

# LIBRARY **HOTLINE**

**BREAKING NEWS FOR LIBRARY AND INFORMATION DECISION MAKERS**

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## Court Strikes Down Net Neutrality Mandate

In a ruling that could have serious implications for the way Internet access is regulated in the United States, the Washington, DC, Circuit Court of Appeals ruled on January 14 that the Federal Communications Commission (FCC) does not have the authority to impose so-called “net neutrality” rules on Internet service providers (ISPs).

The court found that the FCC overstepped its bounds as a regulator in putting those rules in place. If the ruling stands, it would open the door for ISPs to work with content providers to provide faster access to their content, creating what some worry could become a two-tier Internet, with large providers who can afford to pay for preferential treatment forming a top tier while other online resources make do with leftover bandwidth.

The 81-page decision represents a 2–1 ruling by the three-judge court of appeals. The key part of the decision reads, “even though the Commission has general authority to regulate in this arena, it may not impose requirements that contravene express statutory mandates. Given that the Commission has chosen to classify broadband providers in a manner

that exempts them from treatment as common carriers, the Communications Act expressly prohibits the Commission from nonetheless regulating them as such.”

Under the now-invalid order, the FCC had established a requirement of transparency in how ISPs manage their networks and rules stating that no ISP could block lawful content or discriminate in how they presented that content. Functionally, those rules meant that even though they were not defined as such, ISPs were held to a standard very similar to common carrier companies. Such companies, which provide a public good service—like airlines and phone companies—are prohibited from discriminating in how they provide that service.

Verizon appealed the rules. The appellate court sided with Verizon, striking down the regulations against blocking and discrimination, while leaving in place the order that ISPs must be transparent about how they make those data management decisions.

The FCC’s rules were meant to ensure that the Internet remain a level playing field for content providers, preventing ISPs from, for example, showing one preferred website over a swift connection, while bringing up a competitor’s site more slowly.

## Interview

### Bill Ptacek



After 25 years as director of Washington’s King County Library System (KCLS) (the 2011 *Library Journal*/Gale Library of the Year), Bill Ptacek is packing his bags for Alberta, Canada, where he’ll serve as CEO of the Calgary Public Library.

#### How’s the transition going?

In some ways, I haven’t gotten my mind around the fact that I’m not going to be [at KCLS] anymore. Then again, the whole point is that doing new things is a part of life.

#### What made now the right time for you to leave KCLS?

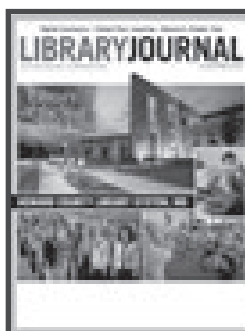
This is a really great library community, and I’ll always love it. But at a certain point you understand that part of loving a system is letting another generation come in and take the reins.

#### What attracted you to the Calgary job?

It’s a growing city with a lot of resources, a rapidly growing population, and an administration [that] is very committed to the library. In many ways, it reminds me of King County 15 or 20 years ago, and I thought, “Wouldn’t it be cool to be a part of that?”

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## Library of the Year

All libraries are good, some are great. *LJ* is looking for role-model libraries to vie for the honor of being the 2014 *Library Journal*/Gale Cengage Library of the Year. To learn more and submit your nominations, visit [ow.ly/sLEEM](http://ow.ly/sLEEM).

Postmark deadline: April 5

The Weekly Newsletter from *Library Journal* and *School Library Journal*

"When you call Pizza Hut, you don't expect to get cut off because the phone service has cut a deal with Papa John's," American Civil Liberties Union (ACLU) senior policy analyst Jay Stanley told *Hotline*. "We could start to see those kinds of shenanigans on the Internet."

Such problems, Stanley said, could have been avoided if the FCC had initially defined ISPs as telecommunications companies under the provisions of the 1996 Telecommunications Act. That would have made ISPs subject to common carrier rules. "The common carrier regime has showed itself to be a robust means of dealing with a variety of abuse for over a century," said Stanley.

Many abuses potentially allowed by the court's ruling concern librarians. "The American Library Association is extremely disappointed with today's decision by the D.C. Circuit Court of Appeals to strike down the FCC's "Net Neutrality" decision," American Library Association (ALA) president Barbara Stripling said in a statement. "Now that the Internet has become the primary mechanism for delivering information, services, and applications to the general public, it is especially important that commercial Internet Service Providers are not able to control or manipulate the content of these communications."

ALA director of government relations Lynne Bradley told *Hotline* that open and equitable Internet access is a core value of libraries, reflecting their mission of free access to information for all. New policies that could be put in place in the absence of open Internet rules could drive up libraries' (and consumers') costs for comparable Internet access, Bradley said, and drive ISPs to prioritize the flow of entertainment content from partner companies, while devoting less bandwidth and resources to educational content. Without rules governing net neutrality in place, said Stanley, it's

even conceivable that telecommunications companies would slow down the websites of political parties with which their executives disagree.

In a statement, FCC chair Tom Wheeler said that the FCC will fight the court's decision. "We will consider all available options, including those for appeal, to ensure that these networks on which the Internet depends continue to provide a free and open platform for innovation and expression and operate in the interest of all Americans."

ALA will continue to be an advocate during that process, Bradley told *Hotline*. "Libraries in general have to find some glimmer of hope at the end of the tunnel," she said. "We have to pick ourselves up and seek out what we really want, which is an open Internet."

The Association of Research Libraries (ARL) also weighed in on the court decision. In a statement, ARL president Carol Pitts Diedrichs said, "The intellectual freedom that libraries, colleges, and universities have long championed would be threatened if network operators act as gatekeepers, bar access to competing or nonprofit voices, or relegate unpopular or noncommercial expression to the Internet's slow lanes. We look forward to working with the FCC in considering the avenues available to ensure effective network neutrality and open Internet rules going forward."

## EBSCO's Brooke Retires; Collins Named CEO

After more than four decades with the company, EBSCO CEO F. Dixon Brooke announced his retirement on January 15. The announcement also brought the news that EBSCO Information Services president Tim Collins will step in as CEO.

Brooke, who joined EBSCO Industries in 1974, became COO in 2004, in preparation for taking over as president

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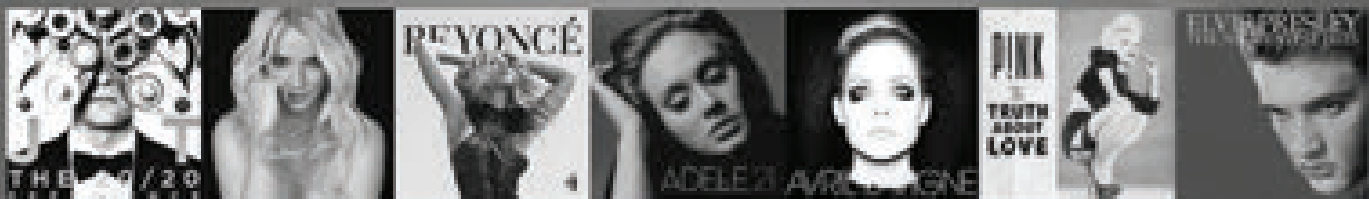
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## Superman/Kennedy Comic Finally Home at JFK Library

On January 9, a Superman comic depicting John F. Kennedy, originally released shortly after the president's 1963 assassination, finally made its way to the JFK Library in Boston, where illustrator Al Plastino had thought it had been for nearly 50 years.

Plastino, who died last November, realized that his original work *Superman's Mission for President Kennedy* was not in fact housed at the Harvard-based library when news of the comic's auction broke near the 50th anniversary of Kennedy's assassination. Plastino was at New York Comic Con when he heard the news.

"When my father saw that, he got really upset," said Plastino's daughter MaryAnn Charles.

The ten-page comic was produced in conjunction with the White House to promote Kennedy's physical fitness program but was not yet completed at the time of the president's death. It was shelved until a few months into Lyndon B. Johnson's presidency, when Johnson specifically requested that it be finished. Plastino added a special splash page to the



Pictured (r.-l.): Al Plastino Jr. and MaryAnn Plastino Charles holding the splash page of the original Superman art from *Superman's Mission for President Kennedy*, with Jay Kogan from DC Entertainment.

work before it was released, depicting President Kennedy in the clouds. On the last page of the artwork itself, it said the art would be donated to the JFK Presidential Library.

Last month, DC Comics purchased the original art (though the company declined to say from whom or at what price) and donated it to the JFK Library, fulfilling Plastino's dying wish. But it's still unclear where the original artwork was all this time.

Plastino's family contacted the JFK Library to see if its records indicated DC's original intention to donate the work 50 years ago.

"A thorough search showed no evidence that the artwork had ever been offered to the library or was ever a part of its collections," said Rachel Flor, a spokesperson for the library.

A recent statement from DC Comics said it acquired and donated the work "as a tribute to honor [Plastino] and preserve his artistic legacy" but made no mention of where the work was during the past half century, or why it was not originally given to the library. According to the statement, DC was "fulfilling Plastino's longtime hope for the story" by donating the work to the JFK Library. When asked about the mix-up, DC representatives had no comment.

"I think that probably it was taken by someone at DC back then, sold and kept and sold over the years to various dealers," Charles said, adding that they had traced the ownership back to folk rock musician Graham Nash while starting the litigation process to find out the current seller. A few days before the first hearing would have taken place before Judge Shlomo S. Hagler in New York Supreme Court, DC stepped in and purchased the work.

"We're happy with the outcome and grateful to a lot of people for helping," Charles said.

She said that the death of her father in the middle of the process (and before the work arrived at the library) had been "pretty horrible" but feels peaceful now knowing the work is where her father always wanted it to be.

Flor told *Hotline* that the library "will plan some way to make [the pages] available to the public, but those details have not been worked out yet. We are still working on finalizing the legal transfer, which must be complete before we can do any kind of display."

in July 2005, following the retirement of Jim Stephens, who had held the post since 1970. Previously, as VP and general manager, Brooke oversaw EBSCO Subscription Services as well as its General Services Group of business operations.

Brooke's eight-year tenure as EBSCO's CEO will come to a close with the fiscal year on June 30, after which Collins will take the helm of the company that he joined in 1987. That's when EBSCO Industries, Inc., acquired Collins's young information services company, Popular Magazine Review (PMR). Under the EBSCO umbrella, PMR would become familiar to librarians and researchers as EBSCO Information Services, which provides reference assistance and database services to libraries worldwide.

Collins will continue in his role as president of EBSCO Information Services as he makes the transition to succeed Brooke, becoming just the fourth president and CEO in the 70-year history of EBSCO Industries.

Collins told *Hotline* that he's confident his decades of experience with the company have prepared him for his new role. "I've been around long enough to know that the key is to deploy proven principles in new situations but to be smart enough to realize what you don't know and ask questions to learn," said Collins via email. "I will be doing a lot of learning over the coming months as I work closely with Dixon during the transition."

Collins also stated that following his transition to the role of president and CEO of EBSCO Industries, executives at EBSCO Information Services will continue to report to him directly; the position of president of EBSCO Information Services will no longer exist as of July 2014.

Brooke also expressed confidence in Collins's ability. "EBSCO is a great organization, full of wonderful, talented people. We are indeed fortunate

to have Tim Collins ready and willing to step up to this new leadership challenge,” said Brooke in a statement. “Tim is an exceptionally accomplished leader with a proven management record marked by success.”

Brooke told *Hotline* he looks forward to spending more time with his wife and grandchildren but will remain active in the governance of the company as a member of EBSCO’s Board of Directors.

## Federal Budget May Aid School Libraries

The \$1.012 trillion spending bill passed by the House on January 15 and the Senate on January 16 will restore most of the federal education funding—including that for Head Start, Title I, and special education programs—that was cut during last year’s sequestration. The boon to poorer school districts could ease budget squeezes that have, in many states, forced the elimination of school librarians in recent months, education experts told *Hotline*.

“Districts have to fund special education regardless if the money is available from the federal government or not,” explained Mary Kusler, director of government relations for the National Education Association (NEA).

Federal education funding, even if it’s just enough to restore sequestered Title I and special education monies, would certainly have at least an indirect impact on schools at the state and district level, said Gail Dickinson, president of the American Association of School Librarians (AASL). Whether this translates to an investment in the school library media specialists so often on the chopping block, however, remains to be seen, she said, noting that districts still face “hard choices.”

The FY14 Omnibus Appropriations Bill, which President Obama

**David Mook** has retired as Reference Librarian at Sioux City Public Library, IA. He had been with the library for more than 40 years.

**Neel Parikh** has retired as Executive Director of the Pierce County Library System, Tacoma. She had been with the library for 20 years.

**Janet Quackenbush** was named a Librarian at Santa Cruz Library, Eloy, AZ. She received her

master’s degree from the University of Arizona, Tucson, in May 2013.

**Richard Reyes-Gavilan** was appointed Chief Librarian at the District of Columbia Public Library, Washington, replacing **Ginnie Cooper**, who retired in late 2013. Reyes-Gavilan was previously Director, Brooklyn Public Library.

## In Memoriam

**Liselotte Andersson**, a former Music Librarian at Tulane University’s Maxwell Music Library, New Orleans, died on January 9. She was 97 years old.

**Page Lancaster Gifford**, a former Librarian at Flint Public Library, Middleton, MA, died on January 10. She was 91 years old.

**Norman E. Lovely**, former Head of Reference at Worcester Public Library, MA, died on January 10. He was 82 years old.

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was expected to sign at press time, restores 86 percent of both Title I funds for poor districts and monies for special education that were cut in March 2013 during sequester. That amounts to \$14.4 billion in Title I funds, an increase of \$625 million, to support services for an estimated one million more students. About 90 percent of the nation’s school districts receive some Title I funding. For special education, the bill sets aside \$11.473 billion, \$498 million above 2013 levels.

The bill also includes appropriations for Head Start of \$8.6 billion, an increase of \$1.025 billion over current funding levels, which includes \$500 million to expand Early Head Start for families and children from before birth through age three as well as child-care partnerships connected to the program.

The NEA’s Kusler noted that the bill represents “a focused Congressional investment in the programs that most directly impact disadvantaged children.”

The bill does not include President Obama’s wish to dedicate \$750 million for universal preschool, but it does encompass \$250 million for Race to the Top preschool funding, which will go to states seeking to develop, enhance, or expand their own preschool programs.

“Despite the fact that we don’t see an investment in a separate, stand-alone program, when you put all the pieces together, this bill as a whole invests very heavily in early childhood education,” Kusler said.

## ProQuest Debuts Cloud-Based Collaboration Tool

A version of Flow—ProQuest’s cloud-based collaboration and document management tool—is now available for free to researchers, including those affiliated with nonsubscribing institutions. Launched in mid-2013 as an alternative to Mendeley and Zotero, the platform helps researchers discover, store, and organize academic articles, citations, and metadata down-

loaded from electronic databases. It allows for collaboration with other researchers in a cloud-based environment that enables group annotation of articles, sharing of data sets, and group editing of draft documents, among other functions.

Any student or faculty member with a verifiable academic email ad-

dress can sign up for a free account, which offers 2GB of cloud storage and the participation of up to ten partners per project. ProQuest hopes that a critical mass of free accounts will help enhance anonymized usage data and entice colleges and universities to purchase institutional subscriptions based on FTE. Those subscrip-

tions offer users 10GB of storage and unlimited collaboration (including course-based work with students) and provide librarians with a robust suite of analytics tools to study how their digital collections are being used.

Both free and subscription-based accounts allow users to store full-text versions of articles from ProQuest, JSTOR, HighWire, PubMed Central, and Wiley databases and to capture metadata and citation information from other sources, such as Google Scholar, or EBSCO and Gale Group databases. (Access to this content remains limited by an institution's subscriptions and licensing arrangements with database providers, aggregators, and publishers.) The platform can also import existing citations, libraries, and documents from other reference managers, including Mendeley, Zotero, and ProQuest's own RefWorks.

Users can then sort articles into collections that can be shared with their collaborators, link their account to Microsoft Word for automatic citation updates, and link their Flow account to Dropbox, allowing researchers to access all but their most recently uploaded documents when they don't have access to the Internet.

#### REFWORKS GOES WITH THE FLOW

ProQuest is not planning to discontinue their RefWorks product, though Flow already incorporates all the key features of the reference management platform.

"We are still developing RefWorks. This doesn't mean that RefWorks is somehow mothballed," said Eric Van Gorden, senior product manager for Flow and RefWorks,

However, he added that ProQuest was hoping that the free Flow accounts, coupled with the simple process for migrating content from RefWorks, would encourage users to switch. Institutional pricing for Flow

## Branching Out



The newest branch of the Alameda County Library, CA, opened on January 15 in the **REACH Ashland Youth Center** (pictured) in San Leandro. The 31,500 square foot center, costing \$23 million, opened in May 2013 and includes a community health clinic, a day-care facility, a multimedia room, a dance studio, a weight room, an arts room, and a café, in addition to the new library branch. It received U.S. Green Building Council Leadership in Energy & Environmental Design (LEED) Platinum certification for sustainability.

**Gustavus Adolphus College**, St. Peter, MN, is looking to renovate its 1972 **Folke Bernadotte Memorial Library**. The \$8 million project has half its funds already committed through gifts and pledges. The plans developed in collaboration with architect Hammel Green and Abrahamson include a total remodel of the library to feature dynamic learning rooms, a new entrance, the addition of natural light, and a gateway between the Sesquicen-

ennial Plaza and the Johns Family Courtyard. Construction will begin in earnest when all the funding is in place.

Also undergoing renovations is the **Tahlequah Public Library**, OK, part of the Eastern Oklahoma District Library. Per the *Tahlequah Daily Press*, the library will be getting new paint and carpeting, as well as remodeled restrooms

to comply with the Americans with Disabilities Act. The more than \$376,000 project is supported through a Tahlequah City Capital Improvement Bond.

The **Astoria Public Library**, OR, is looking to expand by acquiring and demolishing a Waldorf Hotel, according to the *Daily Astorian*. The project will encompass 18,000 square feet and cost between \$4.6 million and \$4.8 million. Planning and funding are next on the to-do list, with the first phase of construction affecting the children's area and meeting rooms. Razing the deserted hotel in addition to the early work is expected to cost \$1.75 million. Former mayor W.C. Logan bequeathed money to the city for the new library. With interest, that amount has now grown to \$1 million.

Atlanta's 50,000 square foot **Auburn Avenue Research Library on African-American Culture and History** will undergo renovations and an expansion, to begin on February 1. The project is expected to last close to two years.

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would “absolutely” be discounted during any transitional phase.

Currently, the Flow platform is best suited to storing and pulling metadata from PDFs and Microsoft Office files, although Van Gorden said that the platform would eventually support other formats and multimedia files as well.

## Survey: Ebook Usage in School Libraries To Rise

Ebooks usage in school libraries—especially in high schools—is expected to continue rising incrementally, according to the 2013 Survey of Ebook Usage in U.S. School (K–12) Libraries. The fourth annual survey was produced by *School Library Journal (SLJ)* and sponsored by Follett.

Ebooks have yet to become as popular in school libraries as in public libraries, the survey found. However, that is poised to change; new

initiatives, such as “1:1 schools” have emerged to ease ebook and device adoption in schools.

However, the survey also suggested that the next generation of readers will continue to straddle both the print and electronic book worlds, as ebook use among the youngest grades is generally declining.

“There is a duality to reading that today’s children are used to,” the study finds. “It’s not unusual to hear that many children, tweens, and teens still prefer reading physical print books, even as they do countless other things on electronic devices.”

The number of school libraries with ebook collections and the size of those collections are steadily growing. In 2013, 56 percent of library media centers (LMCs) offered ebooks to students and faculty, 16 percent more than in 2012. The average number of titles on hand was 136, an increase of 325 percent from 2010.

Yet user demand among students has leveled off since *SLJ*’s previous survey. Just over four in ten respondents (44 percent) witnessed an increase in demand for ebooks this year, compared with 46 percent last year. Only nine percent of respondents indicated a “dramatic” increase in demand, and 23 percent of school libraries reported receiving zero requests for ebooks this year.

More than half (57 percent) of school libraries’ ebooks are nonfiction, while 43 percent are fiction.

In the 2012–13 school year, LMCs spent on average \$1,114 (median \$401) on ebooks, and one-fifth of respondents to the survey said that they spent none of their own budget money on ebooks because funds were made available to them through the state, school district, or consortium membership. The survey extrapolates that an estimated \$73 million was spent on ebooks in U.S. schools in 2012 to 2013. And since last year’s survey, the percentage of materials budgets of LMCs spent on ebooks has nearly doubled, with that percentage expected to more than triple by 2018. The survey also finds that it is common for school librarians to purchase titles in both print and electronic formats.

The “school desktop computer” remains the top method by which students access a school library’s ebook collection, selected by 76 percent of respondents. “School laptop” was selected by 48 percent, with “interactive whiteboard” used by 41 percent. Fifty-seven percent of respondents cited student-owned devices being used for reading school ebooks, with 39 percent saying students used their own tablets, 30 percent their own dedicated ereaders, and 23 percent a smartphone. At the same time, many schools/school districts prohibit the use of personal mobile devices, forcing students to rely on school-provided hardware.

### News in Brief

The **Library of Congress** has acquired the archive of jazz musician **Max Roach** (1924–2007). The collection includes correspondence with other musicians, personal writings, and an unpublished autobiography.

Scientific journal publisher **ACS Publications** launched **ACS Editors’ Choice** to highlight open access articles. Every day a new article is featured at no charge to the public.

**Credo** has made **EContent’s** list of the Top 100 Companies That Matter Most in the Digital Content Industry. The company was recognized in the Content Commerce and Digital Content Provider categories.

The **Springfield-Greene County Library District**, MO, received \$770,422.50 from an anonymous donor. The money will help fund the renovation of its **Brentwood Branch**.

Four of **ProQuest’s** products were named finalists for the **2014 SIIA CODiE Awards**: **ProQuest Dialog** for Best Search Technology Solution; **ProQuest ETD Administrator** for Best Scholarly Publishing Information Solution; **ProQuest Statistical Abstracts** for Best General Reference Service; and **Summon** for Best Search Technology Solution.

The **Charlotte Mecklenburg Library Foundation**, NC, exceeded its fundraising goal with \$183,000 in donations. The money will support general library services, programming, and books and materials.

**High Plains Library District**, CO, switched to **Innovative Interfaces’ Sierra Services Platform**, **Encore** discovery solution, and **Decision Center** collection management tool. It was previously using **SirsiDynix’s Horizon**.

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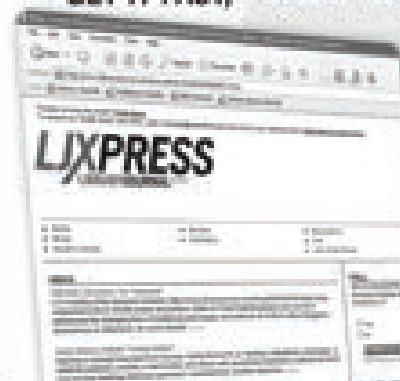
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# Customer Profile #203



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**Profession:** Librarian  
**Employer:** Belvedere Tiburon Library,  
California

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Helping patrons with finding the information they need and solving tech issues.

**Facebook or Twitter: Twitter.**

**Your library bucket list includes...**

Launching more library apps, creating an engaging experience in our buildings, and unshackling ourselves from the PDC.

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