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September 15, 2022

RAILS Board Committee Reports

Universal Service Committee Report - Chair Alice Creason

The committee met on September 8, 2022/Next meeting is scheduled for December 8, 2022.

Deirdre Brennan welcomed Alice Creason as new Chairperson to the Universal Service Committee. Greg McCormick gave a report on the August 25, 2022 Illinois State Library Advisory Committee (ISLAC). Among the many topics discussed at the ISLAC meeting, a subcommittee will be formed with a focus on universal library service, though a name for the subcommittee has not yet been determined. Bush reported that four letters of support to request additional data of public libraries to the real estate Multiple Listing Service (MLS), have been given to Sandra Brown, a real estate broker whom Bush has been working with. The letters of support were collected from the Illinois State Library, Illinois Heartland Library System, Illinois Library Association, and from RAILS. Brennan reported that the statewide educational resource program is the number one priority this year for the Illinois Library Association's Public Policy Committee. Catherine Yanikoski introduced the topic of alternative funding resources for libraries that want to or are participating in the expanded Cards for Kids Act. The committee discussed several options to research as possible funding sources for libraries. Jennifer McIntosh introduced the topic of funding inequities and community colleges. If the model of community colleges were to be used as a way to have universal library service in the state, then funding for additional community resources would have to be a priority. Brennan reported that Gail Bush has resigned as a member of the committee, but she will continue to work on the MLS project and report the progress to RAILS to keep the committee informed.



RAILS Universal Service Plan

February 2020

Introduction

The [Illinois Library System Act \(75 ILCS 10/3\)](#) establishes rules and regulations for library systems to guide their delivery of services including to “provide library service for every citizen in the state by extending library facilities to areas not now served.” In addition, the Illinois Compiled Statutes ([75 ILCS 16/30-55.60](#)) include laws related to the use of a public library by nonresidents.

Recognizing the importance of this legislation, and to help achieve our [strategic plan](#) objective to “expand access to library resources and services by addressing issues related to unserved and underserved Illinois residents and continuing to work toward a statewide library card,” RAILS created this Universal Service Plan.

The goals in this plan were developed in collaboration with the [RAILS Universal Service Committee](#), and in response to widespread feedback from RAILS member libraries, including responses to an August 2019 survey designed to uncover the challenges libraries face related to the unserved. RAILS received 238 responses to that survey from a possible total of 412 responses, for a response rate of 58%.

This plan includes three major goals, with a number of specific actions for each goal.

Goal 1: Gain an understanding of exactly who is unserved in Illinois and why

Rationale: Approximately 950,000-975,000 of an estimated 12.7 million Illinois residents are untaxed for public library services, in RAILS the number is approximately 700,000. This represents about 8.8% of the state's population. While we can identify specific regions of the state that do not currently receive public library service, we do not know as much about the specific characteristics of people who live in those areas. For example, how many are adults? How many are children? What is their education and income level? Do they have internet access at home? The more we can find out about the unserved and their needs, the better equipped we will be to demonstrate how public library service can help meet those needs and improve the overall quality of their lives.

Action: Analyze data from the Illinois Department of Revenue/Illinois State Library (ISL) Library Service Areas map and the U.S. Census Bureau’s map data to get a clear picture of the different demographic characteristics of unserved areas and develop a complete demographic profile of unserved areas in Illinois.

Action: Develop materials to educate/inform system members, funders and other stakeholders about who is unserved in Illinois.

Goal 2: Simplify nonresident card laws and rules to eliminate confusion and to extend service to unserved residents through innovative projects and law and regulation changes

Rationale: Responses to the August 2019 RAILS survey and other feedback gathered from RAILS members indicates that there is great confusion about Illinois law related to the unserved and how to interpret this law. Libraries are currently following a wide variety of different practices. Some of these would be considered “legal,” others may not be. There have also been changes to the law in recent years, and many libraries are not aware of these changes. RAILS libraries are already engaged in a number of innovative practices to serve the unserved. Finding ways to share these innovative practices with other libraries and to expand current laws related to the unserved to incorporate these practices would increase and improve services to the unserved statewide.

Action: Work with ISL to create an FAQ for Illinois libraries with information about nonresident cards and current laws related to serving the unserved. Ensure that common questions raised by RAILS members are included in the FAQ. Gather input from the Illinois Heartland Library System (IHLS) on questions that should be included.

Action: Once developed, publicize the availability of the FAQ to all Illinois libraries. Post the FAQ on the RAILS website and share it with IHLS.

Action: Streamline and improve access to the information on the RAILS website re nonresident cards and services to the unserved, and make it easier to find. As a part of this process, develop a “Library Pulse” page on the unserved to include on the RAILS homepage.

Action: Use different RAILS communication channels (website, *E-News*, podcast, member updates, library visits, conference exhibit booths, and other member encounters) to share innovative library practices related to the unserved.

Action: Propose a panel discussion at the 2020 Illinois Library Association (ILA) conference focusing on innovative library practices related to the unserved.

- Action: Explore the option of offering a RAILS grant program to offer funding for libraries that want to offer additional innovative services to nonresidents.
- Action: Work with the RAILS attorney, ISL, and other stakeholders to expand the law related to the unserved to include some of the innovative practices libraries have already implemented. Prioritize offering library cards without fees to unserved children as an initial effort.
- Action: Work with the RAILS Universal Services Committee and ISL to legalize some of the many current practices that provide temporary teacher or seasonal library cards to the unserved.
- Action: Work with the Universal Services Committee and ISL to expand the definition of reciprocal borrowing so a public school card could be used to check out materials at a public library.
- Action: Work with the Universal Service Committee and ISL to establish a regional or system-wide tax formula for assessing non-resident card fees.
- Action: Continue to work with ISL and ILA on a proposal for annual statewide funding of a core suite of electronic databases that would be available to all system member libraries and unserved residents.
- Action: Continue to provide/promote BiblioBoard services that are available to anyone in Illinois whether or not they have a library card. Target these promotional efforts at unserved areas.
- Action: Continue to provide and expand RAILS website information about forming intergovernmental agreements (IGAs) to provide service to the unserved, including templates, frequently asked questions, IGA examples from other libraries, and other information. Publicize the availability of this information to all Illinois libraries on a regular basis and continue to consult with RAILS members interested in forming an IGA and investigate the possibility of providing basic legal assistance.
- Action: Offer continuing education (CE) opportunities to help members form IGAs, including a possible panel discussion featuring libraries that are currently using IGAs and/or an attorney providing general advice about considerations to keep in mind when establishing an IGA.
- Action: Conduct an awareness campaign aimed at school districts where an IGA would be helpful, and ensure that some RAILS CE opportunities are tailored to school libraries.
- Action: Continue to work with ILA's Public Policy Committee to enact an amendment to the Public Library District Act designed to remove barriers to libraries merging.
- Action: Provide more information, CE opportunities, and/or basic legal assistance on how to annex unserved areas.

Action: Work with community colleges to help them expand and extend library services to the unserved.

Action: Continue to work with Illinois real estate associations to require disclosure on whether or not public library service is included for residential real estate. Contact bar associations to see if they can assist with this effort.

Goal 3: Demonstrate the economic and societal value of extending library service to the unserved

Rationale: Approximately 69,000 of the estimated 950,000 - 975,000 residents that are currently not taxed for library service in Illinois choose to purchase a public library card. It is unclear how many of the remaining number are aware of just how public library service can benefit them. In addition, most of the respondents to RAILS survey only publicize library services available to nonresidents via the library website and promotional materials available in the library. If libraries do not use outreach strategies to promote library service directly to the unserved, these individuals will never know what they are missing.

Action: Continue to work with ISL, IHLS, and ILA on efforts to issue a statewide library card and to lead efforts to achieve universal library service in Illinois.

Action: Develop strategies and talking points for promoting the value of universal library service to legislators.

Action: Develop talking points for library staff to use when talking to legislators about issues related to the unserved, focusing on numbers and how the lack of library service affects the constituents in their specific legislative district.

Action: Through RAILS' [My Library Is... campaign](#), provide suggestions on how libraries can effectively reach out to unserved populations, including providing information on the value of library programs/services, how residents are taxed for library service on their tax bills, and what they get for this small investment.

Action: Promote the value of extending library service to the unserved and encourage libraries to undertake public awareness campaigns promoting nonresident services. Provide templates for publicity materials to aid with these efforts.

May 13, 2022

Robert Benes, Senior Compliance Officer
Midwest Real Estate Data
2433 Warrenville Rd., #600
Lisle, IL. 60532

Dear Mr. Benes,

I write on behalf of the Reaching Across Illinois Library System (RAILS), a regional library system that provides services to libraries in the northern and west-central areas of the state of Illinois. We serve approximately 1300 private, public, school, and university library members. We ask that you consider adding a category that includes the public library service of properties on the MLS listing sheets. We believe this information about public library service is of benefit to the potential homeowners who consider public library service to be of significant value to their real estate decision making.

Proximity to libraries results in increased value for homeowners. A study conducted by the Fels Institute of Government investigating the added value public library service brings to homes and neighborhoods noted that homes within a quarter mile of a public library are worth, on average, \$9630 more than homes more than a quarter mile from a library. That's an increase in home values that holds significant economic impacts to homeowners.

Conversely, the state of Illinois has one million residents who are without public library service. Many homeowners buy homes in unserved areas unaware that they will not receive public library service, which in turn has a significant loss of quality of life for those who depend on libraries. A category featuring public library service allows these homeowners to make an informed decision about the property they are considering.

Libraries serve as a significant return on investment for homeowners, and we believe that adding a category on the MLS listing sheets featuring library service will be of significant informational value to all so they can make the best decisions for their families.

RAILS is more than willing to work with MRED on appropriate language for this important category. I'd certainly be happy to speak with you more regarding anything relevant to this request. Thank you for your consideration of this important issue.

Sincerely,

Deirdre Brennan
Executive Director
Reaching Across Illinois Library Systems (RAILS)

Library Nonresident Library Card Guidance

The Illinois General Assembly recently enacted [Public Act 102-0843](#) (effective May 13, 2022) to amend both the Local Library Act and the Library District Act to authorize libraries to adopt regulations waiving nonresident library card fees for persons under 18 years old in certain circumstances. The Illinois State Library (ISL) is expected to issue guidance on this new law later this summer and, in the interim, has referred to the ISL's FAQ addressing current state laws and administrative regulations on nonresident library card requirements which can be accessed here: [FAQ](#). In the interim, the following is some interim guidance to assist RAILS' members in understanding this new law.

How does Public Act 102-0843 change existing library laws?

The Public Act amends section 4-7(12) of the Local Library Act (75 ILCS 5/4-7(12)) and Section 30-55.60 of the Library District Act (75 ILCS 16/30-55.60) to authorize library boards of trustees to adopt regulations that waive nonresident fees for persons under the age of 18 years old ("*minors*").

Does the new law require libraries to waive nonresident fees for minors?

No, there is no requirement that a library waive nonresident fees for minors. The new law leaves the choice to each library.

It is important to remember that state law requires each library board of trustees to make an annual determination as to whether it wants to issue nonresident library cards during the following 12 months. *See* 23 Ad. Code 3050.20(a). However, state law does not require a library to participate in the non-resident library card program. 23 Ad. Code 3050.20(e).

And, even if a library chooses to participate in a nonresident library card program, the library is not required (but may choose) to adopt regulations to waive nonresident fees for minors.

If a library chooses to waive nonresident fees for minors, does the library board of trustees have to annually renew those regulations (as is the case with the library's participation in the nonresident card program)?

The new law does not address this issue and the state has not yet adopted any formal guidance or administrative rules on this question. Practically, since a library is required to make an annual determination on whether to participate in a general nonresident library card program, it might make sense for the library board to make a determination at the same time whether or not the library wants to waive fees for minors at that same time.

Does the new law include specific regulations a library must or can adopt if it chooses to waive nonresident fees for minors?

No. However, because the new law is limited to waiving nonresident fees for *minors*, a library may consider adopting reasonable regulations to require applicants to provide documentation to verify a person's eligibility for a waiver.

In addition, a library that chooses to waive fees for nonresident minors should consult the ISL's FAQ for regulations pertaining to nonresidents as it is likely the ISL's forthcoming guidance will refer to this FAQ for guidance on the nonresident eligibility component of the new law.

Are there administrative rules interpreting the new law? Has the ISL issued guidance interpreting the new law?

The answer to both questions is no. The ISL has not issued formal guidance concerning the new law and no administrative regulations have yet been adopted concerning the new law.

Does the new law impose any economic eligibility limits for potential recipients of nonresident waivers?

No. Unlike the "Cards for Kids" program (which does impose express economic eligibility restrictions), this new law does not impose any economic restrictions on the waiver of nonresident fees for minors.

Should libraries await ISL guidance and the issuance of administrative rules before adopting regulations waiving nonresident fees for minors?

That is a matter of policy for each library.

If a library adopts regulations waiving nonresident fees for minors, can the minor's family members that are either (1) under 18 years old or (2) 18 or older use that person's card?

Since the new law authorizes the waiver of nonresident fees for *persons under 18 years of age*, a library card issued to a minor would not be appropriately used by adult family members who do not meet the statutory age eligibility requirement. Instead, those persons older than 18 years old will need to pay the established nonresident library card fee in accordance with state law.

Other family members who meet the eligibility requirements (nonresident and a minor) can apply for their own library card under this new law (assuming the library board has chosen to participate).