

94-075 MAINE LIBRARY COMMISSION**Chapter 1: MAINE REGIONAL LIBRARY SYSTEM**

SUMMARY: This rule establishes the geographic boundaries of the regions of the Maine Regional Library System and assigns libraries and Area Reference and Resource centers to each region. This rule also identifies services provided by the Maine State Library to members of the Maine Regional Library System and sets forth the eligibility criteria that must be met in order for member libraries to receive each of the services. Finally, this rule establishes the dates by which libraries must be in compliance and explains how non-compliance will be determined and addressed.

SECTION 1. Definitions

1. Area Reference and Resource Center. "Area reference and resource center" means a large public, school or academic library designated by the State Librarian and receiving state aid for the purposes of making its resources and services available without charge to all residents within a library region, of providing supplementary library services to local libraries within the library region and of coordinating the services of all local libraries within the library region that by contract become part of the library region. 27 M.R.S. § 110(2).
2. Maine Public Library Fund: "Maine Public Library Fund" means an interest-bearing account that receives money deposited by the Treasurer of State pursuant to Title 36, section 5291 and any other money contributed to the fund. The fund is administered by the State Librarian. All money deposited in the fund and the earnings on that money remain in the fund to be used to provide grants to free public libraries for use in providing services identified as priority services by the State Librarian. Money in the fund may also be used for the necessary administrative and personnel costs associated with the management of the fund but may not be deposited in the General Fund or any other fund except as specifically provided by law. 27 M.R.S. § 8.
3. Public library. "Public library" means a library freely open to all persons and receives its financial support from a municipality, private association, corporation or group. The above serves the informational, educational and recreational needs of all the residents of the area for which its governing body is responsible. 27 M.R.S. § 110(10).
4. Regional Library System. "Regional library system" means a network of library regions interrelated by formal or informal contract for the purpose of organizing library resources and services for research, information and recreation to improve statewide library service and to serve collectively the entire population of the State. 27 M.R.S. § 110(11). In this rule, the regional library system is referred to as the Maine Regional Library System.
5. Governing Board of Trustees/Directors. "Governing Board of Trustees/Directors" means the organization, person, or persons designated to assume legal responsibility for the determination and implementation of policy and for the oversight of the management, operation and financial viability of the facility.

SECTION 2. Application of this Rule

This rule applies to any library in the State of Maine that seeks to participate in the Maine Regional Library System.

SECTION 3. Regions of the Maine Regional Library System

1. General

This Section identifies the geographic boundaries for each library region that collectively make up the Maine Regional Library System and assigns libraries and an Area Reference and Resource Center (ARRC) to each region.

2. Regional Boundaries

- A. Boundaries of each region are determined by using three factors: county population figures from the decennial census published by the U.S. Census Bureau, the total number of public libraries in the state, and the service area of each ARRC.
- B. Counties that are geographically proximate comprise each individual region.
- C. To the extent feasible, county population is evenly divided to create three regions.

3. Regions

The Maine Regional Library System (MRLS) shall have three regions comprised of the following counties:

- A. Northeastern Maine Library Region: Aroostook, Hancock, Knox, Penobscot, Piscataquis, Waldo, and Washington
- B. Central Maine Library Region: Androscoggin, Franklin, Kennebec, Lincoln, Oxford, Sagadahoc, and Somerset
- C. Southern Maine Library Region: Cumberland and York

4. Area Reference and Resource Centers

Each region has the following ARRC:

- A. Northeastern Maine Library Region: Bangor Public Library
- B. Central Maine Library Region: Maine State Library
- C. Southern Maine Library Region: Portland Public Library

5. Assigning Libraries to Library Regions

All participating libraries are assigned to the region that serves the county where the library is physically located.

SECTION 4. Maine State Library Services and Eligibility Criteria

1. General

The purpose of this section is to identify and define certain services provided to Maine's public, school, academic, and special libraries by the Maine State Library that are a benefit for member libraries of the MRLS. Additional eligibility criteria for certain services are identified.

2. Maine State Library Services available to all member libraries of the MRLS:
 - A. Eligibility to receive grants funded through the Maine State Library so long as they agree to fulfill all applicable reporting requirements; and
 - B. Eligibility to participate in the van delivery service for interlibrary loan (ILL) (unsubsidized).
3. Maine State Library Services available to members of the MRLS that agree to comply with the requirements in subsection 4 below:
 - A. Internet connection (1-10 Gigabits per second) through the Maine School and Library Network managed by NetworkMaine at no additional cost to the library;
 - B. Content filtering, email, web hosting, technology support, and consortia pricing through the Maine School and Library Network managed by NetworkMaine at no additional cost to the library;
 - C. Eligibility to receive grants through the Maine Public Library Fund;
 - D. Eligibility for discounted membership to the Maine Association of Nonprofits; and
 - E. Eligibility for subsidized van delivery service for ILL subject to the following conditions:

To receive a subsidized day of van delivery service a public library must:

- (1) Have at least one library staff member subscribed to the Maine State Library Delivery listserv for Van Delivery participants;
 - (2) Have more than 100 ILL materials per year as reported on the most recent certified IMLS Public Library Survey for Maine libraries. The 100 ILL materials are the combined total of the borrowing and lending ILLs per library; and
 - (3) Agree to pay a portion of the annual cost based on the population served by the library.
4. In order to receive the services in subsection 3 above, a public library must meet the following minimum standards of library service:
 - A. It submits the Public Libraries Survey (a.k.a. the Public Library Annual Report) to the Maine State Library by April 1 each year and must maintain an active subscription to either MELIBS-L or MEINFO-L.
 - B. It promotes quality library services by ensuring:
 - (1) The library director engages in at least 8 hours of professional development annually in the areas of

- (a) Library management;
- (b) Library governance;
- (c) Library facility and maintenance;
- (d) The fundamentals of librarianship;
- (e) Trends in library service; or
- (f) Other areas of study related to daily operations of a public library.

This professional development time can be completed during the director's paid work time.

- (2) All members of the governing board of trustees/directors, where such a body exists, attend at least one professional development opportunity annually in the areas of:

- (a) Library governance;
- (b) Board roles and responsibilities;
- (c) Fundraising;
- (d) Advocacy;
- (e) Strategic planning; or
- (f) Other areas of study related to oversight of a public library.

- (3) The library regularly reviews and maintains policies, including, but not limited to, policies concerning confidentiality of patron records, circulation, collection development, reconsideration of library materials, programs, safety and security of the library building, library staff, and the public, patron behavior, and meeting space use.

C. It plans for long-term sustainability by ensuring:

- (1) It has a publicly available strategic plan that is reviewed at least once every three to five years; and
- (2) It has a designated, paid individual who serves as director of the library and is responsible for the day-to-day management and oversight of the library on behalf of the governing board of trustees/directors (in the case of a non-profit library) or the municipality (if the library is a municipal department). This position may not be filled by an individual who also serves as a member of the governing board of trustees/directors.

D. It promotes access to information by ensuring:

- (1) It has a fixed physical location;
- (2) It does not charge members of its legal service area for membership;
- (3) It is staffed and open to the public for an average of 12 hours per week year-round;
- (4) It has at least one dedicated public Internet access computer and printer;

- (5) It has a dedicated email address and phone number specific to the library; and
- (6) It has organized print and other library materials reflecting the diverse needs of the community it serves.

E. It operates according to the values of librarianship by ensuring:

- (1) It complies with Maine's confidentiality of library records law, 27 M.R.S. § 121; and
- (2) It is guided by the Library Bill of Rights, Core Values of Librarianship and the Code of Ethics of the American Library Association.

SECTION 5. Membership Agreement and Certification

1. All member libraries shall maintain a signed Maine Regional Library System Agreement on file with the Maine State Library. The Agreement shall be resubmitted every three years.
 - A. In the case of a nonprofit library, the Agreement shall be signed by the president of the governing board of trustees/directors.
 - B. In the case of a municipal library the Agreement shall be signed by the town administrator.

Member libraries seeking to access the services outlined in Section 4.3 above shall self-certify compliance with the requirements of Section 4.4 as part of the Public Libraries Annual Report.

SECTION 6. Implementation of the Rule

1. Compliance with Section 4.4(C)(1) must be achieved within one year from the effective date of the rule.
2. Compliance with Sections 4.4(C)(2) and 4.4(D)(3) must be achieved within two years from the effective date of the rule.
3. The remaining sections of the rule are effective immediately.
4. If a library is not in compliance by the compliance dates above, the Maine Library Commission will grant a 6 month extension upon written request.
5. Additional 6 month extensions may be granted by the Commission in cases where the library demonstrates its effort to come into compliance and/or identifies barriers to compliance that are not wholly within its control.

SECTION 7. Determination of Non-Compliance

1. At the first regular Maine Library Commission meeting after the annual Public Library Data Survey closes on April 1st, the Maine State Library's Library Development staff will present a list of libraries that are not in compliance with the rule to the Commission.
2. The Commission will review and discuss the list of non-compliant libraries and notify each library by email and first-class mail that they are out of compliance with the rule, along with a request for the following information to be shared with the Commission at least 60 days and not more than 90 days from the date of the notice:
 - A. An explanation of why the library is out of compliance;
 - B. If and how the library is currently using Maine State Library resources/services;
 - C. A detailed plan to come back into compliance with the Rule;
 - D. A specific timeline for coming back into compliance with the Rule; and
 - E. Identifying any Maine State Library assistance/resources needed for the plan to be successful.

3. The Maine Library Commission will consider the plan and timeline submitted by each library at their next regularly scheduled Commission meeting, and provide approval or disapproval, which will be communicated in writing by email and first-class mail to the library, and to the town manager for the legal service area of the library (for municipal libraries) or to the Library Board chair/president (for non-profit libraries).
4. If a library does not respond to the notification of non-compliance within the timeframe specified, the Commission will remove that library from the MRLS.

SECTION 8. Removal from the Maine Regional Library System for Non-Compliance

1. The Maine Library Commission will require regular updates from a library who has an approved plan to come back into compliance.
2. If, at the end of the approved timeline for compliance, a library is still not in compliance, the Maine Library Commission may approve removal of that library from the Maine Regional Library System.
3. If a library ceases to communicate with the Maine Library Commission regarding their approved plan and timeline to come back into compliance, the Commission may approve removal of that library from the MRLS.
4. Once a library is removed from the MRLS by the Maine Library Commission, Maine State Library staff will contact Network Maine to determine the date at which Internet services can be terminated without additional cost to Maine State Library. That date will be communicated to the library via email and first class mail.

STATUTORY AUTHORITY: 27 M.R.S. § 111(2)

EFFECTIVE DATE:

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