



April 2, 2013

To: California Library Services Board Members
cc: CLSA Participants

From: Sandy Habbestad, CLSA Program Coordinator
Library Development Services *Sandy Habbestad*

Subject: California Library Services Board Actions, March 1, 2013 meeting

Purpose of the California Library Services Act:

The Legislature finds and declares that it is in the interest of the people of the state to insure that all people have free and convenient access to all library resources and services that might enrich their lives, regardless of where they live or the tax base of their local government. This policy shall be accomplished by assisting public libraries to improve service to the underserved of all ages, and by enabling public libraries to provide their users with the services and resources of all libraries in this state.

The following actions were taken at the California Library Services Board meeting on March 1, 2013, by teleconference. Board members present were: President Anne Bernardo; Vice-President Paymaneh Maghsoudi; Dr. Conchita Battle; Tyrone Cannon; Victoria Fong; Jane F. Lowenthal; and Gregory McGinity.

Adoption of Agenda

1. It was moved, seconded (Fong/Maghsoudi) and carried unanimously that the California Library Services Board adopts the agenda of the March 1, 2013 meeting as amended.

Board Resolution

2. It was moved, seconded (Fong/Cannon) and carried unanimously that the California Library Services Board adopts CLSB Resolution 2013-01 for Stacey A. Aldrich. (See Attachment A)

Approval of Minutes

3. It was moved, seconded (Lowenthal/Fong) and carried unanimously that the California Library Services Board approves the draft minutes of the August 16, 2012 meeting as presented.

CLSA Regulations

4. It was moved, seconded (McGinity/Fong) and carried unanimously that the California Library Services Board directs its Chief Executive Officer to submit the proposed amendments to CLSA regulations, as outlined in Exhibit B, to the Office of Administrative Law, and that the amendments be included in the minutes of this meeting. (See Attachment B)
5. It was moved, seconded (McGinity/Fong) and carried unanimously that the California Library Services Board adopts the Robert's Rules of Order, Newly Revised (2011) as its reference when conducting State Board meetings.

2013/14 CLSA Budget

6. It was moved, seconded (Lowenthal/Battle) and carried unanimously that the California Library Services Board adopts, contingent upon the passage of the State Budget Act, the 2013/14 CLSA Budget, as directed in the Governor's Proposed 2013/14 Budget, totaling \$1,880,000 for allocation to Cooperative Library Systems.

Consolidations and Affiliations

7. It was moved, seconded (Lowenthal/Cannon) and carried unanimously that the California Library Services Board waives the filing date requirement and approves the request from the Santiago Library System to withdraw membership of its nine public library jurisdictions from the Southern California Library Cooperative, effective June 30, 2013; and further approves to reinstate the Santiago Library System as the ninth CLSA Cooperative Library System and include them in the funding formula for FY 2013/14.

**California Library Services Board Resolution 2013-01
In Honor of Stacey A. Aldrich**

WHEREAS, Stacey A. Aldrich has served the people of California as State Librarian with great distinction, energy, and devotion since her appointment November 19, 2009 by California Governor Arnold Schwarzenegger, until her departure on October 17, 2012; and

WHEREAS, Stacey A. Aldrich began her career at the California State Library as Deputy State Librarian August 6, 2007, and then served as Acting State Librarian from February 13, 2009 until her official appointment; and

WHEREAS, prior to California, Stacey served as Assistant Director of Omaha Public Library from 2005 where she led Omaha's Urban Library System as it implemented emerging electronic library service programs; and

WHEREAS, Stacey was instrumental in communicating the benefits of broadband for all California libraries, and in December 2009, brought together the California Opportunity Online Broadband Summit with Tim O'Reilly as the keynote speaker; and

WHEREAS, Stacey was in the forefront of promoting e-reading technology and started the Bookflix Project in 2011 to give all California public libraries a new way to give young children an opportunity to experience books and learn to love reading; and

WHEREAS, Stacey helped provide leadership, research, training, and planning to the Maryland State Department of Education, Division of Library Development and Services, where from 2000-2005 she served as Branch Chief of Public Libraries and State Networking for twenty-seven public library systems; and from 1996-1999 served as a Public Library Consultant; and

WHEREAS, Stacey has lent her expertise and skills to professional librarian associations, including her current service as President of the Association of Specialized and Cooperative Library Agencies, a division of the American Library Association; and where she served as its vice president in 2011 and 2012; and

WHEREAS, as a respected library futurist, Stacey serves on the Board of Directors of the Association of Professional Futurist, and challenges librarians to actively shape the future of libraries by examining trends and technologies; and in 2003 was named one of Library Journal's Movers and Shakers, where she is recognized as a national leader who is shaping the future of the library profession; and

WHEREAS, the California Library Services Board desires to recognize Stacey for her contributions as its Chief Executive Officer and as the Chair of the State Advisory Council on Libraries for LSTA, and for her leadership role and advocacy of California libraries; and

BE IT RESOLVED, that the Board expresses its sincere gratitude to Stacey A. Aldrich for her guidance and assistance, and for her vision for the California State Library and for all libraries in the 21st century; and

BE IT FURTHER RESOLVED, that the members of the California Library Services Board commend Stacey for her achievements and extend to her sincere best wishes as she continues with her new role as Deputy Secretary of the Office of Commonwealth Libraries, State Librarian, in Pennsylvania.

Stacey A. Aldrich

shall be honored by the California Library Services Board
for her distinguished leadership and contributions
to the libraries and people of the State of California
on this day of March 1, 2013

Exhibit B

CALIFORNIA LIBRARY SERVICES ACT REGULATIONS
(Code of California Regulations, Title 5, Division 2, Chapter 1, Subchapter 2,
Articles 1-5, Sec. 20101-20190)

SUBCHAPTER 2. CALIFORNIA LIBRARY SERVICES

ARTICLE 1. GENERAL PROVISIONS

Sec. 20101. General provisions.

- (b) Any public library participating in programs of the Act shall, under Section 18724(h g) of the Act, provide access to the library's bibliographic and location data upon request from the State Board for inclusion in the appropriate data base established by the State Board in implementation of the Act. The access shall be provided in such form, manner, and frequency as are agreed upon between the State Board and the library.
- (d) A public library participating in any program of the Act must participate in the direct loan transaction reporting, whether the library participates in either of the direct loan programs or not. During the designated transaction reporting periods all CLSA participating libraries must record all direct loans made to eligible residents of other jurisdictions whose libraries are participating in the direct loan programs, as long as the handling costs of paid loans are not being covered in whole, or in part, by CLSA funds in addition to direct loan reimbursement funds, LSCA LSTA funds, or by funds provided by the jurisdiction of the eligible non-resident.

Sec. 20107. Definitions.

- (b) Additions to the regulations hereby incorporated are as follows:
- (4) "Public library consolidation" means the formal and legal joining of the functions, services, operations, et cetera of two or more formerly independent public libraries into a single public library, as defined in Education Code Section 18710(e 1). A Public Library Consolidation is not considered complete until all necessary local jurisdictional agreements have been approved and are in force, and the State Board has approved the consolidation (see Administrative Code Section 20180, below).

Sec. 20118. Regular meetings.

- (a) ~~Date.~~ Regular meetings of the State Board shall take place at least ~~bi-monthly on the third~~ Thursday of the months of February, April, June, August, October; the December meeting shall be held in conjunction with the California Library Association (CLA) Conference once each year.
- (b) ~~Place.~~ The tentative date and locations for the regular meetings ~~of in the following forthcoming~~ calendar year shall be determined ~~annually,~~ at the last regular meeting of the preceding calendar year.

- (c) ~~Change of date or place.~~ Nothing in this regulation shall be construed to prevent the State Board from altering its regular meeting dates or ~~places~~ altering the locations of meetings.
- (d) ~~Meeting Notice.~~ A notice of regular meetings shall be provided at least seven days prior to the meeting date to any person annually requesting such notice under Section 20119 below. Such notice shall include the time, date, and place of the regular meeting and a copy of the agenda therefor. Any person or organization desiring to receive notice(s) of State Board meetings may direct the request to: California Library Services Board, California State Library, P.O. Box 942837, Sacramento, California 94237-0001.

Sec. 20119. Notices.

- (a) ~~Eligibility.~~ Notice of any regular or special public meeting of the State Board shall be given to any person annually requesting under Section 20119(b).
- (b) ~~Procedure.~~ Individuals and organizations wishing to receive notice of regular and special meetings of the State Board and copies of the agenda may annually request the Secretary to include their names on the mailing list. Inclusion on the mailing list will result in notification to the addressee of all regular and special meetings of the State Board. The Secretary shall annually notify interested agencies and organizations that, upon request, they are entitled to be placed on the mailing list.

Sec. 20120. Open meetings of Committees, Commissions, and Advisory Bodies.

- (a) ~~State Board Committees.~~ Meetings of the board committees composed solely of members of the State Board, created by a formal action of the State Board, shall be open and public.
- (b) ~~Advisory Bodies.~~ Unless otherwise provided by law, meetings of any advisory body, or committees or subcommittees thereof, created by statutes or by formal action of the State Board, to advise or report or recommend to the State Board, shall be open and public.

Sec. 20121. Open meetings.

All meetings of the State Board will be open and public except for executive sessions authorized by Government Code Section 11120-11131.

Sec. 20122. Special meetings.

Special meetings may be called by the president of the State Board or a majority of the members thereof for any stated purpose. Notice of such meetings shall be provided at least 24 hours in advance to those persons so requesting under Section 20119(b).

Sec. 20123. Emergency meetings and agenda items.

- (a) ~~Power.~~ An emergency meeting may be called by the president of the State Board or a majority of the members thereof without providing the notice required by Section 20119 if there is an unforeseen emergency condition in existence.
- (b) ~~Definition.~~ An unforeseen emergency condition exists when there is an immediate threat of adverse effects on the program authorized by the Act of such scope that requires action of the State Board to avert such effects.
- (c) ~~Agenda Items.~~ An item may be included on the agenda of any regular meeting if an unforeseen emergency condition exists without the notice required by Section 20119.

- ~~(d) Certification. Concurrence of 7 of the members is required to certify that an emergency condition exists in order to take any action at an emergency meeting or regarding an emergency item.~~
- ~~(e) Notice. If reasonably possible, notice of the emergency item or meeting shall be provided to those so requesting under Section 20119(b). Lack of such notice shall not invalidate any action taken on said item or at said meeting.~~

Sec. 20124. Agenda.

- ~~(a) All matters to be submitted for consideration of the State Board shall be sent to the Secretary at least 10 days preceding a regular meeting of the State Board at California Library Services Board, P.O. Box 942837, Sacramento, CA 94237 0001.~~
- ~~(b) Setting of Agenda. The agenda for regular meetings of the State Board shall be set by the Chief Executive Officer at least 8 days prior to the meeting.~~

Sec. 20125. Speakers.

- ~~(a) Recognition of Speakers. Members of the public or the State Library staff will may be recognized by the president of the State Board to speak at any State Board meeting. All remarks made shall be germane to the business at hand and shall be addressed to the president. No person other than the person having the floor and members of the State Board shall be permitted to enter the discussion.~~
- ~~(b) Subject of Remarks. All speakers before the State Board shall confine their remarks to the subject indicated in their written request, or indicated in the recognition by of the president.~~

Sec. 20127. Robert's Rules of Order.

Except where the provisions of the California Library Services Act of 1977 or of these regulations provide to the contrary, or when the State Board determines otherwise, the State Board shall operate under the ~~latest edition~~ provisions of Robert's Rules of Order. The State Board shall adopt an edition of Robert's Rules of Order as the edition for use by the State Board.

Sec. 20130. Public hearings.

- ~~(a) Notice. The State Board may hold a public hearing meeting regarding any matter pending before it, after giving the 45 day notice as required by the California Administrative Procedures Act. Such notice shall include adequate descriptive matter relating to the subjects to be considered in hearing.~~
- ~~(b) Alternative hearing. The State Board may direct that a public hearing be held before staff of the State Library, an advisory commission to the State Board, or a standing or ad hoc committee of the State Board regarding any matter which is, or is likely to be, pending before the State Board.~~
- ~~(c) Speakers.~~
- ~~—(1) Notice. Persons wishing to address the State Board on a subject to be considered at a public hearing, should present a request to the Secretary four (4) working days in advance of the meeting at the office of the Secretary, stating the subject they wish to address, the organization they represent, if any, and the nature of their testimony. Persons wishing to address the Board, who have not presented a request four days in advance, may be heard at the discretion of the presiding officer.~~

- ~~—(2) Copies of Statement. The speaker may provide a written copy of his statement to the Secretary 24 hours in advance of the hearing.~~
- ~~—(3) Public Testimony. At or before the hearing at which oral comments from the public are to be received, the State Board or other hearing body shall determine the total amount of time that will be devoted to hearing such oral comments, and may, at its discretion, determine the time to be allotted to each person or to each side of an issue.~~

Sec. 20131. Waiver by Presiding Officer.

~~At any time upon a showing of good cause, the presiding officer of the hearing may waive the requirements of Section 20130.~~

Sec. 20134. Public records.

~~(a) Inspection of Public Records:~~

- ~~—(1) Inspection of the original copy of any public record of the State Board (as defined in Government Code Section 6252(d) and 6254) will be permitted during regular office hours of the State Library, Library-Courts Building, 914 Capitol Mall, Sacramento, California, 95814.~~
- ~~(2) Requests to inspect such records should be filed with the Secretary at least five working days prior to the requested date in order to insure availability.~~
- ~~—(3) Requests for inspection should be as specific as possible in identifying the records desired.~~
- ~~—(4) Original copies of public records shall not be removed from the office of the Secretary.~~

~~(b) Obtaining Copies of Public Records:~~

- ~~—(1) Requests to obtain copies of public records may be made in person or by mail to the office of the Secretary.~~
- ~~—(2) Such requests should be as specific as possible in identifying the records desired.~~
- ~~—(3) Certification of the authenticity of copies may be obtained from the Secretary.~~

ARTICLE 3. GENERAL PROVISIONS FOR SYSTEMS

Sec. 20135. System budget request and plan of service.

Each System participating in programs of the Act shall adopt a System Plan of Service and prepare a budget for carrying out the objectives of the Plan. After approval by the Administrative Council, the System budget request and Plan of Service shall be annually submitted to the State Board by June 1 of the fiscal year immediately preceding the fiscal year for which funds are requested.

- (a) Plan of Service. The annual Plan of Service shall describe in the form and manner prescribed by the State Board how the System proposes to carry out the purposes of the Act, and it shall include information relative to the following statements:
 - (1) A population profile. This shall be no more than five years old, and shall use the most current data available.
 - (2) A description of the users ~~and the non-users~~ of the services of the members of the System.
 - (3) A description of the service(s) provided by the System.
 - ~~(4) A list of the major unmet information needs of the population of the System area.~~
 - (5) A plan for the use of CLSA funds, listing each of the services(s) in (3) above which the System plans to maintain or improve., ~~and each of the unmet needs in (4) above which the~~

~~System plans to address.~~ Under each such service to be provided ~~or unmet needs to be addressed,~~ the plan shall include:

(A) The user benefit expected.

(B) A brief description of the method by which the benefit will be provided.

- (b) Budget. The System budget shall document in the form and manner prescribed by the State Board the dollar amounts to be expended for providing each System service ~~or addressing each unmet need.~~
- (c) In addition, each System shall file by September 1 of each year a report, in the form and manner prescribed by the State Board for the fiscal year just ended, that describes actual accomplishments and expenditures of the System program, compares them with the planned accomplishments and expenditures for the fiscal year reported and includes other appropriate commentary.

ARTICLE 5. CONSOLIDATIONS AND AFFILIATIONS

Sec. 20180. Public library consolidation.

- (a) If any two or more contiguous jurisdictions operating public libraries wish to consolidate their libraries into a single library agency ~~and receive establishment grants~~ under Education Code Section 18732, a joint notice of intent signed by the head librarians of the consolidating jurisdictions must be filed with the State Board no later than September 1 of the fiscal year immediately preceding the effective date for consolidation. Authorizations to consolidate, approved by the governing body of each consolidating jurisdiction and a joint plan for provision of consolidated services, signed by the head librarians, must be filed with the State Board no later than June 1 of the fiscal year immediately preceding the effective date of the consolidation.
- (b) The State Board's approval of requests for library consolidation ~~funds~~ under Education Code Section 18732 shall be based on its determination that the consolidation provides a more effective means of carrying out the purposes of the Act than would be the case if the consolidation did not occur.
- (c) For purposes of determining the eligibility of the consolidating jurisdictions to receive funds under other provisions of the Act, a public library consolidation approved by the State Board will be considered effective beginning July 1 of the fiscal year immediately following the fiscal year in which the consolidation authorizations are filed.

Sec. 20185. System consolidations.

- (a) If any two or more Systems whose borders are contiguous wish to consolidate ~~and receive a consolidation grant~~ under Education Code Section 18751, a joint notice of intent, approved by the Administrative Councils of the consolidating Systems, must be filed with the State Board no later than September 1 of the fiscal year immediately preceding the effective date of consolidation. System participation authorizations approved by the jurisdictional governing body of each of the System's member libraries, and a new System Plan of Service and budget, must be filed with the State Board no later than June 1 of the fiscal year immediately preceding the effective date of consolidation. ~~If the State Board approves the consolidation funding request, a grant shall be awarded for each of the two fiscal years following the fiscal year in which the filing is made.~~

- (b) The State Board's approval of requests for System consolidation ~~funds~~ under Education Code Section 19851 shall be based on its determination that the consolidation provides a more effective way of carrying out the purposes of the Act than would be the case if the consolidation did not occur.
- (c) For purposes of determining the eligibility of the consolidating Systems to receive funds under other provisions of the Act, a System consolidation approved by the State Board will be considered effective beginning July 1 of the fiscal year immediately following the fiscal year in which the consolidation authorizations are filed.

Sec. 20190. Public library affiliation with an existing System.

- (a) If any jurisdiction, not previously a member of any System, joins a System with borders contiguous to the jurisdiction, ~~and the System wishes to receive an affiliation grant under Education Code Section 18752,~~ the administrative body of the System shall file a notice of intent and the jurisdictional governing body of the affiliating library shall file an affiliation authorization with the State Board no later than September 1 of the fiscal year immediately preceding the effective date of the affiliation. as follows:
 - ~~(1) For memberships occurring between July 1, 1980, and June 30, 1981, the notice of intent shall be filed by September 1, 1980, and the affiliation authorization shall be filed by June 1, 1981. If the State Board approves, a grant of \$3,000 shall be made for each of the fiscal years 1981/82 and 1982/83.~~
 - ~~(2) For memberships occurring between July 1, 1981, and June 30, 1982, the notice of intent shall be filed by September 1, 1981, and the affiliation authorization shall be filed by June 1, 1982. If the State Board approves, a grant of \$2,000 shall be made for each of the fiscal years 1982/83 and 1983/84.~~
 - ~~(3) For memberships occurring between July 1, 1982, and June 30, 1983, the notice of intent shall be filed by September 1, 1982, and the affiliation authorization shall be filed by June 1, 1983. If the State Board approves, a grant of \$1,000 shall be made for each of the fiscal years 1983/84 and 1984/85.~~
 - ~~(4) System memberships occurring following June 30, 1983 shall not be eligible for grants under Education Code Section 18752.~~
- (b) The State Board's approval of requests for affiliation ~~grants under Education Code Section 18752~~ shall be based on its determination that the proposed membership is at least as effective a way of carrying out the purposes of the Act as would be the case if the membership were with a System other than the one joined.
- (c) For purposes of determining the eligibility of the affiliating public library or System to receive funds under other provisions of the Act, an affiliation will be considered effective beginning July 1 of the fiscal year immediately following the fiscal year in which the affiliation authorization is file.