

1C—On Access

(How) Do We Serve the Public? The Evolving Relationship between Academic Libraries and the Wider Community, Amy Kaufman (Queen's University).

When we talk about open access, we usually mean scholarly material freely available online. But there's another important question of open access, one that librarians wrestle with as part of their daily work: whether—and to what extent—members of the public can have access to academic libraries and all they have to offer. Discussions about public access to academic libraries sometimes assume that it is a right. However, this preliminary question deserves to be explored more closely. Once we have determined if there is a right to public access, we can move on to a richer discussion of whether academic libraries should offer public access. If there is no right, the question becomes more complex: is public access to academic libraries a societal good? If so, does offering public access detract from the academic mission of the library? A library's resources are not endless: it has a finite number of staff, a set materials budget, and limited space. Decisions about public use of a library can have implications for university-affiliated users as well. I have found three main claims to put forward as bases for a possible right of access to academic libraries: 1) The public nature of many universities, which is also sometimes framed as a right of taxpayers to use something at least partially paid for by taxes, 2) An academic library's participation in a government depository services program, which can stipulate a level of public access in its terms, and 3) The obligation of libraries to support a robust democracy by opening themselves to all people so they may become informed and active participants in society. This presentation explores the first of these claims by reviewing relevant laws and court cases from both Canada and the United States, which yield some interesting stories about what happens when perceptions about a right to public access come into conflict. I will also describe different ways in which academic libraries have responded to the question of public access. This presentation draws on "A Different Question of Open Access: Is There a Public Access Right of Academic Libraries in the United States and Canada" (2011) 103 *Law Library Journal* 379-393, also available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2593157.