remains LSSI's largest and oldest public library customer. With the Riverside County contract, the concept of a private company providing complete management services for a library became a reality. As the library community gradually became aware of the practice and the vendor, more communities began following Riverside's lead.

In 2010 and 2011, media attention and industry discussions of privatizing public libraries grew tremendously because of a contentious decision by the City of Santa Clarita, California, to bid out the management of its newly independent library. The arguments for and against privatizing Santa Clarita's library—and privatizing public libraries in general—raged on library industry blogs, in the general media, and, doubtless, throughout many library board meetings around the country. Santa Clarita's city council voted to privatize in spite of strong and very vocal public resistance, and LSSI began managing its libraries in July 2011. With the addition of Santa Clarita, seventeen public library systems, comprising seventy-one libraries, were being managed by a private company.

WHY LOCAL GOVERNMENTS CONSIDER PRIVATIZATION

Each city, county, or library board (governing body) has different reasons for exploring privatization. All, however, can be summarized by four themes:

New independence. The governing body withdrew its community library from a larger district or system and established a new independent library. The governing body sought professional expertise to guide it in starting a library, and a private company filled that need.

Inability to staff. The governing body was unsuccessful at recruiting or retaining a library director who would commit to the community. Contracting with a private company ensured the library would remain staffed.

Poor opinion of library. Some or all members of the governing body held a poor opinion of the library administration and did not or could not change that administration. Some governing bodies had serious policy differences with the library director about the library's direction. These bodies viewed privatization as a way to eliminate unacceptable library administration, because problematic employees were not offered employment by the private contractor.

Budget constraints. In communities with reduced or severely limited budgets, local government sought ways to continue service for less money.

HOW LIBRARY PRIVATIZATION OCCURS

The wide range of public libraries currently under private management demonstrates that there are no set parameters for privatization. LSSI's Dubberly confirms this, saying, "It's not about size; it's about fit and what [LSSI] can offer."

In most cases we found that the idea for privatizing originated with the governing body rather than the library board or staff. Members of city and county government belong to professional associations and attend regional and national conferences, just as librarians do, and there they share ideas. Networking with other government officials may be their main avenue for learning about privatizing public libraries, and specifically about LSSI. "Typically we go to city/county conferences and let them know we're there," says Dubberly. "They come by [the LSSI booth] to talk to us. Occasionally we get calls." He confirms that the number of interested communities has grown recently but says that each has a different reason for considering private library management.

Some librarians have stated that LSSI "cold-calls" local governments to pitch their services, but Dubberly stresses that "the conversation doesn't get very far unless we're invited [to discuss their library]."

LSSI argues that it can solve problems such as maintaining service levels on reduced budgets and filling leadership openings because of its corporate resources, size, and expertise. It claims that it can manage a public library on the same budget and still make a profit. "We make only a little on public library contracts," says Dubberly. He maintains that LSSI finds profits by saving money on previous inefficiencies: "I've been a librarian and a library director. . . . I've been on both sides and I can guarantee you that there are inefficiencies in the total system. We just do it leaner."

Although LSSI has no control over the total budget of any public library it manages, it can often exert considerable control over the contract for service, as we see in chapter 2.

NOTES

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2. Florida Library Association, "Florida Public Libraries and Privatization: A Guide for Florida Library Boards and Friends," September 2000, www.leg.state.fl.us/publications/2001/house/reports/tourism/lib_pdfs/AppendF.pdf.
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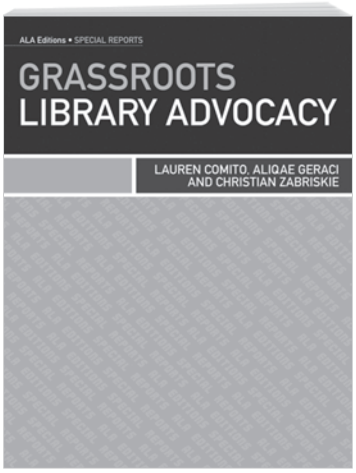

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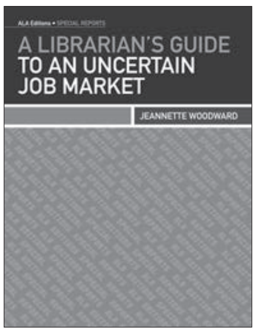

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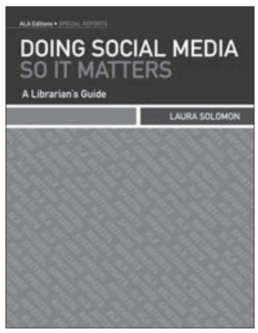

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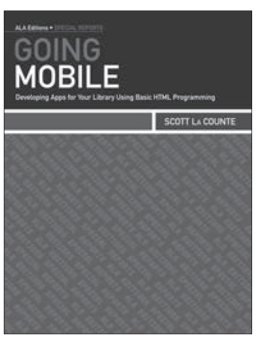

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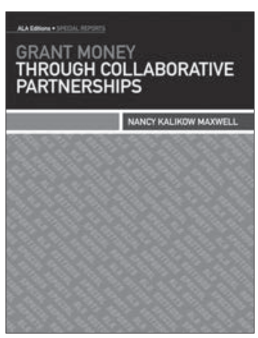

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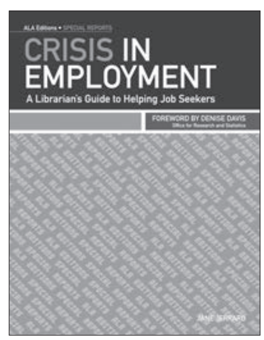

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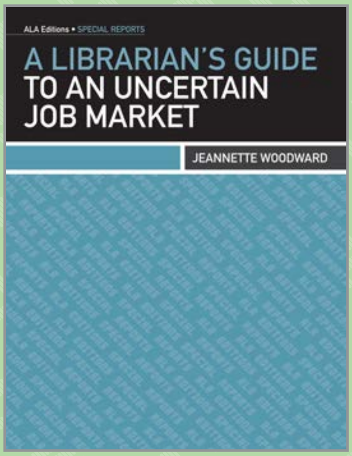

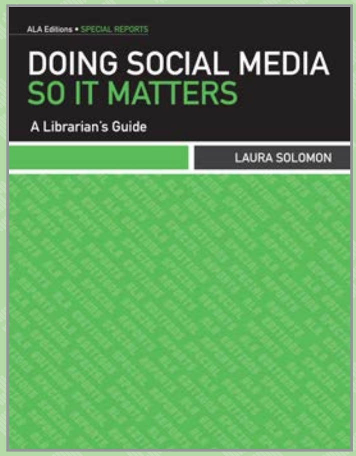

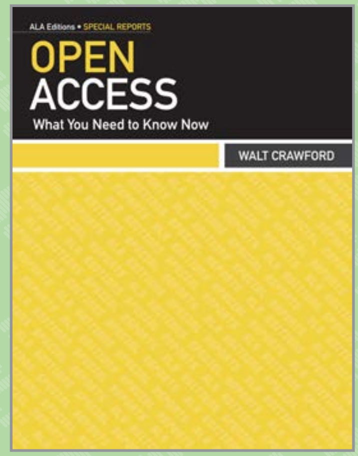

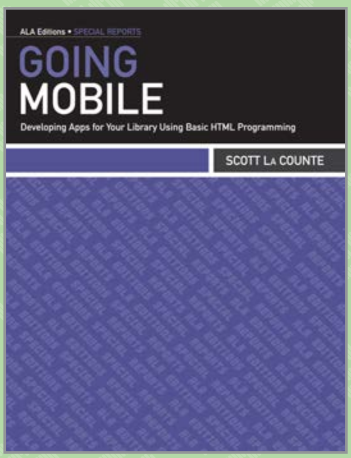

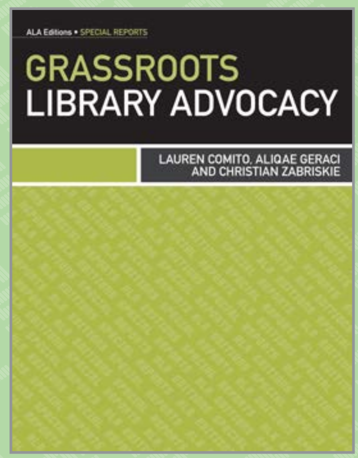

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