

BEFORE THE MONTANA STATE LIBRARY  
OF THE STATE OF MONTANA

In the matter of the amendment of	)	NOTICE OF PUBLIC HEARING ON
ARM 10.102.1150A, 10.102.1150B,	)	PROPOSED AMENDMENT
10.102.1150C, 10.102.1150D,	)	
10.102.1150E, 10.102.1150F,	)	
10.102.1150G, 10.102.1150H,	)	
10.102.1150I, 10.102.1150J,	)	
10.102.1150K, 10.102.1150L,	)	
10.102.1150M and 10.102.1157	)	
pertaining to library standards	)	

TO: All Concerned Persons

1. On May 20, 2010, at 11:00 a.m., the Montana State Library will hold a public hearing in the Grizzly Conference room of the State Library, 1515 E 6th Ave, Helena, Montana, to consider the proposed amendment of the above-stated rules.

2. The Montana State Library will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact Montana State Library no later than 5:00 p.m. on May 13, 2010, to advise us of the nature of the accommodation that you need. Please contact Marlys Stark, Montana State Library, P.O. Box 201800, Helena, Montana, 59620-1800; telephone (406) 444-3384; fax (406) 444-0266; TTY (406) 444-3005; or e-mail mstark2@mt.gov.

3. The rules as proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.102.1150A PUBLIC LIBRARY STANDARDS: GENERAL (1) remains the same.

(2) General essential standards for public libraries are as follows:

(a) The library is established under Montana's laws according to 22-1-301 through 22-1-317, 22-1-701 through 22-1-1711, or Title 7, MCA;

(b) The board conforms to all applicable state, local, and federal laws, rules, and regulations;

(c) Monthly, or at least ~~quarterly~~ every other month, library board meetings are held in an accessible location at times and a place convenient to the public and according to state laws on public meetings; and

(d) remains the same.

(3) General enhanced standards for public libraries are as follows:

(a) In order for the board to be knowledgeable about current library issues, new board members receive an orientation by the library director, a trustee, and/or others; and

(b) remains the same.

- ~~(c) Library board meetings are held every other month.~~  
(4) General excellent standards for public libraries are as follows:  
(a) The library provides for continuing education for its trustees by allocating funds to support continuing education costs, including travel expenses;  
(b) At least two members of the library board will attend a regional or statewide library related activity each year;  
(c) Board members will discuss library issues with local government officials at least twice a year, and state and/or national government officials at least once a year;  
(d) Every ~~three~~ five years, the board will review, evaluate, and compare its own governance structure with different governance structures for the library. This includes districting, county library systems, etc;  
(e) At least three library board members join any professional library association and dues are paid by the library; and  
(f) At least two trustees are certified by the state library.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: The essential standard was stricter than the enhanced standard that says boards will meet every other month and boards that met quarterly might not have enough time to accomplish all of their duties. Reviewing governing structures is a lot of work and so having to review the structure every three years might be excessive. Reviewing every five years matches trustee terms. In five years the board may have changed, warranting a new look at governing structures. We wanted to recognize the new trustee track in the certification program as well as the libraries that participate. Some punctuation changes were needed to match the ARM standards.

10.102.1150B PUBLIC LIBRARY STANDARDS: POLICIES AND BYLAWS

- (1) General essential standards for public libraries are as follows:  
(a) Every three years, the board reviews and updates its bylaws as necessary;  
(b) The board develops, studies, evaluates, reviews, updates, and adopts as necessary all library policies at least once every three years. When the board reviews library policies, the policies' effect on the library's relations with the public are evaluated; and  
(c) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: These punctuation changes are necessary to match ARM standards.

10.102.1150C PUBLIC LIBRARY STANDARDS: PLANNING AND EVALUATION

- (1) General essential standards for public libraries are as follows:  
(a) The board uses the Montana Public Library Annual Statistical Report to review the library's year-to-year progress and performance; and

- ~~(b) The library must have a written mission statement.~~
- (c) remains the same but is renumbered (b).
- (2) General enhanced standards for public libraries are as follows:
  - (a) The library has a written three- to five-year long-range plan, and reviews it annually. The long-range plan addresses services, facilities, public relations, technology, etc.;
  - (b) The board evaluates the library's performance against the stated objectives in the long-range plan; and
  - (c) remains the same.
- (3) General excellent standards for public libraries are as follows:
  - (a) Community representatives, the board, and the director develop a long-range plan for the library; and
  - (b) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: The mission statement does not seem valuable if the library does not have a strategic plan. This would also eliminate the possibility of libraries developing mission statements simply to meet this standard thereby creating something that doesn't have much meaning for their library. Additional punctuation changes were needed to match ARM standards.

10.102.1150D PUBLIC LIBRARY STANDARDS: FINANCE (1) General essential standards for public libraries are as follows:

- (a) The board and the director follow fiscal procedures consistent with state law and local government requirements in preparing, presenting, and administering its budget.;
  - (b) Local tax revenues provide at least 50% percent of the support for the library. Grants, donations, and other revenue sources supplement but do not supplant local tax support.;
  - (c) The director works with the board to develop an annual financial plan or budget; and
  - (d) Every three years ~~t~~The board and the director ~~annually~~ review the adequacy of insurance coverage for the collection and building, and update the coverage as necessary.
- (2) General enhanced standards for public libraries are as follows:
- (a) The library sets aside money in a depreciation fund to meet requirements for capital expenditures; and
  - (b) remains the same.
- (3) General excellent standards for public libraries are as follows:
- (a) The library has established a foundation or endowment.;
  - (b) The foundation board and/or the library board develops a plan for planned giving.;
  - (c) The foundation board and/or the library board establishes a policy regarding the acceptance of gifts of real and personal property, endowment funds, and planned giving.;

- (d) The library has a Friends of the Library organization; and
- (e) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: Libraries are fairly stable in terms of the value of their building and collections so a three-year review is recommended. Some punctuation changes were needed to match ARM standards.

10.102.1150E HUMAN RESOURCES STANDARDS: LIBRARY DIRECTOR

- (1) General essential standards for public libraries are as follows:
  - (a) The board hires the director according to local, state, and federal regulations and delegates the day-to-day management of the library to the director; <sub>;</sub>
  - (b) The board evaluates the performance of the director annually; <sub>;</sub>
  - (c) Each public library has a paid director who is responsible for the administration of library services; <sub>;</sub>
  - (d) Libraries that serve more than 25,000 people employ a library director with a graduate degree in library or information science or its equivalent; and
  - (e) ~~Libraries that serve less than 25,000 people employ a~~ All public library directors who is or will be within three years of hire certified by the state library.
- (2) General enhanced standards for public libraries are as follows:
  - (a) The director conducts a formal performance appraisal of each staff member at least annually; <sub>;</sub>
  - (b) The library director informs the board of pending legislation that affects libraries on the local, state, and national levels; <sub>;</sub>
  - (c) The library director reviews and updates procedures every three years; <sub>;</sub>
  - and
  - (d) The library director ~~must~~ joins the State Library Association.
- (3) General excellent standards for public libraries are as follows:
  - (a) ~~The library director provides a climate that encourages development of innovative programs and projects by providing at least three informal staff discussions about innovative programs or opportunities.~~
  - (ba) The director keeps the community and funding officials aware of the library's purpose, planning, and services through the use of newspaper articles, web sites, radio programs, attending meetings, etc; <sub>;</sub>
  - (eb) The director forms collaborative partnerships with other agencies and organizations in the library's service area; <sub>;</sub>
  - (ec) Libraries that serve less than 25,000 people employ a library director who has an AA/AS or higher degree; <sub>;</sub>
  - (ed) In addition to the library director's annual evaluation, the library director is evaluated every three years by the board with the input of staff, library users, and/or library nonusers; and
  - (e) The board pays for the library director to join the State Library Association.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: The first change is necessary in order to reflect certification program changes. The second change adjusts the rule to read as language in other rules. The third change is due to the difficulty of measuring the standard. Library boards are encouraged to pay for trustees to join MLA so the final change is to encourage them to pay for the directors to do the same thing. Punctuation changes were made to match ARM standards.

10.102.1150F HUMAN RESOURCES STANDARDS: GENERAL

(1) General essential standards for public libraries are as follows:

(a) The library board provides continuing education for the director and staff members by allocating funds to support continuing education costs, including travel expense and salary;

(b) Paid staff persons are present during 90% percent of all open hours;

(c) The board must adopt and review a personnel policy every three years;

(d) The library maintains written, up-to-date job descriptions; and

(e) remains the same.

(2) General enhanced standards for public libraries are as follows:

(a) Volunteer programs have written policies, procedures, and job descriptions;

(b) Every staff member attends at least one continuing education eligible training program per year;

(c) Appropriate library staff have e-mail accounts available for communication and professional development;

(d) There is at least one personal computer for staff use only; and

(e) Staff receives in-house training or are encouraged to attend workshops.

(3) General excellent standards for public libraries are as follows:

(a) Regardless of population, total library staff is not less than one full-time employee;

(b) The library board encourages and supports staff involvement in community organizations and activities; and

(c) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: This change is to help encourage libraries to offer training for their staff since it can help improve both morale and library services. Additional punctuation changes were needed to match ARM standards.

10.102.1150G HUMAN RESOURCES STANDARDS: ACCESS (1) General essential standards for public libraries are as follows:

(a) The board and the director determine the days of the week and the hours during the day to be open to provide maximum service;

(b) The library is open during the week at least the following minimum hours. Many libraries exceed this minimum because the community, the board, and the

director recognize that the number of hours of public service leads to greater use by the public. A library with more than one service outlet may use the total nonoverlapping hours of all outlets to meet the minimum requirement.;

Population	Minimum	Desirable
less than 3,500	15	25-40
more than 3,500	30	40-50
more than 10,000	40	50-60
more than 25,000	50	60+

- (c) Library users who wish to copy materials available from noncirculating items or from computer files must have access to a photocopy machine or printer.;
- (d) The library must have a telephone and answer telephone inquiries.;
- (e) remains the same.
- (2) General enhanced standards for public libraries are as follows:
  - (a) Library customers are able to access library information from remote locations.;
  - (b) When necessary, the library refers customers to other places to fulfill the customer's information needs.;
  - (c) Library has a web site where users can access electronic resources.
  - (3) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: The purpose for this change is to encourage libraries to have web sites since so many customers now use the Internet. Some punctuation changes were needed to match ARM standards.

10.102.1150H MATERIALS AND COLLECTIONS STANDARDS:  
COLLECTION DEVELOPMENT (1) General essential standards for public libraries are as follows:

- (a) The board adopts a collection management policy that it reviews every three years. The policy addresses the use of electronic resources. ~~The library submits its collection development policy to the Montana State Library.~~
- (b) The board and the director develop an annual materials budget as part of the library budget.;
- (c) The library uses at least one professionally recognized review source.;
- and
- (d) remains the same.
- (2) General enhanced standards for public libraries are as follows:
  - (a) The library cooperates with other community institutions to plan and implement access to electronic resources.;
  - (b) The library provides access to materials for those with disabilities and others who may have special needs.;
  - (c) through (2) remain the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: This change reflects current practice. Libraries may still receive feedback by asking a consultant for review or using the Collection Management Honor Roll as a vehicle for review and improvement. Additional punctuation changes were needed to match ARM standards.

10.102.1150I PUBLIC LIBRARY STANDARDS: ACCESS TO THE COLLECTION (1) General essential standards for public libraries are as follows:

- (a) Materials are purchased to ensure a steady flow of materials for the public;~~;~~
  - (b) The library catalogs and organizes its collection according to standard cataloging and classification systems and procedures. Automated records comply with the machine-readable catalog (MARC) format;~~;~~ and
  - (c) remains the same.
- (2) General enhanced standards for public libraries are as follows:
- (a) The library uses an online interlibrary loan system;~~;~~ and
  - (b) remains the same.
- (3) General excellent standards for public libraries are as follows:
- (a) The library collection is available online;~~;~~ and
  - (b) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: These punctuation changes are necessary to match ARM standards.

10.102.1150J PUBLIC LIBRARY STANDARDS: COLLECTION EVALUATION (1) remains the same.

- (a) The library's collection is continually evaluated for additions and deletions based on the library's collection management policy. ~~The entire collection is evaluated within each three-year period.~~
- (2) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: It could be a hardship for libraries to give their entire collection a thorough evaluation every three years, but continual evaluation through purchase and weeding is encouraged and doable.

10.102.1150K PUBLIC LIBRARY FACILITIES STANDARDS (1) General essential standards for public libraries are as follows:

- (a) The board and the director evaluate the library building every three years to determine adequate space needs;~~;~~

- (b) The board and the director identify and attempt to address any identified facility shortcomings in a building plan-;
- (c) The library facility is safe for the public and staff-; and
- (d) remains the same.
- (2) General enhanced standards for public libraries are as follows:
  - (a) The library has an exterior sign visible from the nearest roadway that identifies it as the library-;
  - (b) The library has a public meeting area available-; and
  - (c) remains the same.
- (3) General excellent standards for public libraries are as follows:
  - (a) The library has adequate, well-lit parking-; and
  - (b) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: This change is intended to clarify the intent behind the rule which is to encourage evaluation of the facility, not the creation of a building plan. Punctuation changes were needed to match ARM standards.

10.102.1150L PUBLIC LIBRARY PUBLIC RELATIONS STANDARDS

- (1) General essential standards for public libraries are as follows:
  - (a) The library cooperates in state, regional, and national efforts to promote library services-; and
  - (b) remains the same.
- (2) General enhanced standards for public libraries are as follows:
  - (a) The library targets special groups within the community for programs or services (seniors, ethnic populations, etc.)-;
  - (b) Funds are budgeted for publicity either by the library and/or the Friends of the Library-; and
  - (c) remains the same.
- (3) General excellent standards for public libraries are as follows:
  - (a) The library allocates funds for public relations, has a community awareness program, and actively promotes its mission-;
  - (b) The library conducts a community assessment to evaluate the library's marketing efforts-;
  - (c) The library establishes or works with existing community advisory groups to encourage community involvement and improve service. Examples of such groups include youth, seniors, genealogy, local history, and other identified segments of the population-;
  - (d) The library has a Friends of the Library organization-; and
  - (e) The library maintains an up-to-date webpage site.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: Web site is a more accurate word to use since it encompasses both single and multiple web pages. Additional punctuation changes were needed to match ARM standards.

10.102.1150M PUBLIC LIBRARY SERVICES STANDARDS (1) General essential standards for public libraries are as follows:

(a) ~~On an annual survey, library customers indicate that they have received courteous and helpful service from all library staff. Every two years the library gathers feedback on library services from library users and non-users. The library can use a variety of methods, including but not limited to, surveys, focus groups, and community meetings;~~

(b) The library uses comparative statistics, annual surveys, or other methods to evaluate the services offered;

(c) The library offers programming for children and adults;

(d) The library has policies and/or procedures for services provided;

(e) The library programming is free and open to all;

(f) The library must make every effort to maintain confidentiality of library records as addressed in 22-1-1103, MCA; and

(g) remains the same

(2) General enhanced standards for public libraries are as follows:

(a) The library provides information about the community to customers;

(b) The library offers programming for children, adults, and young adults;

and

(c) The library offers or makes patrons aware of virtual reference services.

(3) General excellent standards for public libraries are as follows:

(a) The library collaborates with other community organizations and educational institutions to promote library services;

(b) The library provides library outreach services;

(c) The library has a Friends of the Library organization; and

(d) remains the same.

AUTH: 22-1-103, MCA

IMP: 22-1-103, 22-1-326, 22-1-327, 22-1-328, 22-1-329, 22-1-330, 22-1-331, MCA

REASON: The intent of this standard was to analyze library services and libraries can use a variety of methods to obtain this information. Patrons might find annual surveys irritating and the current standard doesn't mention nonusers. Many libraries struggle to develop a survey every year. Some punctuation changes were needed to match ARM standards.

10.102.1157 ADDITIONAL RECOMMENDED LIBRARY STANDARDS

(1) and (2) remain the same.

~~(3) A complete set of voluntary public library standards has been sent to all public libraries in a document labeled: Montana Public Library Standards, August 1999.~~

(43) Additionally, ~~t~~The full set of standards can be found on the state library's web site, page at: <http://msl.state.mt.us/admin/libstandards.htm>.

AUTH: 22-1-103, MCA  
IMP: 22-1-103, MCA

REASON: The full set of standards will be maintained at all times on the state library's web site.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Marlys Stark, Montana State Library, P.O. Box 201800, Helena, Montana, 59620-1800; telephone (406) 444-3384; fax (406) 444-0266; or e-mail mstark2@mt.gov, and must be received no later than 5:00 p.m., May 28, 2010.

5. State Librarian Darlene Staffeldt, Montana State Library, has been designated to preside over and conduct this hearing.

6. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the department.

7. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Darlene Staffeldt  
Darlene Staffeldt  
Rule Reviewer

/s/ Donald Allen  
Donald Allen  
Chairman  
Montana State Library

Certified to the Secretary of State April 19, 2010.