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## PERMANENT ADMINISTRATIVE ORDER

**OSL 2-2019**  
CHAPTER 543  
OREGON STATE LIBRARY

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FILING CAPTION: Establishment of minimum conditions for official recognition of public libraries.

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 10/18/2019

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RULES:

543-010-0003, 543-010-0035, 543-010-0036

AMEND: 543-010-0003

RULE TITLE: Definitions

NOTICE FILED DATE: 08/28/2019

RULE SUMMARY: Updated the definitions to correspond with OAR 543-010-0036.

RULE TEXT:

The following words or phrases, when used in Administrative Rules adopted by the State Library Board, shall mean the following:

- (1) "Board" means the State Library Board.
- (2) "Chair" means the presiding officer of the Board.
- (3) "Public funding" is all funds from local government, city, county or special district, including in-kind funds such as rent and utilities.
- (4) "Basic services for reference" means information and referral services as well as individual instruction and assistance in using information sources.
- (5) "Basic service for youth services" means programs, activities, and information resources for which the primary audience is youth 18 and under.
- (6) "State fiscal year" means the period of one year commencing on July 1 and closing on June 30.
- (7) "Operational financial support" means funding for the day-to-day operations of the library.

STATUTORY/OTHER AUTHORITY: ORS 357

STATUTES/OTHER IMPLEMENTED: HB2243A (2019), ORS 357.010(1)(3)

AMEND: 543-010-0035

RULE TITLE: Annual Reports

NOTICE FILED DATE: 08/28/2019

RULE SUMMARY: This update will allow public libraries the needed extra time to submit their statistical and financial information to the State Library as required by ORS 357.520.

RULE TEXT:

Not later than October 31 of each year, public libraries shall submit statistical and financial information, in conformance with ORS 357.520, to the State Library on the Statistical Report form furnished by the State Library.

STATUTORY/OTHER AUTHORITY: ORS 357

STATUTES/OTHER IMPLEMENTED: ORS 357.520

AMEND: 543-010-0036

RULE TITLE: Official Recognition of Public Libraries

NOTICE FILED DATE: 08/28/2019

RULE SUMMARY: To establish the minimum conditions required and clarify the process to receive official recognition as a public library.

RULE TEXT:

(1) The State Library Board will officially recognize those public libraries that become legally established under one of the methods described in ORS 357.216-286 or 357.400-621 and have met all minimum conditions.

(2) Libraries, that have a service population of over 2000, shall meet the following minimum conditions:

(a) Have at least half (50%) of its operational financial support from public funds.

(b) Be open to the public a minimum of 20 hours per week.

(c) Provide a collection comprising books, media, or electronic resources.

(d) Offer free public access computers with Internet access.

(e) Offer free public wireless Internet access (wi-fi).

(f) Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents.

(g) Dedicate at least 0.50 full-time equivalent (FTE) paid staff time exclusively to library functions.

(h) Have basic policies in place and accessible online for collection management, circulation, and patron confidentiality that incorporate relevant American Library Association (ALA) professional ethical codes, rules, and guidelines.

(i) Provide basic services for reference and youth services.

(j) Complete the annual statistical report as required under ORS 357.520 and OAR 543-010-0035.

(3) Libraries, that have a service population of 2000 or less, shall meet the following minimum conditions:

(a) Have at least one fourth (25%) of its operational financial support from public funds.

(b) Be open to the public a minimum of 10 hours per week.

(c) Provide a collection comprising books, media, or electronic resources.

(d) Offer at least one free public access computer with internet access.

(e) Offer free public wireless internet access (wi-fi).

(f) Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents.

(g) Dedicate at least 0.25 full-time equivalent (FTE) paid staff time exclusively to library functions.

(h) Have basic policies in place and accessible online for collection management, circulation, and patron confidentiality that incorporate relevant American Library Association (ALA) professional ethical codes, rules, and guidelines.

(i) Provide basic services for reference and youth services.

(j) Complete the annual statistical report as required under ORS 357.520 and OAR 543-010-0035.

(4) Official recognition as a public library will qualify the library to be eligible for state aid and grants from the State Library as authorized in statutes. A library must receive official recognition by June 30 to be eligible for grant funding in the next state fiscal year beginning July 1.

(5) Official recognition will continue unless the library no longer meets the statutory requirements of a public library.

(a) Library responses to the Public Library Annual Statistical Survey will be used to determine compliance with minimum conditions outlined in sections (2) and (3).

(b) An officially recognized public library that fails to meet the minimum conditions as outlined in section (2) or (3) will have two (2) years to achieve compliance, during which time the library maintains eligibility for state aid and grants.

(c) Proceedings for termination of official recognition for a library that fails to meet minimum conditions after two (2) years will be scheduled for consideration by the Board, which will then make a determination.

(d) The State Library will provide an annual report to the Board on the status of public library compliance with minimum conditions.

(6) The Board will terminate a public library's official recognition immediately after a local government withdraws support following the requirements of ORS 357.621. The State Library will notify the local government that official recognition is being terminated.

(7) Any affected agency may appeal the termination of official recognition to the Board. The appeal must be in writing and must contain a detailed statement specifying the reason the appellant agency believes the action was improper.

(8) The written appeal must be filed no later than 15 business days after the notice of termination of official recognition is received. Once an appeal is received, it will be scheduled for consideration by the Board, which will then make a determination.

(9) To be reinstated, a library must request reinstatement of official recognition from the Board. The request must include signed documentation attesting that the library has met all minimum conditions. The request will then be scheduled for consideration by the Board, which will make a determination. The State Library will notify the local government if official recognition is being reinstated. A library may appeal a denial of reinstatement as described in this rule.

STATUTORY/OTHER AUTHORITY: ORS 357.026(1)

STATUTES/OTHER IMPLEMENTED: ORS 357.216-286, 357.400 - 357.621, HB2243 A (2019)