

**PUBLIC NOTICE OF PROPOSED RULEMAKING**  
**RHODE ISLAND GOVERNMENT REGISTER**  
**PUBLIC NOTICE OF PROPOSED RULEMAKING**

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**AGENCY:** Department of Administration

**DIVISION:** Office of Library and Information Services

**RULE IDENTIFIER:** 220-RICR-60-15-4

**REGULATION TITLE:** Minimum Standards for Institutional Libraries

**RULEMAKING ACTION:** Proposed Rulemaking

**TYPE OF FILING:** Adoption

**TIMETABLE FOR ACTION ON THE PROPOSED RULE:**

Filing Date (Notice Posted):	July 18, 2018
End of Public Comment Period:	August 31, 2018

**SUMMARY OF PROPOSED RULE:**

To ensure that libraries in state institutions meet minimum standards of library service to qualify for state aid.

**COMMENTS INVITED:** All interested parties are invited to submit written or oral comments concerning the proposed regulations by August 31, 2018 to the address listed below.

**ADDRESSES FOR PUBLIC COMMENT SUBMISSIONS:**

Department of Administration  
Office of Library and Information Services  
One Capitol Hill  
Providence, RI 02908  
[karen.mellor@olis.ri.gov](mailto:karen.mellor@olis.ri.gov)

**WHERE REGULATIONS OR COMMENTS MAY BE INSPECTED:**

Department of Administration  
Office of Library and Information Services  
One Capitol Hill, 2<sup>nd</sup> floor  
Providence, RI 02908

**PUBLIC HEARING INFORMATION:**

In accordance with RIGL §42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Karen Mellor, Chief of Library Services  
Office of Library and Information Services  
One Capitol Hill  
Providence, RI 02908  
(401-574-9304)  
karen.mellor@olis.ri.gov

**SUPPLEMENTARY INFORMATION:**

**Regulatory Analysis Summary and Supporting Documentation:**

R.I. Gen. Law § 29-6-7 provides for state aid to institutions and R.I. Gen. Law § 29-6-8 establishes eligibility requirements, but the prior regulations governing standards of service to qualify for this aid were no longer on file with the Secretary of State. R.I. Gen Law § 29-6-8 requires libraries in institutions to meet standards of service as set forth in regulations made by the Chief of Library Services pursuant to the provisions of Chapter 3.1 of Title 29. Moreover, the Chief of Library Services administers state aid to libraries in institutions and uses regulations to confirm eligibility for state aid. To ensure that an institution's library provides a basic level of service for its clientele, the Office of Library and Information Services and the Library Board of R.I. propose new regulations.

**Authority for This Rulemaking:** RIGL 29-6 §§ 29-6-7 and 29-6-8.

**Regulatory Findings:** In the development of the proposed **adoption** consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

**The Proposed Adoption:** The Department of Administration, Office of Library and Information Services proposes to adopt 220-RICR-60-15-4 as follows:

## **220-RICR-60-15-4**

# **TITLE 220 – DEPARTMENT OF ADMINISTRATION**

## **CHAPTER 60 – ENTERPRISE TECHNOLOGY STRATEGY AND SERVICE**

### **SUBCHAPTER 15 – LIBRARY AND INFORMATION SERVICES**

#### **PART 4 – Minimum Standards for Institutional Libraries**

#### **4.1 Authority**

- A. Pursuant to R.I. Gen. Laws §§ 29-6-7 and 29-6-8, the Office of Library and Information Services may award state grant-in-aid to a state institution to support library services for residents or students provided that the library or libraries in the institution meet standards of service as set forth in regulation.
- B. Pursuant to R.I. Gen. Laws §§ 29-3.1-7(8) and 29-3.1-4.1(b)(7), the Chief of Library Services is charged to develop standards and regulations for public library development and the Library Board of Rhode Island is charged to approve such standards and regulations.

#### **4.2 Purpose**

The purpose of this Part is to set standards of service for libraries at state supported institutions to govern the award of state grant-in-aid to support library services for residents or students of those institutions.

#### **4.3 Definitions**

- A. The following terms shall have the following meaning:
  - 1. A "library" means a permanent, dedicated space that includes a collection of materials, technology, reader and study spaces, and staff to provide services.
  - 2. A "professional librarian" means an individual with a master's degree in library and information science from a graduate school accredited by the American Library Association.
  - 3. A "full time equivalent" means an individual who works the standard number of hours per week established by the State of Rhode Island for classified or unclassified positions in the institution.

#### **4.4 Minimum Standards of Service for Institutional Libraries**

- A. The state institution clearly delineates responsibility for library services in its organizational structure.

- B. The state institution establishes within its budget annually a clearly identifiable allocation from the institution for the operation of the library that includes expenditures for staff, materials and other operating costs.
- C. The state institution designates space that is clearly identified as a library and is used solely for that purpose. The space must be accessible to the population served and accommodate staff, collections, reader spaces, technology and other elements necessary for the provision of library services to that population.
- D. The supervisor of the library is a professional librarian.
- E. The library is staffed by one or more full-time equivalent professional librarians who provide reference, information and referral, learning support, readers' advisory, and programs to the population served, and who plan such services.
- F. The library is open to the population served at least twenty-five (25) hours a week, or in the case of the school for the deaf, twenty-five (25) hours a week during the academic year.
- G. The library adopts a long-range plan of service, based on an assessment of the needs of the population served and aligned to the most current relevant guidelines established by the Association of Specialized, Government, and Cooperative Library Agencies.
- H. The library adopts and regularly reviews policies and procedures governing its services, including, but not limited to collection development, lending, technology use, access, and service.
- I. The library operates according to the following relevant American Library Association ethical and philosophical statements for libraries:
  - 1. Code of Ethics (revised 2008)
  - 2. Library Bill of Rights (reaffirmed 1996)
  - 3. Prisoners Right to Read: An Interpretation of the Library Bill of Rights (amended 2014)
  - 4. Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights (adopted 2009)
- J. The library maintains an electronic catalog of its holdings and follows standard library practices for acquiring, classifying, cataloging and providing access to materials.
- K. The library, with the exception of libraries serving incarcerated individuals, belongs to the Library of Rhode Island network.

- L. The library provides its community with resources and assistance to support digital literacy.

## **4.5 Requirements**

- A. The library must submit an annual report to the Office of Library and Information Services, including certification of compliance with the minimum standards.
- B. Annual reports are due no later than September 15 unless otherwise indicated by the Office of Library and Information Services.
- C. In the event that a library fails to comply with any of the minimum standards, that library may submit to the Chief of Library Services a request for a waiver. Upon receipt of a waiver request, the Chief of Library Services will investigate and render a written decision within six (6) weeks.

## **4.6 Enforcement**

- A. In the event that it is determined that an institutional library fails to comply with any of the minimum standards, the Chief of Library Services will investigate and render a written decision regarding eligibility for grant-in-aid within six (6) weeks of that determination.
- B. If the request for waiver is denied, the library may appeal the decision to the Library Board of Rhode Island by sending a letter of appeal to the Chair with a copy to the Chief of Library Services. The letter must be sent within twenty (20) calendar days of the decision.
- C. The appeal will be heard by the Library Board of Rhode Island at its regular meeting or within six (6) weeks of the appeal, whichever comes first.
- D. Written response to the appeal will be sent to the library within ten (10) days of the appeal hearing.