

SUMMARY OF APPLS FEEDBACK ON DRAFT SYSTEM STANDARDS March 2015

SECTION:

- System Board of Directors. [22 Pa. Code §141.24(c)]
 - The System Board shall have bylaws that fully articulate the roles, responsibilities and process by which members are chosen for the Board.
 - Board Composition [22 Pa. Code §141.24(c)(2)(ii)]
 - The system board of directors shall be composed of nine members representative of the system membership based on population and size of member libraries.
 - The apportionment of members and the method of appointment or selection shall be subject to the approval of the State Librarian. [22 Pa. Code §141.24(c)(2)(ii)]
 - The first members shall be appointed or selected as nearly as may be 1/3 for 1 year, 1/3 for 2 years and 1/3 for 3 years. [22 Pa. Code §141.24(c)(2)(ii)]
 - All subsequent appointments or selections to fill the places of those whose terms have expired shall be for a term of three years. [22 Pa. Code §141.24(c)(2)(ii)]
 - Vacancies shall be filled for the unexpired terms. [22 Pa. Code §141.24(c)(2)(ii)]
 - The administrator of the library system shall be an ex officio member of the System Board of Directors.
 - The functions of the system board and the system director shall be clearly differentiated in a written statement. (22 Pa. Code §141.24(c)(8))
 - The system board of directors shall meet at least three times a year.
 - The minutes of the system board shall be submitted to the State Librarian.

COMMENTS:

ACLA; We advocate for increasing the number of Board members to a range of 7-11 allowing for varying system sizes (our system represents 45 libraries, 130 municipalities, and 1.2 million people – even 9 means a lot of work for every volunteer board member). We also concur with language: “representative of the total service area” as ensuring broad distribution of board members. We recommend limited terms, not just term limits (for system boards as well as local library boards). We recommend a minimum of quarterly meetings. Could approved minutes be posted electronically on the system website as an alternative?

BALIR: On page 3 of the Draft Language the citation for Board Composition is 141.24 c 2 ii. This subsection (ii) deal specific with " library systems receiving not support ... from municipalities" - see attachments. This is where the State Librarian gets to approve the method of appointment The citation should have been to Section 411 on the Library Code - which deals with municipalities support. This is also the section cited in the New Code - section 9318. The point of representative(s) to the Board being based on population and size of library - does that mean in my case Altoona could have two representatives on the Board because it is the largest library?

Cumberland: If a municipality, such as a county provides significant support for the library system, they need to have a role in appointing representatives to the board. Otherwise, you are creating a disconnect between the funding municipality and the governing board. Perhaps you should consider a range of board sizes based on the system’s service area. For my size service area (244,731), I think 9 or 11 make sense. If you do this, you should specify that the board be an odd number. Requiring only three meetings per year seems very odd. If you must require something, why don’t you require at least quarterly meetings? My board meets about 11 times per year.

Green : With the proposed regulation, my larger library would get more members on the system board and there could then be the group mentality of only thinking for their library. It would also mean that half of the member library board members would also have to sit on the larger, 9 member system board. That’s a lot to ask from a small system. The number of members should be flexible based on system size.

Lackawanna: Currently, the municipal government that provides financial support to the system has the right to appoint members. In some systems, including Lackawanna, all board members are appointed by the County Commissioners, and all serve at-large. A board that is “representative of system membership” would disallow this structure and hamper the current relationship between the system and the local government. I would recommend that the membership structure be left to the system and not be prescribed by the state. As to size, I would recommend a range of 7 to 11 members. A board of 7 works well for us, but there are some systems who need more members. (The current range is 5 to 9.) Terms: Is the term of three years renewable? In practice, my board members serve three year
System boards should meet more often than three times per year, perhaps 4 – 6 times. Regarding minutes of the system board: Are they to be submitted annually? Perhaps with the state report?
Written agreements: Renewable at five years, rather than three.

Lawrence: *Overall – I think this draft improves the flexibility of libraries/systems to meet local needs - As much as I thought have the system board approve initiatives of local libraries under the existing regulations was an imposition prior to becoming a system administrator – I agree with Jonelle, that there has to be some method /guidelines /incentive to prevent member libraries from assuming that system provided services can automatically absorb new technology*

Lancaster: Does it have to be a standard agreement between each library and the system? Or can each agreement be tailored to a specific library/situation? I can see a benefit to having each library get their own agreement

Luzerne: Board Composition: Since this is hard to regulate anyway, perhaps a range is best. If I understood the conversation correctly, there are some systems with a large number of members, and some with far fewer. I also thought I heard a suggestion for a range of 5-11. That could work, as might a statement limiting the top end of the board size, e.g., “shall be composed of no more than nine members”, or whatever number is settled upon. Is it really necessary that the state librarian approve the composition and method of appointment?

Somerset; I think composition of the Board should be up to the System Board Articles of Incorporation, By-Laws, or Member Agreements.

SECTION:

- Roles and Responsibilities.
A federated public library system board shall have authority over system-wide functions and services. The local library boards shall retain responsibility for their public libraries in all other areas.
- System Membership. The library system board shall:
 - Develop criteria for membership in the system. [22 Pa. Code §141.24(c)(9)]
 - Adopt policies that will be applicable throughout the system. [22 Pa. Code §141.24(c)(9)]
 - Have written agreements of participation between the system board and each local library which is a member of the system, in which the obligations, services, and contributions of each party shall be stated. Agreements shall be reviewed and renewed every three years. [22 Pa. Code §141.24(c)(3)]

COMMENTS:

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| <p>ACLA: Language regarding system board’s review and approval of new buildings should be restored. We are not as concerned about renovations or expansions, but new facilities is a significant concern that bears on the commitment of technology resources in particular.</p> |
| <p>Blair: Language regarding system board’s review and approval of new buildings should be restored. We have three libraries that cannot meet that 12% collection expenditures because they are paying off their mortgages. These libraries were build before I started working. Boards do not seem to realize how difficult it is to raise funds to payoff a mortgage. Boards members who approve the construction or renovation of a library leave the Board in a few years and the hard work raising funds is left to the new Board members.</p> |
| <p>Cumberland: One major glaring omission from this list of responsibilities is that the regulations no longer require the system board to review and approve plans for construction, remodeling or enlarging units in the system to confirm that the units fulfill the needs of the area served. Many years ago, we had a library open a branch –literally under the cover of darkness—and surprise the system with its existence. They opened it this way, because the system probably would not have authorized it. It’s now a facility that even the main library wishes that it never had opened. We’ve also had instances where the local library’s program plan for construction actually improved/expanded as a result of the system board’s review. I believe it’s critically important for the system board to have final authority over whether these projects move forward or not, because the system is then required/asked to support them.</p> |
| <p>Luzerne: Currently, I believe system boards are supposed to approve member libraries’ plans for new buildings. Is this role no longer considered appropriate? If it is still something a system might consider doing at the local level, perhaps a statement is needed somewhere in the regs stating that roles and responsibilities are not limited to those noted in the</p> |
| <p>Somerset: During the informal feedback webinar, one System Administrator had pointed out that, if a System is expected to automatically support member libraries’ new or expanded branches or buildings, then the System Board should have the final say over whether or not construction and renovation projects should be approved as currently outlined in 24(g)(1). Does something need to</p> |

change in the draft regs for this, or would System Boards need to make sure that this type of concern is addressed in Member Agreements of Participation and System policies?

Wayne: System board should still be required to review and approve construction/expansion of buildings. But reg should also have teeth to it, some penalty if the local board ignores system board's recommendations.

SECTION:

Financial Responsibilities

- The system board of directors is responsible for the distribution, expenditures and reporting of state aid on behalf of the system member libraries and the overall system population they serve.
- The system board of directors shall develop and formally adopt the formula used to distribute state aid earned at the system level with input and support from each member library board of directors. The formula shall include the following criteria:
 - A baseline amount distributed to all member libraries.
 - Additional funding to those member libraries who provide a larger percentage of resources to meet the overall system requirements of state aid.
 - A 5% reduction in state aid to member libraries not meeting all eligibility standards.
- The formula shall be submitted to the State Librarian for approval

COMMENTS:

ACLA: Suggest: "with opportunity for input from each member library." We regularly provide opportunity for input but can't require input. We have historically modeled our state aid distribution on whatever the State would be applying to a local library (based on the existing, if not being utilized, factors). This would require a significant change in how we distribute state aid – to which we aren't necessarily objecting, but it would be a change. The matter of additional funding to those providing more resources raises questions on how those would be defined and quantified. Perhaps this should be saved for policy vs. regulations

Cumberland: Having been a system director for 23 years, ideas about formulas come and go; each meeting the needs of the times when they are used. I believe that hardcoding specific elements in regulations is a BIG mistake. Also requiring funding to member libraries who provide a larger percentage of resources is not always right either. If you state this, then why not have something that requires funding for those areas that have significant poverty factors? In my experience the largest libraries generally always have more control over the negotiation process anyway. I believe the key element that should be considered is requiring regular reviews (**every 5 years**) to assess the system's individual needs.

Greene: Currently, the GCLS funding is split based on a population number (service area) for each library. It's simple and easy to understand. I like that the State Librarian needs to approve it. There is nothing stopping a member library from doing whatever they want, despite having a system member agreement. If the State Librarian steps in, the final say goes. No matter which way it is decided, it has some substance.

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| <p>Jefferson : Changing formulas should be handled by the system board due to the conflict that can arise over the slightest change. I think the system board operates in the best interest of the system and local library boards will operate in the best interest of their library, so getting input from each library board may sound good. This may not work and cause division over the formula. If the system starts doing this each time with major decisions it becomes a problem, which I have seen happen. Making any funding formula changes without new funding is a problem.</p> |
| <p>Lackawanna: In Lackawanna County, county funding provides about 70% of member library allocations, while state funding provides less than 20%. The allocation of state aid is not as significant an issue here as it is elsewhere, as our libraries are concerned about the overall allocation (a combination of these two funding sources). That said, I believe that the formula elements should be left to the discretion of the local system board and not be prescribed by the state. 5% reduction: Should this be a part of the member agreements, rather than related to the formula?</p> |
| <p>Lancaster : “Input and support” is vague. What if a subsection of libraries refuse to support? What if one party feels the input was not acknowledged? Can we proceed with majority support? Or does it require unanimous support?</p> |
| <p>Luzerne: The formula for distribution might best be left to the local system board with the approval of the state librarian and in compliance with any guidelines developed by Commonwealth Libraries and approved by the GAC. The 5% reduction in state aid is a good idea for libraries not meeting all standards, but should there be mention of how that money might then be used or distributed by the system?</p> |
| <p>Somerset: Making funding formula changes without additional funding (to ensure that nobody “loses” funding) is problematic. After the economic downturn and dwindling of funding, our System Board voted not to re-run the population-based portion of our formula even though there was a shift in population of service areas, because re-running the formula would have resulted in some member libraries suffering additional losses in their funding. System Boards should have the flexibility to protect members in this way when the Board agrees it is the best approach for the good of the system as a whole. If the State is going to mandate some criteria for the funding formulas, I think it should be done outside of the Code so that it can be more easily adjusted if needed in the future. Maybe it could be handled though a Guideline or Policy document through the Governor’s Advisory Council.</p> |
| <p>Wayne: Formula should be reviewed and renewed how often? Can regs specify a three-year rolling average of LFE to allow for inevitable fluctuations in a single year? Or is that elsewhere, not regulation? If formula is developed by system, and then approved by State Librarian, do regs need to define criteria? If the answer is yes, then formula criteria should be phrased more consistently. Bullet #2 is vague (additional funding), bullet #3 is specific (5%). Allow for vagueness or be specific but not both. If libraries aren’t able to meet standards, how is any reduction going to help? Instead of \$ penalty in formula, perhaps elsewhere in regs we require a plan for library to meet standards, and if they don’t meet plan within defined time period that kicks in process to consider a change in status from member to branch or other service point</p> |

SECTION:

Disputes: The State Librarian shall hear appeals in regard to disputes arising between member libraries and the board of directors that cannot first be resolved by the system board of directors. Decisions of the State Librarian will be final.

COMMENTS:

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| <p>Lackawanna: The final bullet language is unclear. When it says “disputes between member libraries and board of directors,” does that refer to the member library boards? What is the nature of the disputes that the system board should get involved in? Please clarify.</p> |
| <p>Somerset: Wording regarding Disputes needs clarification. Are the disputes between local library Boards and the System Board? Who can register a dispute? What would be the process for dispute escalation</p> |
| <p>Greene: really like the idea that the State Librarian will have the final say on disputes within systems. The district centers have enough to do without getting involved. I think the districts should be made aware of issues but the final decision lying with the State Librarian gives it more backing and puts an end to it.</p> |

SECTION:

Eligibility for State Aid

COMMENTS:

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| <p>ACLA: 7,000 seems an arbitrary number. Perhaps looking at service districts statewide and finding a median point? The elimination of all minimum staffing requirements is of concern as local libraries may sacrifice staff to save money. Local libraries should have a service plan that supports the overall system plan. 12 % Collection expenditure :This should be defined in policy vs. regulations but currently should include digital materials (eBooks, eAudios, eVideos, eMagazines, eMusic, reference databases, etc.) and platform costs. FTEs: The elimination of all minimum staffing requirements is of concern as local libraries may sacrifice staff to save money.</p> <p>Service Plan Local libraries should have a service plan that supports the overall system plan.</p> |
| <p>Greene: Both member libraries in Greene County are open enough hours to meet the Incentive for Excellence Aid. I feel that if we give them the option to split X amount of hours, they could easily make the choice of closing all the hours they are open over the new combined minimum. It would then be a decrease in service. If a library board looks at the bottom line and sees they can close a few hours to save staff and operating costs, and still get their entire state aid amount, they are going to seriously consider it.</p> |
| <p>Jefferson: Even though I like the idea of developing a system plan of hours, I think each library should be responsible for specific hours. If other libraries decide not to stay open extra hours it could get complicated. Right now we have two libraries that could help two other libraries, so this idea would work for our system right now. Individual library boards normally decide the actual library hours of operation based on funding, so it might not always work.</p> |
| <p>Jefferson: System Certification is not addressed and it specifically affects two of our libraries. These libraries have requested “system certified” be grandfathered into the code. The concern with trustee training is that trustees are volunteers. Librarians already have seen problems getting volunteers to serve as trustees. Mandated trustee training doesn't get important members from your community to serve. These individuals almost always have limited time to serve, because of their involvement in the community. Isolating these individuals would be a detriment to</p> |

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| <p>the library's board as they have connections in the community. Every board is different due to the community makeup and varying needs. Training might work if it was brought to the board in their vicinity.</p> |
| <p>Jefferson: Our specific concern with Local Government Income is due to the nature of Pennsylvania's municipalities and the concerns facing them with all the state regulations. The library code requires maintenance of local government income, yet there is no penalty for municipalities who fail to do so. Only the individual library is penalized. The budgetary problems of local governments are a huge concern for rural libraries.</p> |
| <p>Lackawanna: I would like to see standards for libraries with larger service populations, e.g., 25000+ and/or 50000+. I would hate to see a headquarters library with a service area above 50,000 people choosing to be open just 45 hours per week. All library directors must be certified professionals? This standard is currently tied to population. We currently have directors with Provisional or Lib Asst certificates doing really good jobs in our smaller libraries. Current language on CE refers to paid staff who regularly work 20 hours or more per week. This changes it to staff who work less than that?</p> |
| <p>Luzerne: There should be some mention of weekend hours. Weekday hours may be adjustable, according to local needs, but every library should have some time open on the weekend, when most adults have their time away from the workplace</p> |
| <p>Somerset: I like having more latitude in setting hours. I believe we have at least one library in our system where we could improve the quality of services and possibly offer more programs using existing staff but opening fewer hours (so there is more staff per hour during busier times). ETF: §141.21 (2)(iv)(D) states that the local library should have at least 1 qualified staff FTE for every 3,500 persons in the direct service area; whereas, §141.24(f)(3) currently calls for library systems to have at least 1 qualified staff FTE for every 4,500 persons in the direct service area. Are you recommending CEUs for all paid staff, regardless of hours worked per week?</p> |
| <p>Wayne: There is no separate, higher requirement for the system HQ library hours open? I like treating HQ library the same as other libraries based on population. Higher standard of HQ was basically an unfunded mandate, there were no dollars attached for what ended up being a 30% increase in hours when county Census population went over 50,000 ALL member libraries need a Professional Librarian for Incentive for Excellence? Aren't provisional and assistant options for smaller populations? This seems improbable to fill position with an MLS.</p> |

SECTION:

Bookmobiles

COMMENTS:

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| <p>Greene: The 20 hours at stops is what killed us when we had a bookmobile. My staff sat at unattended stops for at least half of those hours. It was a complete misuse of funds, just so we could get approximately \$2,000 in state aid for the bookmobile. When our vehicle began having problems, we retired our bookmobile and went another way with our outreach. Even though we no longer have</p> |
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a bookmobile, 20 hours is a long time per week to be at stops. We did many daycares with a storytime and school visits, those were more productive but were not considered community stops. If the shareable hours between a system can apply to the bookmobile, it could have helped our situation in the past.

Lancaster: mobile library services: “Be at stops not less than 20 hours per week at times and in locations which afford all residents good access to it and which best suit their needs.”
-this language should be modernized to reflect the current reality of bookmobile service. In many locations bookmobile services are directed at specific populations of persons that may not be suitable for access to all residents and potentially limits the ability of bookmobiles to form strategic partnerships for delivering services. For instance, service to pre-schools, schools and other controlled settings such as prisons or detention facilities and certain assisted living facilities are not generally suitable for general public access.
-being at stops 20 hours per week (excluding travel time) is roughly the equivalent of a branch being open 30-35 hours/week in terms of staff time required to operate. Given the changing nature of mobile library services, it would be good to have some flexibility in this number to allow libraries to be able to focus in on their target populations. Requiring a bookmobile to be staffed FT or nearly FT to qualify for state aid may make otherwise affordable programs to underserved populations become unviable.