



June 2, 2004

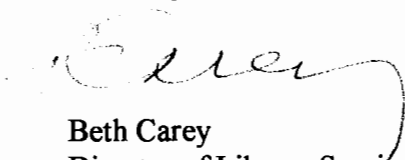
Mr. Geoff Davidian
4101 N. Prospect Avenue
Shorewood, WI 53211

Dear Mr. Davidian,

Enclosed is the opinion of the Library Review Committee regarding your request for a link to your web site.

As stated in the library's Materials Selection Policy, any appeal of this decision should be made in writing to the Library Board. Their next regularly scheduled meeting is Monday, June 14, 2004.

Sincerely,



Beth Carey
Director of Library Services



MEMORANDUM

May 28, 2004

To: Library Board of Trustees
Mr. Geoff Davidian

Fr: Beth Carey, Director of Library Services
Amy Krahn, Librarian Young Adult Services

Re: Request for reconsideration from Mr. Geoff Davidian

Mr. Davidian has requested that the library place a link on its web site to Mr. Davidian's web site. Library staff declined that request and Mr. Davidian has asked that we reconsider that decision. The procedure for addressing an objection to a selection decision are outlined in the library's Materials Selection policy. Within 45 days, a Library Review Committee, consisting of the Director and another librarian, are to examine the materials involved, consult reviews, evaluate the materials, form an opinion based on the material as a whole, and report to the complainant and the Library Board. The Library Review Committee consisted of Director Beth Carey and Librarian Amy Krahn. Following is our report.

The library began creating a web site in 1997 and it was used in-house for a number of years. The web site was uploaded to the MCFLS server and made available to the public in early 2000. The library's mission statement directs that we provide "a variety of library materials, information and programs to meet personal, recreational, educational, and professional needs." The library's web site is an extension of the materials and services the library provides to the residents. It includes both original informational content about library programs and services and both contracted and free links to various other sites.

The selection of web site links for the library's web site is subject to the same criteria used for selection of physical materials added to the library's collection. These criteria are identified in the Materials Selection policy. This concept was discussed when the Internet was new to the library in 1997 and the following statement appears in minutes from a Library Board meeting of April 7, 1997: "Since there is already a policy on materials selection, some of the underlying philosophy might carry over to the use of the Internet." Further, in a 1997 Adult Services Annual Report, it is stated that: "The creation of html pages for our internet stations was a labor intensive project, but was undertaken as an extension of our collection development policies. Librarians are continually reviewing sites and recommending additions to the pages."

We have reviewed Mr. Davidian's web site as a whole against the criteria for selection outlined in the Materials Selection policy and find that the original decision not to link to his site was appropriate. Mr. Davidian's site is primarily links to .pdf files of original documents, links to other sites, and original content. The documents are primarily related to activities and records of the Village government. If such information were requested by a resident, the library would refer the individual to the primary source documents. The original content consists of Mr. Davidian's opinions and interpretations of Village government activities. Mr. Davidian is the only contributor of content. We concluded that Mr. Davidian has no more authority, expertise or significance as a creator of this web site than any other resident who may have a personal web site. His site has not received any awards, is not endorsed or sponsored by any reputable organizations, and is not reviewed by any professional journals that we use. Further, we concluded that the site does not have strong local or popular appeal based on the fact that we have not had any requests for information regarding Mr. Davidian's web site.

It should be noted that we are not in any way blocking access to Mr. Davidian's web site, although the language may at times trip the filters installed on the machines in the children's room. Anyone with interest in his site can access it from the library's computers through a simple search.

Since this is the first request we have had to install a link from our web site, we solicited opinions from colleagues. Staff at the Division for Libraries, Technology, and Community Learning at the Department of Public Instruction was consulted. We also discussed this issue with professors at the UWM School of Information Studies, including an expert in legal matters and public libraries. Several individuals referred us to the U.S. Supreme Court decision on the Children's Internet Protection Act. Chief Justice Rehnquist states in his opinion: "A library's need to exercise judgment in making collection decisions depends on its traditional role in identifying suitable and worthwhile materials; it is no less entitled to play that role when it collects material from the Internet than when it collects material from any other source." We have made Village Attorney Ray Pollen aware of this issue, however we have not asked for, nor are we following any legal advice provided by him.

According to the library's Materials Selection Policy, if a complainant is not satisfied with the response from the Library Review Committee, he or she may appeal the decision to the Library Board. Mr. Davidian has been provided with a copy of this policy.