CONCERNING PROPOSED STANDARD AND REGULATION LANGUAGE FOR SYSTEMS
Summary of Input from APPLS Administrators
July 2015

System Administrators agree that every system should have a System Plan that addresses certain key elements and leverages System resources collaboratively:

- *Defined goals for community responsive services and programs*
- *Clear method(s) for impact assessment*
- *Location and size of service outlets and facilities*
- *Public service hours across the System*
- *Technology infrastructure, including expansion of network capacity, replacement of equipment, and currency of software platforms*
- *Resources and collections*
- *Distribution formulas*
- *System Board composition*

The Plan should reflect the mutual obligation of the System and its Members to the public / taxpayers.

At the State level language governing System Plans should be primarily embedded in policy vs. code and regulations.

In addition Member Library Agreements should clearly define co-responsibilities (the responsibilities of the System to its Members as well as the responsibilities of the Members to the System).

RE: Board Composition and method of appointment:

System Administrators recommend that the State allow more flexibility and discretion to the local System in establishing its board composition. There is consensus that how board members are appointed should be a matter of System bylaws and policies, acknowledging that some Systems are independent 501c3 corporations and some are departments of county government. The bylaws and/or System Plan should address the number of board members (perhaps with a minimum number established by the State) as well as length of terms and limited terms. Board members should be representative of the System's service area (vs. representative of the Member Libraries). This representation should take into consideration the total service district population, number of Member Libraries, and other locally identified criteria. This allows for board structures with at-large representatives that may more fully reflect the demographics of the community / communities served. The System Administrators suggest that language stipulate that the System Board meet "a minimum of quarterly." In addition System Administrators suggest that minutes of System Board meetings be made available electronically (posted to web site) and that the requirement for review of Member Library Agreements be a minimum of every five years.

RE: Construction and renovation:

System Administrators strongly recommend that the new regulations include the requirement that the System Board has the responsibility to review and approve plans for construction, remodeling or enlargement of System units to confirm that the units fulfill the needs of the area served (formerly in 22 PA Code § 141.24(g)(1)).   This requirement is essential in ensuring dialogue and adequate planning and foresight.   Since Systems must support System Members' units, it is important that the System Board be given oversight responsibility for the overall distribution and access to library services that library buildings provide. Before this requirement was in place, there were instances where new facilities "popped up" within a System's service area that could not be adequately supported with existing resources. This situation improved once the oversight requirement was added to the regulations. System Administrators can provide leadership in helping Member Libraries consider the full impact of new or expanded facilities on existing financial, staffing, program, and technology resources. There are many examples of libraries that would have under- or over-built in Pennsylvania without the System Board's review and encouragement to develop stronger plans for library services before embarking on expensive capital projects. Requiring a five-year business plan for operations would be helpful. System Administrators should review those plans on a regular basis to assist local libraries in projecting for and accommodating increased demand. Such review and plans should also be required in the case of proposed new service outlets.

RE: Financial formula and 5% reduction

Proposed regulations should only address the formula to distribute State Aid. Distribution formulas for any other funds carry the obligations set by those funders.

The State formula used by a System should align with the System Plan and service goals. The draft language indicates that the System Board develops and adopts the formula "with input and support from each member library board." System Administrators note that the process should give "opportunity for input," as some libraries may choose not to respond.   Opportunity for input can be clearly defined and provided; whereas "support" is vague. As it is the System Board's right and responsibility to adopt and implement a formula, the System Board should have the final say on the composition of the formula.

There was concern over including requirements for formula composition in the regulations. Most commenters suggested that this should either be left to the control of the individual System Board or to policy at the state level.

Comments were also received about the elements recommended for inclusion. System Administrators did not agree with the proposal that libraries "who provide a larger percentage of resources" should receive additional state aid. How would that data be defined? Are there other libraries, e. g., those with poverty factors, that should also receive additional funds?

In regard to the inclusion of a 5% reduction in state aid for libraries that do not meet standards, commenters suggested that this belongs in a Member Library Agreement, not regulation. "Not meeting standards" is too vague; does not meeting a single standard qualify? There was also a question of how the system would then use or distribute funds released from restriction / distribution to a particular library. Concern was expressed that a 5% funding reduction would not be helpful to a library that is already struggling; perhaps a plan to meet standards would be more useful.

Administrators suggested that a regular review of formulas, perhaps every five years, might be an appropriate addition to the proposed regulations. There was no objection to, and some support for, approval of formulas by the State Librarian.

Finally, some commenters pointed out that making formula changes without new funding is a bad idea.

RE: Certification and number of FTE professionals:

The proposed regulations indicate that staffing requirements for System Members shall be the same as Local Libraries. This would be advantageous in that the consistency between the two types of libraries would help reduce current confusion. The Local Library standards would cover certification, staff levels and continuing education. However, the eligibility standards for Local Libraries have not been released, so it is too soon to make a definitive recommendation. There are concerns about bookmobile regulations, which may require nearly a full-time staff person to meet the 20 hour service requirement. This needs additional clarification.

RE: Hours open

In general, System Administrators support the flexibility of allowing Systems to establish the hours of operation for across the System based on a collaborative plan involving Member Library input. In many respects, this latitude would provide the opportunity to bolster the quality of relevant services and programs offered to the community. Additional guidelines may be necessary to prevent individual libraries from taking advantage of the flexibility and decreasing levels of service unnecessarily. This scenario would be most applicable to Systems with funding formulas which would distribute the same amount of aid to Member Libraries without regard to hours of operation. It might be constructive to recommend a minimum number of hours and require an approved plan to deviate from that number.

RE: Bookmobiles

Just as Systems should have more flexibility in developing a collaborative plan for local library hours based on community need, restrictions on bookmobiles should also provide more flexibility. The language which stipulates "being 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" does not reflect the current

reality of bookmobile service. In many cases bookmobile services are directed at specific niche populations, whether preschoolers or older adults, charter schools or prisons and detention facilities. Service to these populations requires strategic partnerships with outside agencies and may involve restrictions on time and limitations to general community access. Focusing on this type of service involves significant planning and relationship building in addition to actual stop time, but brings the benefit of ensuring library service to underserved populations. The standards for bookmobiles do not reflect this changing nature of mobile library services. The hours of service delivered by bookmobiles should be considered part of the total hours of service provided collectively by the system. In addition, stipulations on the size of bookmobile collections should be relaxed. Given that technology greatly enhances the free flow of materials across systems, many popular interest needs can readily be filled with materials from existing collections in the system, allowing more focused purchasing for niche service out of the bookmobile budget.

RE: 12% collection expenditure and service plan

The requirement regarding a minimum of 12% of total operating expenditures on collection should be defined in policy vs. regulations. At a minimum the requirement should be established for the System as a whole and establish a fixed percentage, without requiring adjustments that entail complicated tracking of increases. As collections change, becoming increasingly digital, be sure that all digital materials (eBooks, eAudios, eVideos, eMagazines, eMusic, reference databases, etc.) are included in the collection calculation together with any platform costs associated with providing public access to these materials. An overall System Plan should incorporate individual library service and collection development plans that address specific community demographics and need. Allowing Systems to work with Member Libraries to develop a collaborative plan will help ensure that there is adequate flexibility to address the needs of the variety of communities served.

System Administrators also requested additional clarification regarding what is included in total operating expenditures. The definition of "capital expenditures" as used by the State is in variance with the definition under GAAP provisions (e.g., including repairs under capital expenditures is counter-intuitive to how accountants and auditors generally view such expenditures). As a result there isn't consistency in how libraries report such expenses and it may artificially inflate the total operating expenditures. Also including mortgage principal paid in the calculation of total operating expenditures has allowed for situations where libraries have very little actual cash for operations but appear to have large operating expenditures overall.