



**Special Meeting of the ODL Board
Agenda**

February 18, 2021 | 1:00 p.m.

via Zoom: <https://zoom.us/j/92804145403>*

Meeting ID: 928 0414 5403

The Board may discuss, table, vote to approve or disapprove, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

1. Call to Order, Roll Call, and Compliance with Open Meeting Act

Chair Cindy Vogel will appear remotely via Zoom
Vice Chair Annabeth Robin will appear remotely via Zoom
Board member Robert Dace will appear remotely via Zoom
Board member Lee Denney will appear remotely via Zoom
Board member Steve Gray will appear remotely via Zoom
Board member James Robison will appear remotely via Zoom
Board member Mary Shannon will appear remotely via Zoom
Director Melody Kellogg (ex-officio member) will appear remotely via Zoom

2. Consideration and possible action on recommendations to waive certain eligibility requirements for current fiscal year State Aid Grants to Public Libraries due to the COVID-19 pandemic and declared emergencies 1
- a. Overview of process determining State Aid eligibility..... 2
 - b. Consider approval of recommendation to waive requirement for hours of operation as permitted by Emergency Rules 405:25-1-3 [Amended]..... 3
 - c. Consider approval of recommendation to waive requirement for local boards of Trustees to meet quarterly as permitted by Emergency Rules 405:25-1-3 [Amended]
 - d. Consider approval of recommendation to waive requirement for maintenance of effort as permitted by Emergency Rules 405:25-1-3 [Amended]
3. Consideration of appeal from the Stillwater Public Library (a department of the City of Stillwater) which was determined not to qualify for State Aid based on OAC 405:25-1-3(3)(M)..... 6
- a. Consideration of possible executive session during the individual proceeding pursuant to 25 O.S. § 307(B)(8) for the purpose of engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act
 - b. Vote to return to open session
 - c. Consideration, discussion, and possible action on matters considered in executive session

Agenda, page 2
February 18, 2021
1:00 p.m.

4. Consideration and possible action on funding formula for State Aid Grants to Public Libraries.....	17
5. Consider adoption of proposed Emergency Rules for Title 405. Oklahoma Department of Libraries, Chapter 25. State Aid Grants to Public Libraries, to address emergency situations impacting eligibility	26
6. Consider approval of 2021 Board Meeting Schedule – Revised	30
7. Consider approval of additional FFY 2020 LSTA project	31
8. Consider approval of proposals for FFY 2021 LSTA projects.....	32
9. Adjournment	

*This meeting may be viewed via Zoom at <https://zoom.us/j/92804145403> (2021 February ODL Board meeting). **Meeting ID:** 928 0414 5403. If you have trouble connecting or do not have a microphone, call one of the following numbers and type in the Meeting ID when asked: +1 408 638 0968 US (San Jose) or +1 669 900 6833 US (San Jose) or +1 346 248 7799 US (Houston).

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- If you text, be sure to press Enter when done to send it.



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #2

Consideration and possible action on recommendations to waive certain eligibility requirements for current fiscal year State Aid Grants to Public Libraries due to the COVID-19 pandemic and declared emergencies

Summary

Public libraries and library systems must comply with the rules and regulations for State Aid Grants to Public Libraries adopted by the ODL Board on April 1, 1999 and amended in 2017 and 2019. The rules were developed in partnership with Oklahoma public librarians and define the minimum standards for good public library service. The goal is for all public libraries to comply with the rules and be eligible for State Aid each year.

This year, emergency rules are in place to minimize COVID-19 related changes in library operations. As predicted, none of the state's public libraries would have qualified for State Aid this year based on failure to meet Maintenance of Effort and/or on hours of operation. Many libraries also reported that their Trustees/Boards/Commissions were not able to meet as required. These requirements may be waived by the ODL Board due to the emergency rules.

Recommendations

- It is recommended by the ODL Director that the User Service Requirement 405:25-1-3(2)(B) detailing the minimum number of hours a library shall be open to the public be waived for the current fiscal year distribution of State Aid Grants. (Agenda item 2b.)
- It is recommended by the ODL Director that the Administration and Finance requirement for local boards of Trustees to hold regularly scheduled meetings at least quarterly [part of 405:25-1-3(3)(B)] be waived for the current fiscal year distribution of State Aid Grants. (Agenda item 2c.)
- It is recommended by the ODL Director that the Administration and Finance requirement 405:25-1-3(3)(D) which requires the local government to expend an amount for library service not less than that of the preceding fiscal year be waived for the current fiscal year distribution of State Aid Grants. (Agenda item 2d.)

Supporting documents attached

Timeline/Overview of Review Process
OAC 405:25 State Aid Grants to Public Libraries

Timeline/Overview of Review Process State Aid Grants to Public Libraries

May 2020

Library Consultant Cathy Van Hoy renews contract for technology (web-based program) used to collect annual report data and changes or adds fields as necessary.

June 2020

Public libraries are sent a letter signed by ODL Director with instructions, the URL, and links to a Word document of the annual report questions are included.

June, July, August

Consultants assist their assigned libraries with annual report submission.

August 15, 2020

Deadline for Municipal Libraries to file annual reports.

October 1, 2019

Deadline for Library Systems to file annual reports.

August 15 – October 2020

Consultants review and evaluate annual reports then submit to Office of Library Development Administrator Vicki Mohr a list of libraries that qualify for State Aid and those that do not. Administrator reviews the lists and checks the Maintenance of Effort (MOE) calculations for accuracy.

October 20, 2020

A final list (Yes/No) is provided to the ODL Director for final decision.

November 1, 2020

Letters of denial are prepared by the Office of Library Development Administrator for ODL Director to sign then sent to the city manager or mayor, library director, and library board chair for each library. The letters detail the State Aid rule that was not met.

This year three libraries were ineligible:

- Bartlesville – no MLIS
- Wagoner – did not file annual report by the deadline
- Stillwater – no MLIS

November 3, 2020

Deadline for libraries to appeal to ODL Director.

- Appeal letter received from one of the three denials: Stillwater Public Library

November 17, 2020

Deadline for submitting an appeal to present to the ODL Board.

- Stillwater responded by email that they were appealing to the ODL Board

December 2020

A spreadsheet for State Aid disbursement is prepared by Executive Secretary Cindy Mooney who then works with the Office of Library Development until all libraries and systems are represented and the distribution is accurately calculated.

After the ODL Board approves the formula to disburse State Aid Grants to Public Libraries, claim forms are mailed to the qualifying libraries with a copy of the State Aid rules.

**TITLE 405. OKLAHOMA DEPARTMENT OF LIBRARIES
CHAPTER 25. STATE AID GRANTS TO PUBLIC LIBRARIES**

405:25-1-3. Eligibility for State aid grants to public libraries

Eligibility for state aid grants to public libraries is governed by the ~~following~~ requirements listed below: Eligibility may be impacted by emergency declarations by the President of the United States or the Governor of Oklahoma, public health, public safety, or other extraordinary circumstances as determined by the Director of the Oklahoma Department of Libraries and the ODL Board. Under those conditions, the Director will present recommendations to the ODL Board to modify application of specific User Service or Administration and Finance requirements. The ODL Board has the authority to accept or deny the recommendations.

(1) Basic requirements.

(A) Libraries must meet the definition of a public library as defined in 65 O.S. § 1-104.

(B) Libraries must be legally established and operating according to Oklahoma Statutes, Title 65, Article 4, § 101 and Title 11, Article 31; and Article 10, § 10A of the Oklahoma Constitution.

(2) User service requirements.

(A) Libraries must provide free library service.

(B) Libraries shall be open to the public the minimum number of hours stipulated in the following schedule. These hours shall be maintained year round. Single county systems organized under 65 O.S., §§ 151 and 552 which have branch libraries may aggregate their hours, if, discounting overlap, the citizens are served according to the following schedule:

(i) cities and towns under 2,000 population will be open 15 hours a week. The schedule will include at least two hours after 5 p.m. each week;

(ii) cities and towns of at least 2,000 but less than 5,000 people, will be open 30 hours a week. The schedule will include at least two hours after 5 p.m. each week and weekend hours are recommended;

(iii) cities with at least 5,000 but less than 10,000 people, will be open 35 hours a week. The schedule will include at least four hours after 5 p.m. each week and three weekend hours;

(iv) cities with at least 10,000, but less than 25,000, will be open 50 hours a week. The schedule will include at least eight hours after 5 p.m. each week and four weekend hours; and

(v) cities with 25,000 or more will be open 60 hours a week. The schedule will include a minimum of five weekend hours.

(C) Libraries must have a telephone located in the library with a listed number.

(D) All libraries and branches must provide internet access to the public. The library shall have a written internet use policy.

(E) All libraries shall at a minimum offer programming for youth under 18 years of age.

(F) A public library shall have a collection of materials (e.g., books, periodicals, audio-visual materials, etc.) that is circulated to the community.

- (i) Libraries shall provide bibliographic access to its collection for customers.
- (ii) The library shall offer interlibrary loan to customers and participate in interlibrary loan networks or consortia to borrow materials not held in the library upon request for customers. Libraries shall promote the service to customers through promotional materials and/or signs in the library and on its website to make customers aware of the service.
- (iii) The library shall do an age and condition study on its collection every four years as determined by the Oklahoma Department of Libraries and report the findings to its library board and the Oklahoma Department of Libraries.

(3) Administration and finance requirements.

(A) Legally established libraries that are not part of a library system must complete and submit the Oklahoma Department of Libraries' online annual report for the preceding fiscal year by August 15th and library systems must submit such reports by October 1st.

(B) Libraries must have a board of trustees appointed by the city and or county government officials which holds regularly scheduled meetings at least quarterly and all libraries must file annually a list of trustees, terms of office and meeting times with the Oklahoma Department of Libraries. The board shall approve the policies by which the library operates. The board shall review all required policies within a four year cycle as determined by the Oklahoma Department of Libraries and shall report all current policies to the Oklahoma Department of Libraries. Required policies are:

- (i) Circulation policy which shall include interlibrary loan;
- (ii) Library materials selection policy; and
- (iii) Internet use policy.

(C) Libraries must receive operating income from local government sources, i.e. town, city or county. A public library is primarily supported by either municipal funds or a direct library levy on a permanent basis.

(D) Local government must continue to expend an amount for library service, i.e., operating expenditures, not less than that of the preceding fiscal year, as reported on the Annual Report for Public Libraries. Public library systems organized under 65 O.S. Sections 151-161 and Sections 551-561, Sections 4-101-107.1 and Sections 4-201-206 may not reduce their millage levy. Exemption waivers to drop in operating income based on special circumstances shall be considered.

- (i) If a city or county has less total income for the most recent fiscal year as compared to the immediate fiscal year, exemption to the requirement in (D) of this paragraph may be made. The Oklahoma Department of Libraries will then supply forms for city or county officials to certify that the library's budget sustained no greater reduction than the total percentage reduction of income of the city or county budget.
- (ii) The requirement in (D) of this paragraph may be waived in those years when the budget is decreased according to (i) of this subparagraph.

- (E) Libraries must have paid permanent employees who are employees of the town, city, county or system. Town, city, county or system must pay said employees at least the federally required minimum wage and meet the requirements of the Fair Labor Standards Act.
- (F) All library directors and all personnel who work more than twenty (20) hours a week must attend at least one continuing education program each year. Staff in library systems or public libraries serving over 25,000 may meet this requirement with in-house training. Personnel are exempt if they have been employed at the library less than one (1) year.
- (G) Multi-county library systems must abide by the Oklahoma Department of Libraries' rules concerning systems as set forth in Chapter 10 of this title.
- (H) Libraries must file with the Oklahoma Department of Libraries, Office of Library Development, a report of expenditures made with state aid grant funds each preceding fiscal year by August 15th and library systems must submit such reports by October 1st.
- (I) Libraries must have a written statement of purpose.
- (J) Libraries shall provide annual library visits each year on the annual report to the Oklahoma Department of Libraries.
- (K) Libraries must provide bibliographic access to their collections.
- (L) Libraries serving a population of 10,000 or more must have submitted to the Oklahoma Department of Libraries a long range plan written or updated within the last 3 years. This document must address future directions of the library for services and resources, and must be approved by the local library board.
- (M) Libraries that are a department of municipal government in cities serving a population of 25,000 or more must employ a director with a Master's Degree in Library and Information Science from a library school accredited by the American Library Association or an alternate degree as follows. A comparable master's degree in business, education, school library media, or public administration, with a minimum of five years of prior supervisory library experience shall also be acceptable. For those with an alternate degree but without prior experience working in a library, the director shall complete the Institute in Public Librarianship Certification Program within two years of employment as director.
- (N) Libraries will evaluate, deselect and maintain their collections ensuring that their collections include up-to-date and useful materials and report the figures to its library board and to the Oklahoma Department of Libraries.
- (O) Libraries shall submit performance measures to the Oklahoma Department of Libraries on a schedule as determined by the Oklahoma Department of Libraries.



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #3

Consideration of appeal from the Stillwater Public Library (a department of the City of Stillwater) which was determined not to qualify for State Aid based on OAC 405:25-1-3(3)(M)

Summary

OAC 405:25-1-3(3)(M) states, "Libraries that are a department of municipal government in cities serving a population of 25,000 or more must employ a director with a Master's Degree in Library and Information Science from a library school accredited by the American Library Association or an alternate degree as follows. A comparable master's degree in business, education, school library media, or public administration, with a minimum of five years of prior supervisory library experience shall also be acceptable..."

The current Library Director does not yet have a Master's Degree in Library and Information Science or any of the alternate degrees listed in the rules.

Budget Impact

No budget impact for the Department

Supporting documents attached

Stillwater Letter of Appeal



Stillwater Public Library

1107 S. Duck
Stillwater, Oklahoma 74074

Office: 405.372.3633
Web: library.stillwater.org

Melody Kellogg
Oklahoma Department of Libraries
200 Northeast 18th St.
Oklahoma City, OK 73105
Via post and email

November 3, 2020

Dear Ms. Kellogg and Oklahoma Department of Libraries Board Members:

The Oklahoma Department of Libraries rejected the Stillwater Public Library's request for State Aid based on OK. Admin. Code §405:25-1-3(3)(M) (hereafter (3)(M)) because Stacy DeLano, the library director, has not yet attained a Master of Library and Information Science (MLIS). This fact is not in dispute. However, the Stillwater Public Library Board and library director assert that DeLano's graduate degree, a Juris Doctor (JD), meets the purpose and objectives of the inclusion of acceptable alternate degrees within the section. Taken together with DeLano's current employment agreement with the Stillwater Public Library Board, we ask that your denial of State Aid qualification be reversed.

Background

Stacy DeLano was named Interim Director in February 2019 after the departure of director Melody Kellogg. In June 2019, the Library Board hired DeLano as library director and conditioned her employment on enrolling in and continuing Master of Library and Information Science classes until she earns the degree.

DeLano enrolled in the University of North Texas library sciences program and has taken classes in spring, summer, and fall of 2020. DeLano holds a 4.0 GPA in the program and will graduate in summer 2022, taking classes during each term offered.

In 1993, DeLano graduated from the University of Tulsa (TU) with a Bachelor's Degree in Psychology. She attended TU's College of Law part-time while managing her family's firm and earned the "American Jurisprudence Award" for the highest grade in Law Office Management,

Legal Reasoning and Writing, and Evidence and Trial Workshop. DeLano graduated in December 1997, then took and passed the Oklahoma Bar Exam in the summer of 1998.

Following work in her family's firm, DeLano became an adult services librarian/evening and weekend supervisor at the Stillwater Public Library in 2001. The library did not require an MLIS for this position, which she held for 12 years, or for the Head of Adult Services position she held from January 2014 to February 2019. In 2004, DeLano completed the ODL "Institute in Public Librarianship" certification program, and in 2014, she completed the City of Stillwater's "Leadership Academy," a seven month, 4-8 hour per week leadership and management course.

Once Kellogg announced her departure, members of the staff, local leadership, public, and profession encouraged DeLano to apply for the position.

Stillwater Public Library is committed to maintaining a professional level library, and DeLano's employment was predicated on continuous pursuit of an MLIS

Both the Board and DeLano firmly believe that an MLIS is important in performing the duties of the director at Stillwater Public Library, and in maintaining the high professional standards for which the Stillwater Public Library is known. In support of those principles, the SPL Board made DeLano's employment contingent on her continuous progression toward the degree within the prescribed time allowed. As mentioned above, DeLano is taking classes year round and will continue to do so. If she ceases to take classes, then her employment cannot be continued.

DeLano's classes in library management, special collections, and reference services have reinforced knowledge and skills she learned through previous degree work and 25 years of public library experience which included direct responsibility in management, long-range and adaptive planning, budgeting, reference service, database management, website development, marketing, programming, special collections, digitization, circulation, acquisitions, and interlibrary loan. In the past 16 months, her experience allowed her to lead the library through the creation of its most extensive and ambitious long range plan, safely adapt library services during the Covid-19 pandemic, directly execute and administer 12 grants, plan and implement a restructuring across five departments to better align job tasks and services, and perform the many other responsibilities of a director.

The MLIS degree will provide DeLano skills associated with information-seeking behavior, research methods, and areas of library practice in which DeLano does not have experience, such as cataloging and electronic database creation.

Even if the ODL Board decides that a JD does fall under the purpose and objective intended by (3)(M), the SPL Board will require that DeLano attain an MLIS. DeLano fully supports this requirement and is committed to strengthening professional standards of the library.

DeLano has also worked to move the library department supervisors toward MLIS coursework to expand the professional capabilities of the staff. DeLano and Emily States, the current Head of Adult Services, entered MLIS classes in spring 2020. When the pandemic caused sales tax collection concerns, continued tuition reimbursement by the City of Stillwater was put in question. DeLano withdrew her own reimbursement request and continues to do so to ensure States is able to continue her coursework and to provide the library with an MLIS level Head of Adult Services.

A JD fulfills the alternate degree allowed under (3)(M)

Under (3)(M), a Master of Library and Information Science is not required if the Director has a comparable master's degree in business, education, school library media, or public administration, with a minimum of five years of prior supervisory library experience. This section does not set out the parameters of what constitutes a comparable degree, nor does it set out the specific degrees that are acceptable, but merely states that they be comparable in the areas of business, education, and public administration.

In the absence of direction for interpreting the administrative regulation, we urge the Board to adopt the legislature's guidance found in the act creating the Oklahoma Department of Libraries and use a "liberal construction" in interpreting the regulation "so as to effect the purpose and objective" intended (Okla. Stat. tit. 65, § 7-101).

The purpose and objective intended in including the alternate degrees in business, education, and public administration is to ensure that non-MLIS directors possess advanced training in skills such as critical thinking, strategic decision-making, leadership, and communication.

A JD fulfills this purpose and objective. The program covers fundamental topics found across all alternative listed disciplines such as contracts, constitutional law, torts, legal writing, legal research, property law, administrative and civil procedure, employment law, tax law, and disability law. The skills one learns in pursuit of a JD degree—critical thinking, strategic decision-making, leadership, and communication—are widely applicable in business, governmental, educational, and library settings.

Library directors must use legal analysis and knowledge every day. Almost no duty is executed that does not require these skills. At a minimum, a Juris Doctor education produces fine-tuned critical and strategic thinking and skills. While other programs also develop critical thinking and strategic decision-making, the entirety of the JD program is focused on developing these skills to an exceptionally high level through 82 credit hours of daily, rigorous Socratic interrogation. The result is a graduate who is able to perform complex planning, create intricate policies and procedures, and spot the myriad of issues and situations falling under municipal, state, federal, and agency regulation.

These situations that must be assessed are so inextricably intertwined in the day-to-day functions of a library director that MLIS classes should, in fact, include significantly more legal content than they do at present. An exceptionally small survey of encountered legal issues includes:

- Understanding the multi-jurisdictional authority system under which a public library must operate. Directors must comply not just with city ordinances, but with state and federal statutes, case law, and regulations (Administrative Law)
- Determining whether a contract is necessary, and then creating, analyzing, and modifying agreements with content providers, repairpersons, contractors, performers, and vendors and negotiating better terms (Contract Law; UCC; Negotiation and Mediation)
- Seeking vehicles through which donors can contribute through the library's "foundation" and analyzing gifts for receipt (Property; Wills, Estates, and Trusts; Taxation)
- Advocating for funding and support from parent organizations and legislators (Introduction to Advocacy)
- Making decisions ethically; providing strict protection of patron confidentiality and privacy (Legal Ethics; Constitutional Law)
- Winning grants through writing applications with logical, persuasive arguments (Legal Writing; Trial Workshop)
- Administering grants (Contracts; Administrative Law)
- Giving persuasive speeches to community organizations and city council meetings and being able to provide extemporaneous answers to questions at board meetings and city council meetings (Evidence and Trial Workshop)
- Demanding remediation for poorly performed work or partial performance (Remedies)
- Mediating between staff in different departments with opposing goals (Alternative Dispute Resolution)
- Creating content neutral meeting room policies and supervising staff decision-making on handling requests for use by controversial groups (Constitutional Law)
- Creating procedures and monitoring facilities to manage the risk of worker injury and occupational diseases, which will likely include Covid-19 (Workers Compensation)
- Taking steps to eliminate a patron's interaction with staff so as not to create a hostile work environment (Employment Law)
- Listening for times when a staff member hints at a medically identified reason for poor performance that may rise to the level of "notification" under the ADA (Employment Law)

- Creating policies for the type of legal information to be provided by librarians and guiding them on how their actions may result in the unauthorized practice of law (Ethics)
- Identifying issues of ownership when a staff member creates a work product that was not completed fully during the course of employment (Intellectual Property)
- Determining the library's use of materials in its graphics, flyers, and other marketing material (Intellectual Property)
- Creating budgets, staffing schedules, workloads (Law Office Management)
- Assessing whether an organization provided with space in the library must provide their own utilities (Contract Law/Landlord & Tenant)

The library is a public entity, and as such, legal issues pervade every aspect of its functioning. For every one entry in the list above, a director must address a dozen more due to the legal issues inherent in nearly every library function. Being trained to assess these issues is essential because a director may create a substantial liability due to their ignorance of legal issues. Equally problematic is a director who refuses to take an action or turns down opportunities out of a general fear of "liability." The ability to spot issues, prioritize their importance, and seek legal counsel protects the library and its parent organization and allows the library to provide services and protections to its patrons and staff without fear.

The three MLIS/JD holders contacted by the library agreed that a JD is applicable to the work of a library director in the same way as that of a director with a Master's degree in business, education, or public administration.

Institute for Museum and Library Services Board member Mary Minow is an attorney and a former librarian and library trustee. Minow earned a Master's degree in library sciences from the University of Michigan, Ann Arbor, and a JD from Stanford University. Minow is the Advanced Leadership Initiative Fellow at Harvard University and the creator of the Library Law blog, one of the most respected resources for discussion of legal issues associated with librarianship. Please see Minow's support of a JD as an alternate degree in Attachment 1.

Megan Donald, Interim Director of Mabee Legal Information Center at the University of Tulsa College of Law, earned her MLIS from the University of Oklahoma and JD from University of Tulsa College of Law. Please see Donald's support of a JD as an alternate degree in Attachment 2.

Darin Fox recently retired as the Director of the University of Oklahoma's Donald E. Pray Law Library after serving in the position since 2005. Fox earned a JD from the University of Oklahoma and an MS in library and information science from the University of Illinois. Please see Fox's support of a JD as an alternate degree in Attachment 3.

All three urge the OKL Board to accept DeLano's JD in fulfillment of the State Aid requirements. Donald and Fox are in the unique position of understanding the interconnectedness of being a library director and JD.

Reversing the State Aid decision for SPL does not create a "slippery slope"

Accepting DeLano's JD in fulfillment of (3)(M) does not open the door to forcing the Board to approve all manner of higher degrees as an alternative to an MLIS. Unlike a JD, most higher degrees are not so closely associated with the day-to-day duties of a director. For example, while the analytical skills acquired through earning a Doctor of Medicine would be invaluable to a director, the actual content learned in the program does not also align with a director's work.

Though OK. Admin. Code §405:3-1-12 provides an opportunity for the SPL Board and director to request an amendment to (3)(M), the present request does not even require that a change to the ODL regulation be made. Because (3)(M) does not specify the acceptable alternate Master's degrees, only the general degree fields, and because a JD is so fundamentally aligned with the listed fields, the ODL Board may accept a JD under the regulation's current language.

Furthermore, the ODL Board has the authority to determine fulfillment of State Aid standards on a case-by-case basis. DeLano's case has a very specific set of facts which the ODL Board may judge in its own context. In this particular case, in which DeLano has a terminal degree closely associated with the day-to-day duties of a director; in which her continued employment is contingent on continued classes in pursuit of an MLIS; and in which she has 25 years of public library experience, including two years as director, five years as a department supervisor, and 18 years additional years of experience covering most other facets of public librarianship, the requirements of (3)(M) should be determined to be fulfilled.

Not reversing the decision may result in an unintended decrease in professional standards

Offering the State Aid grant helps ODL encourage municipalities to maintain library funding and to maintain a professional level of service through requirements such as remaining open 60 hours each week.

In this case, a finding that SPL has not met State Aid eligibility may have the opposite effect on services. Since 2008, public libraries have struggled with budget cuts and reductions in hours and services. Covid-19 has exacerbated the problem as municipalities deal with threats to sales tax collection and utility customers who are unable to pay their bills.

State Aid has served as a gatekeeper for municipalities to maintain professional standards for Oklahoma libraries. Once that gate is opened, upholding standards like open hours, providing children's programming, and offering continuing education to staff could be at risk.

A possible reduction in budget and service is not enough in and of itself to reverse the decision, but when taken with the arguments presented, it is of sufficient concern and weight that its implications should give the ODL Board pause.

Request to reverse denial of State Aid

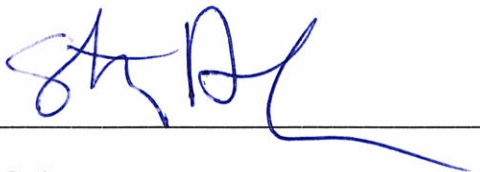
DeLano's Juris Doctor should be considered an acceptable degree as it meets the purpose and objective for which the inclusion of alternate degrees was provided. Because she also served as the Head of Adult Services for five years, DeLano has fulfilled the requirements set out in (3)(M).

The ODL Board will not be lowering the standards of Oklahoma libraries by accepting DeLano's JD as an appropriate alternate degree. Instead, it would be supporting an even higher standard of professionalism at Stillwater Public Library by accepting an already highly aligned degree that will soon be supplemented with an MLIS.

Therefore, the Stillwater Public Library Board and its director ask that the denial of State Aid be reversed.

Thank you for your consideration of these issues. If you need additional information, please contact us as listed above.

Respectfully,



Stacy DeLano
Stillwater Public Library Director



Robin Cornwell
Stillwater Public Library Board Chair

Stacy Delano

From: Mary Minow [mailto:minow@librarylaw.com]
Sent: Monday, November 2, 2020 10:46 AM
To: Stacy Delano <stacy.delano@stillwater.org>
Subject: Re: request about JD/MLIS

To whom it may concern

I applaud the requirement that state aid is conditioned on libraries employing MLIS level directors. Having said that, I believe that either business and public administration degrees *not* be considered comparable, or that law degrees be added to the comparable list.

I can see the value in MPA and MBA in running a large library and am glad that those without the MLIS must complete the public librarianship certificate within two years. The specific curricula for librarians, specifically the ethics valuing user privacy, intellectual freedom, equality of access are not necessarily a part of the other degree programs. These topics are not as likely to be learned on the job in the way acquisitions, information technology, budget and administration are, by necessity.

Since MPA and MBA are, in fact, permitted provisionally, I see no reason that JD should not join that list. Today the legal issues that permeate the library world are also every day events. Licensing databases, interpreting force majeure clauses in the age of covid, due process when libraries patrons break behavior policies are just a few of the issues that library directors must face routinely.

Sincerely,

Mary R Minow, J.D., A.M.L.S.
Library Law Consultant

Note: A.M.L.S. was the masters of library degree conferred by the University of Michigan in 1982 when I received it.

Megan S. Donald, JD, MLIS
Interim Director
Mabee Legal Information Center
University of Tulsa College of Law
3120 East Fourth Place
Tulsa, OK 74104

November 2, 2020

Dear Oklahoma Department of Libraries,

I submit this statement in support of Stillwater Public Library Director Stacy DeLano's appeal from the denial of state aid grant funds. Like Director DeLano, I possess a Juris Doctor (JD) degree from the University of Tulsa College of Law and have found it to be invaluable in my work as Interim Director.

Oklahoma Administrative Code section 405:25-3(M) sets forth a comparable degree exception to the requirement of an MLIS director. While a JD degree is not expressly listed, I encourage you to evaluate the merits of including this degree in your consideration of what constitutes a comparable degree.

I utilize the knowledge and skills gained from my JD on a daily basis when making directorial decisions. Critical thinking, legal research and analysis, and negotiation are fundamental to the law school curriculum. The critical thinking skills I developed while pursuing my JD – particularly the ability to balance all viewpoints and considerations when making significant policy or procedural changes – have significantly improved my effectiveness as Interim Director of the Mabee Legal Information Center.

Virtually every important decision I make as Interim Director requires knowledge of and adherence to federal and state statutes and regulations. The legal research and analysis skills learned during law school are paramount to my work as Interim Director. I can locate, identify, and understand the legal provisions and concepts that could potentially impact the library's ability to serve its patrons. My law degree informs decision making on the library-centric legal issues of copyright, patron privacy, and database licensing.

Most recently, as I begin database contract negotiations in advance of the new year, I increasingly rely upon the negotiation skills I learned in law school. In similar fashion, the mediation skills I developed have aided considerably in navigating employee conflict and human resources situations.

It is my hope that you will reconsider the denial of state aid grant funds in light of Director DeLano's Juris Doctor degree and current pursuit of an MLIS from an ALA-accredited school. A JD degree should be included within the list of comparable degrees for the aforementioned reasons. Please let me know if I can advise further on this matter.

Thank you for your consideration,



Megan S. Donald, JD, MLIS

Stacy Delano

To: Fox, Darin K.
Subject: RE: request about JD/MLIS

-----Original Message-----

From: Fox, Darin K. [mailto:darinfox@ou.edu]
Sent: Tuesday, November 3, 2020 8:19 AM
To: Stacy Delano <stacy.delano@stillwater.org>
Subject: RE: request about JD/MLIS

Hi Stacy,

You asked me to discuss whether the Juris Doctor (law) degree would be "comparable" to a master's degree in business, education, school library media, or public administration for the purposes of regulation 405:25-1-3. Yes, I think a J.D. is comparable to those masters degrees and helpful to a library director in many ways. A law degree teaches critical thinking. The law school curriculum teaches future lawyers to analyze matters from many different angles. This is fundamental to a library director's daily job. It helps library directors evaluate the pros and cons of a proposed project, personnel matters, strategic planning, and much more. The law school curriculum teaches students how to advocate for their client. In many ways, the library director is an advocate for his/her library, employees, and patrons. Finally, the law intersects with a library director's duties in the following specific ways: (1) Employment and Supervision: Much of a library director's job involves human relations and personnel management which are governed by many different types of laws and policies. A J.D. degree teaches law students how to read statutes, regulations, policy manuals, contracts, and other technical documents that govern employment and supervision of employees. Mediation of conflicts is also a common occurrence in the workplace, and this is taught in the first year of law school through moot court programs and other courses. (2) Purchasing and Contracts: The vast majority of purchasing done by libraries today involves electronic resources which are governed by contracts. Contracts is a required course in the first year of law school. Contracts for electronic resource detail how library patrons may use a given resources and how the library may offer the resource to the public. (3) Copyright: In the electronic world, copyright plays an increasingly important role in library acquisitions. A library director must understand how copyright law interacts with contracts for electronic resources. (4) State Expectations and Requirements: Public libraries are governed by a wide range of federal and state law and regulations. Law school prepares a library director to understand the expectations established by the Legislature and the Executive through its administrative agencies. These are just a few of the ways that a J.D. would be comparable to a master's degree in education or public administration for the purposes of the regulation mentioned below. I'm happy to provide any additional information that would be helpful.

Kind Regards,
Darin

Darin K. Fox
Adjunct Professor of Law
Former Associate Dean
Law Library and Information Technology
University of Oklahoma College of Law

darinfox@ou.edu



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #4

Consideration and possible action on funding formula for State Aid Grants to Public Libraries

Scenario 1: Bartlesville, Stillwater and Wagoner do not qualify

- Minimum grants of \$1,306 to each municipal library
- Square mileage amount of \$6.31 for public library systems and municipal libraries; in counties with more than one municipal library providing service to county, the amount will be divided proportionately among the libraries in the county based on population
- Per capita amount of \$0.2490533 for individuals living in the city limits of communities providing municipal library service
- Per capita amount of \$0.2490533 for residents of counties in public library systems or in single county
- Per capita amount of \$0.2490533 for individuals living outside the city limits of communities providing municipal library service to all residents of the county to be divided proportionately among the libraries in the county based on population

Scenario 2: Bartlesville and Wagoner do not qualify

- Minimum grants of \$1,306 to each municipal library
- Square mileage amount of \$6.31 for public library systems and municipal libraries; in counties with more than one municipal library providing service to county, the amount will be divided proportionately among the libraries in the county based on population
- Per capita amount of \$0.2457939 for individuals living in the city limits of communities providing municipal library service
- Per capita amount of \$0.2457939 for residents of counties in public library systems or in single county
- Per capita amount of \$0.2457939 for individuals living outside the city limits of communities providing municipal library service to all residents of the county to be divided proportionately among the libraries in the county based on population

Supporting documents attached

Spreadsheet detailing Scenario 1

Spreadsheet detailing Scenario 2

State Aid Allocation for FY2020

Scenario 1 - Bartlesville, Stillwater and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

Census Data as of July 1, 2019													0.2490533		
County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid	
Carmen Town		358	19%				\$1,056	\$89	\$1,306	731	\$182	\$2,544	\$2,558	\$2,566	
Cherokee City*		5,702	81%				\$4,503	\$1,420	\$1,420	0	\$0	\$5,923	\$6,028	\$6,092	
Beaver Town*		5,311	100%				\$11,469	\$1,323	\$1,323	0	\$0	\$12,792	\$12,879	\$12,899	
Elk City		11,577	72%				\$4,112	\$2,883	\$2,883	4,177	\$1,040	\$8,036	\$8,260	\$8,332	
Sayre City		4,486	28%				\$1,593	\$1,117	\$1,306	1,619	\$403	\$3,302	\$3,323	\$3,335	
Geary City		1,057	21%	1,220			\$1,243	\$263	\$1,306	922	\$230	\$2,779	\$2,986	\$3,001	
Okeene		1,138	23%				\$1,339	\$283	\$1,306	993	\$247	\$2,892	\$2,843	\$2,842	
Watonga City		2,841	56%				\$3,342	\$708	\$1,306	2,478	\$617	\$5,265	\$5,132	\$5,128	
Durant City		18,673	100%				\$5,953	\$4,651	\$4,651	29,322	\$7,303	\$17,906	\$18,462	\$18,416	
Anadarko City		6,504	45%				\$3,663	\$1,620	\$1,620	6,865	\$1,710	\$6,993	\$7,206	\$7,294	
Apache Town		1,393	10%				\$814	\$347	\$1,306	1,526	\$380	\$2,500	\$2,520	\$2,531	
Carnegie Town		1,659	12%				\$977	\$413	\$1,306	1,831	\$456	\$2,739	\$2,764	\$2,776	
Hinton Town		3,219	23%				\$1,872	\$802	\$1,306	3,509	\$874	\$4,052	\$4,099	\$4,123	
Hydro Town		732	10%	805			\$814	\$200	\$1,306	1,526	\$380	\$2,500	\$2,520	\$2,531	
El Reno City		19,965	25%				\$1,433	\$4,972	\$4,972	17,252	\$4,297	\$10,702	\$11,100	\$10,992	
Mustang City		22,959	29%				\$1,648	\$5,718	\$5,718	19,839	\$4,941	\$12,307	\$12,539	\$12,311	
Piedmont City		8,551	11%				\$614	\$2,130	\$2,130	7,389	\$1,840	\$4,584	\$4,668	\$4,495	
Yukon City		28,084	35%				\$2,016	\$6,994	\$6,994	24,267	\$6,044	\$15,054	\$15,694	\$15,564	
Ardmore		24,698	100%				\$5,261	\$6,151	\$6,151	23,413	\$5,831	\$17,243	\$18,031	\$18,228	
Boise City*		2,137	100%				\$11,617	\$532	\$532	0	\$0	\$12,149	\$12,188	\$12,197	
Elgin City		3,183	10%				\$684	\$793	\$1,306	2,454	\$611	\$2,601	\$2,637	\$2,654	
Lawton City		93,025	90%				\$6,155	\$23,168	\$23,168	22,087	\$5,501	\$34,824	\$36,593	\$37,350	
Walters City		2,358	100%				\$4,051	\$587	\$1,306	14,142	\$3,522	\$8,879	\$9,149	\$0	
Vinita City		5,311	100%				\$4,813	\$1,323	\$1,323	8,831	\$2,199	\$8,335	\$8,605	\$8,668	
Bristow City		4,200	13%				\$795	\$1,046	\$1,306	4,889	\$1,218	\$3,319	\$3,347	\$3,372	
Drumright		2,835	10%				\$612	\$706	\$1,306	3,761	\$937	\$2,855	\$2,930	\$2,947	
Kellyville Town		1,146	10%				\$612	\$285	\$1,306	3,761	\$937	\$2,855	\$2,930	\$2,947	
Mannford Town		3,194	10%				\$612	\$795	\$1,306	3,761	\$937	\$2,855	\$2,930	\$2,947	
Mounds Town		1,262	10%				\$612	\$314	\$1,306	3,761	\$937	\$2,855	\$2,930	\$2,947	
Sapulpa City		21,278	47%				\$2,876	\$5,299	\$5,299	17,675	\$4,402	\$12,577	\$13,147	\$13,318	
Shattuck Town		1,257	100%				\$7,773	\$313	\$1,306	2,602	\$648	\$9,727	\$9,785	\$9,798	
Enid City		49,688	100%				\$6,688	\$12,375	\$12,375	11,368	\$2,831	\$21,894	\$22,834	\$23,258	
Lindsay City		2,777	20%				\$1,032	\$692	\$1,306	2,792	\$695	\$3,033	\$3,084	\$3,099	
Maysville Town		1,203	10%				\$513	\$300	\$1,306	1,389	\$346	\$2,165	\$2,188	\$2,194	

State Aid Allocation for FY2020

Scenario 1 - Bartlesville, Stillwater and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

Census Data as of July 1, 2019														0.2490533
County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid
Pauls Valley City		6,110	43%				\$2,208	\$1,522	\$1,522	5,974	\$1,488	\$5,218	\$5,424	\$5,481
Stratford Town		1,525	11%				\$567	\$380	\$1,306	1,533	\$382	\$2,255	\$2,280	\$2,285
Wynnewood City		2,203	16%				\$819	\$549	\$1,306	2,215	\$552	\$2,677	\$2,706	\$2,716
Chickasha City		16,431	90%				\$6,277	\$4,092	\$4,092	34,332	\$8,551	\$18,920	\$19,663	\$19,717
Rush Springs Town		1,256	10%				\$697	\$313	\$1,306	3,815	\$950	\$2,953	\$3,009	\$3,010
Medford City		939	100%				\$6,333	\$234	\$1,306	3,394	\$845	\$8,484	\$8,536	\$8,564
Mangum City		2,698	100%				\$4,061	\$672	\$1,306	3,014	\$751	\$6,118	\$6,178	\$6,193
Buffalo Town		1,287	49%				\$3,218	\$321	\$1,306	526	\$131	\$4,655	\$8,170	\$4,673
Laverne Town		1,328	51%				\$3,350	\$331	\$1,306	547	\$136	\$4,792	\$0	\$4,803
Holdenville City		5,501	82%				\$4,218	\$1,370	\$1,370	5,397	\$1,344	\$6,932	\$7,124	\$7,165
Wetumka City		1,202	18%				\$922	\$299	\$1,306	1,179	\$294	\$2,522	\$2,537	\$2,536
Ringling Town		954	34%				\$1,641	\$238	\$1,306	1,063	\$265	\$3,212	\$3,225	\$3,236
Waurika City		1,885	66%				\$3,242	\$469	\$1,306	2,100	\$523	\$5,071	\$5,122	\$5,133
Blackwell City		6,562	18%				\$1,095	\$1,634	\$1,634	1,432	\$357	\$3,086	\$3,376	\$3,301
Kaw City		367	10%				\$596	\$91	\$1,306	780	\$194	\$2,096	\$0	\$2,116
Newkirk City		2,170	10%				\$596	\$540	\$1,306	780	\$194	\$2,096	\$2,273	\$2,116
Ponca City		23,660	52%				\$3,101	\$5,893	\$5,893	4,055	\$1,010	\$10,004	\$10,880	\$10,729
Tonkawa City		2,980	10%				\$596	\$742	\$1,306	780	\$194	\$2,096	\$2,273	\$2,116
Hennessey Town		2,223	31%				\$1,782	\$554	\$1,306	2,692	\$670	\$3,758	\$3,804	\$3,811
Kingfisher City		4,908	69%				\$3,935	\$1,222	\$1,306	5,942	\$1,480	\$6,721	\$6,822	\$6,833
Hobart City		3,427	82%				\$5,355	\$854	\$1,306	3,743	\$932	\$7,593	\$7,663	\$7,697
Mountain View		735	18%				\$1,148	\$183	\$1,306	803	\$200	\$2,654	\$2,660	\$2,666
Chandler City		3,085	30%				\$1,828	\$768	\$1,306	7,525	\$1,874	\$5,008	\$5,129	\$6,198
Meeker Town		1,141	11%				\$670	\$284	\$1,306	2,759	\$687	\$2,663	\$2,707	\$3,753
Prague City		2,367	23%				\$1,401	\$590	\$1,306	5,769	\$1,437	\$4,144	\$4,236	\$5,297
Stroud City		2,700	26%				\$1,584	\$672	\$1,306	9,045	\$2,253	\$5,143	\$5,255	\$0
Tryon Town		501	10%				\$609	\$125	\$1,306	2,508	\$625	\$2,540	\$2,580	\$2,851
Crescent City		1,561	12%				\$567	\$389	\$1,306	5,761	\$1,435	\$3,308	\$0	\$2,945
Guthrie City		11,661	88%				\$4,159	\$2,904	\$2,904	30,614	\$7,625	\$14,688	\$16,855	\$15,266
Fairview City		2,594	100%				\$6,045	\$646	\$1,306	5,035	\$1,254	\$8,605	\$8,689	\$8,717
Madill City*		16,931	100%				\$2,694	\$4,217	\$4,217	0	\$0	\$6,911	\$7,149	\$7,116
Langley Town		822	10%				\$431	\$205	\$1,306	2,811	\$700	\$2,437	\$2,481	\$2,962
Locust Grove Town		1,395	11%				\$463	\$347	\$1,306	1,195	\$298	\$2,067	\$2,092	\$0
Pryor Creek City		9,379	69%				\$2,976	\$2,336	\$2,336	19,396	\$4,831	\$10,142	\$10,605	\$11,042

State Aid Allocation for FY2020

Scenario 1 - Bartlesville, Stillwater and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

Census Data as of July 1, 2019														0.2490533
County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid
Salina Town		1,394	11%				\$463	\$347	\$1,306	1,081	\$269	\$2,038	\$2,058	\$2,298
Perry City		4,837	100%				\$4,685	\$1,205	\$1,306	6,294	\$1,568	\$7,559	\$7,677	\$7,719
Nowata City		3,552	100%				\$3,665	\$885	\$1,306	6,524	\$1,625	\$6,596	\$6,722	\$6,763
Okemah City		3,132	100%				\$3,968	\$780	\$1,306	8,861	\$2,207	\$7,481	\$7,639	\$7,681
Henryetta City		5,566	32%				\$1,428	\$1,386	\$1,386	6,826	\$1,700	\$4,514	\$4,676	\$4,780
Okmulgee City		11,711	68%				\$3,004	\$2,917	\$2,917	14,362	\$3,577	\$9,498	\$9,918	\$10,127
Barnsdall City		1,150	12%				\$1,814	\$286	\$1,306	4,709	\$1,173	\$4,293	\$4,360	\$4,428
Fairfax Town		1,265	14%				\$1,995	\$315	\$1,306	5,180	\$1,290	\$4,591	\$4,693	\$4,769
Hominy City		3,388	37%				\$5,343	\$844	\$1,306	13,873	\$3,455	\$10,104	\$10,304	\$10,459
Pawhuska City		3,415	37%				\$5,386	\$851	\$1,306	13,983	\$3,483	\$10,175	\$10,409	\$10,318
Miami City		13,088	100%				\$3,059	\$3,260	\$3,260	18,039	\$4,493	\$10,811	\$11,323	\$11,484
Cleveland City		3,125	60%				\$2,243	\$778	\$1,306	6,658	\$1,658	\$5,207	\$5,314	\$8,063
Pawnee City		2,106	40%				\$1,511	\$525	\$1,306	4,487	\$1,117	\$3,934	\$4,001	\$0
Cushing City		7,615	33%				\$1,452	\$1,897	\$1,897	6,543	\$1,630	\$4,978	\$3,387	\$3,442
Perkins City		2,817	33%				\$1,465	\$702	\$1,306	6,603	\$1,644	\$4,415	\$2,275	\$2,284
Stillwater City (NQ)		50,299	0%				\$0	\$0	\$0	0	\$0	\$0	\$19,752	\$19,862
Yale City		1,225	33%				\$1,465	\$305	\$1,306	6,603	\$1,644	\$4,415	\$2,275	\$2,284
Ada City		17,235	90%				\$4,120	\$4,292	\$4,292	18,306	\$4,559	\$12,972	\$13,496	\$13,616
Allen Town		709	10%	814			\$458	\$177	\$1,306	2,034	\$507	\$2,271	\$2,297	\$2,303
Antlers City		2,321	100%				\$8,978	\$578	\$1,306	8,775	\$2,185	\$12,469	\$12,634	\$12,667
Catoosa City		6,953	20%				\$898	\$1,732	\$1,732	12,555	\$3,127	\$5,757	\$6,471	\$6,107
Chelsea Town		1,907	11%				\$494	\$475	\$1,306	6,905	\$1,720	\$3,520	\$4,034	\$3,625
Claremore City		18,743	47%				\$2,110	\$4,668	\$4,668	29,504	\$7,348	\$14,126	\$15,884	\$14,948
Inola Town		1,803	11%				\$494	\$449	\$1,306	6,905	\$1,720	\$3,520	\$4,034	\$3,625
Talala Town		278	11%				\$494	\$69	\$1,306	6,905	\$1,720	\$3,520	\$0	\$3,625
Konawa City		1,197	10%				\$422	\$298	\$1,306	1,336	\$333	\$2,061	\$2,087	\$2,098
Seminole City		7,041	61%				\$2,483	\$1,754	\$1,754	7,860	\$1,958	\$6,194	\$6,492	\$6,598
Wewoka City		3,224	28%				\$1,137	\$803	\$1,306	3,599	\$896	\$3,339	\$3,400	\$3,425
Duncan City		22,344	83%				\$4,694	\$5,565	\$5,565	13,674	\$3,406	\$13,664	\$14,273	\$14,432
Marlow		4,420	17%				\$929	\$1,101	\$1,306	2,705	\$674	\$2,909	\$2,951	\$2,961
Guymon City		10,996	75%				\$9,696	\$2,739	\$2,739	4,682	\$1,166	\$13,601	\$13,952	\$0
Hooker City		1,844	13%				\$1,735	\$459	\$1,306	838	\$209	\$3,250	\$3,265	\$8,778
Texhoma		901	12%				\$1,551	\$224	\$1,306	749	\$187	\$3,044	\$3,060	\$8,778
Frederick City		3,545	79%				\$4,392	\$883	\$1,306	2,194	\$547	\$6,245	\$6,283	\$6,299

State Aid Allocation for FY2020

Scenario 1 - Bartlesville, Stillwater and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

Census Data as of July 1, 2019											0.2490533			
County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid
Grandfield City		933	21%				\$1,156	\$232	\$1,306	578	\$144	\$2,606	\$2,619	\$2,622
Coweta City		9,944	100%				\$3,729	\$2,477	\$2,477	62,284	\$15,512	\$21,718	\$12,997	\$7,774
Wagoner City (NQ)		9,061	0%				\$0	\$0	\$0	0	\$0	\$0	\$11,966	\$16,284
Bartlesville City (NQ)		36,144	0%				\$0	\$0	\$0	0	\$0	\$0	\$0	\$0
Dewey City		3,384	100%				\$2,676	\$843	\$1,306	48,143	\$11,990	\$15,972	\$16,797	\$17,014
Alva City		4,953	84%				\$6,872	\$1,234	\$1,306	2,470	\$615	\$8,793	\$8,881	\$8,939
Waynoka		914	16%				\$1,268	\$228	\$1,306	456	\$114	\$2,688	\$2,681	\$2,686
Mooreland		1,169	10%				\$786	\$291	\$1,306	692	\$172	\$2,264	\$2,274	\$2,280
Woodward City		12,121	90%				\$7,076	\$3,019	\$3,019	6,229	\$1,551	\$11,646	\$11,941	\$12,069
											Municipal Libraries	\$731,359	\$761,943	\$754,511
											Library Systems	\$757,917	\$794,142	\$801,573
											State Aid FY2019	\$1,489,276	\$1,556,085	\$1,556,085
												1,489,276	1,556,085	\$1,556,085
												\$0	\$0	\$0
					Public Library System	Pop	Per Cap	Mileage	State Aid					
					Southern Ok	97,280	\$24,228	21,700	\$45,928					
					Eastern	243,022	\$60,525	27,833	\$88,358					
					Metropolitan	797,434	\$198,604	4,531	\$203,135					
					Pioneer	397,080	\$98,894	12,185	\$111,079					
					Southeastern	169,206	\$42,141	47,723	\$89,864					
					Southern Prairie	27,183	\$6,770	8,474	\$15,244					
					Tulsa City	651,552	\$162,271	3,704	\$165,975					
					Western Plains	48,393	\$12,052	26,281	\$38,333					
					Grand Total	2,431,150	\$605,486	152,431	\$757,917					

State Aid Allocation for FY2020

Scenario 2 - Bartlesville and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

Census Data as of July 1, 2019													0.2457939		
County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid	
Carmen Town		358	19%				\$1,056	\$88	\$1,306	731	\$180	\$2,542	2,558	\$2,566	
Cherokee City*		5,702	81%				\$4,503	\$1,402	\$1,402	0	\$0	\$5,905	6,028	\$6,092	
Beaver Town*		5,311	100%				\$11,469	\$1,305	\$1,306	0	\$0	\$12,775	12,879	\$12,899	
Elk City		11,577	72%				\$4,112	\$2,846	\$2,846	4,177	\$1,027	\$7,984	8,260	\$8,332	
Sayre City		4,486	28%				\$1,593	\$1,103	\$1,306	1,619	\$398	\$3,297	3,323	\$3,335	
Geary City		1,057	21%	1,220			\$1,243	\$260	\$1,306	922	\$227	\$2,776	2,986	\$3,001	
Okeene		1,138	23%				\$1,339	\$280	\$1,306	993	\$244	\$2,889	2,843	\$2,842	
Watonga City		2,841	56%				\$3,342	\$698	\$1,306	2,478	\$609	\$5,257	5,132	\$5,128	
Durant City		18,673	100%				\$5,953	\$4,590	\$4,590	29,322	\$7,207	\$17,750	18,462	\$18,416	
Anadarko City		6,504	45%				\$3,663	\$1,599	\$1,599	6,865	\$1,687	\$6,949	7,206	\$7,294	
Apache Town		1,393	10%				\$814	\$342	\$1,306	1,526	\$375	\$2,495	2,520	\$2,531	
Carnegie Town		1,659	12%				\$977	\$408	\$1,306	1,831	\$450	\$2,733	2,764	\$2,776	
Hinton Town		3,219	23%				\$1,872	\$791	\$1,306	3,509	\$862	\$4,040	4,099	\$4,123	
Hydro Town		732	10%	805			\$814	\$198	\$1,306	1,526	\$375	\$2,495	2,520	\$2,531	
El Reno City		19,965	25%				\$1,433	\$4,907	\$4,907	17,252	\$4,240	\$10,581	11,100	\$10,992	
Mustang City		22,959	29%				\$1,648	\$5,643	\$5,643	19,839	\$4,876	\$12,167	12,539	\$12,311	
Piedmont City		8,551	11%				\$614	\$2,102	\$2,102	7,389	\$1,816	\$4,532	4,668	\$4,495	
Yukon City		28,084	35%				\$2,016	\$6,903	\$6,903	24,267	\$5,965	\$14,884	15,694	\$15,564	
Ardmore		24,698	100%				\$5,261	\$6,071	\$6,071	23,413	\$5,755	\$17,086	18,031	\$18,228	
Boise City*		2,137	100%				\$11,617	\$525	\$525	0	\$0	\$12,142	12,188	\$12,197	
Elgin City		3,183	10%				\$684	\$782	\$1,306	2,454	\$603	\$2,593	2,637	\$2,654	
Lawton City		93,025	90%				\$6,155	\$22,865	\$22,865	22,087	\$5,429	\$34,449	36,593	\$37,350	
Walters City		2,358	100%				\$4,051	\$580	\$1,306	14,142	\$3,476	\$8,833	9,149	\$0	
Vinita City		5,311	100%				\$4,813	\$1,305	\$1,306	8,831	\$2,171	\$8,290	8,605	\$8,668	
Bristow City		4,200	13%				\$795	\$1,032	\$1,306	4,889	\$1,202	\$3,303	3,347	\$3,372	
Drumright		2,835	10%				\$612	\$697	\$1,306	3,761	\$924	\$2,842	2,930	\$2,947	
Kellyville Town		1,146	10%				\$612	\$282	\$1,306	3,761	\$924	\$2,842	2,930	\$2,947	
Mannford Town		3,194	10%				\$612	\$785	\$1,306	3,761	\$924	\$2,842	2,930	\$2,947	
Mounds Town		1,262	10%				\$612	\$310	\$1,306	3,761	\$924	\$2,842	2,930	\$2,947	
Sapulpa City		21,278	47%				\$2,876	\$5,230	\$5,230	17,675	\$4,344	\$12,450	13,147	\$13,318	
Shattuck Town		1,257	100%				\$7,773	\$309	\$1,306	2,602	\$640	\$9,719	9,785	\$9,798	
Enid City		49,688	100%				\$6,688	\$12,213	\$12,213	11,368	\$2,794	\$21,695	22,834	\$23,258	
Lindsay City		2,777	20%				\$1,032	\$683	\$1,306	2,792	\$686	\$3,024	3,084	\$3,099	
Maysville Town		1,203	10%				\$513	\$296	\$1,306	1,389	\$341	\$2,160	2,188	\$2,194	
Pauls Valley City		6,110	43%				\$2,208	\$1,502	\$1,502	5,974	\$1,468	\$5,178	5,424	\$5,481	

State Aid Allocation for FY2020

Scenario 2 - Bartlesville and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

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Stratford Town		1,525	11%				\$567	\$375	\$1,306	1,533	\$377	\$2,250	2,280	\$2,285	
Wynnewood City		2,203	16%				\$819	\$541	\$1,306	2,215	\$544	\$2,669	2,706	\$2,716	
Chickasha City		16,431	90%				\$6,277	\$4,039	\$4,039	34,332	\$8,439	\$18,754	19,663	\$19,717	
Rush Springs Town		1,256	10%				\$697	\$309	\$1,306	3,815	\$938	\$2,941	3,009	\$3,010	
Medford City		939	100%				\$6,333	\$231	\$1,306	3,394	\$834	\$8,473	8,536	\$8,564	
Mangum City		2,698	100%				\$4,061	\$663	\$1,306	3,014	\$741	\$6,108	6,178	\$6,193	
Buffalo Town		1,287	49%				\$3,218	\$316	\$1,306	526	\$129	\$4,653	8,170	\$4,673	
Laverne Town		1,328	51%				\$3,350	\$326	\$1,306	547	\$135	\$4,791	\$0	\$4,803	
Holdenville City		5,501	82%				\$4,218	\$1,352	\$1,352	5,397	\$1,326	\$6,897	7,124	\$7,165	
Wetumka City		1,202	18%				\$922	\$295	\$1,306	1,179	\$290	\$2,518	2,537	\$2,536	
Ringling Town		954	34%				\$1,641	\$234	\$1,306	1,063	\$261	\$3,208	3,225	\$3,236	
Waurika City		1,885	66%				\$3,242	\$463	\$1,306	2,100	\$516	\$5,064	5,122	\$5,133	
Blackwell City		6,562	18%				\$1,095	\$1,613	\$1,613	1,432	\$352	\$3,060	3,376	\$3,301	
Kaw City		367	10%				\$596	\$90	\$1,306	780	\$192	\$2,094	\$0	\$2,116	
Newkirk City		2,170	10%				\$596	\$533	\$1,306	780	\$192	\$2,094	2,273	\$2,116	
Ponca City		23,660	52%				\$3,101	\$5,815	\$5,815	4,055	\$997	\$9,913	10,880	\$10,729	
Tonkawa City		2,980	10%				\$596	\$732	\$1,306	780	\$192	\$2,094	2,273	\$2,116	
Hennessey Town		2,223	31%				\$1,782	\$546	\$1,306	2,692	\$662	\$3,750	3,804	\$3,811	
Kingfisher City		4,908	69%				\$3,935	\$1,206	\$1,306	5,942	\$1,461	\$6,702	6,822	\$6,833	
Hobart City		3,427	82%				\$5,355	\$842	\$1,306	3,743	\$920	\$7,581	7,663	\$7,697	
Mountain View		735	18%				\$1,148	\$181	\$1,306	803	\$197	\$2,651	2,660	\$2,666	
Chandler City		3,085	30%				\$1,828	\$758	\$1,306	7,525	\$1,850	\$4,984	5,129	\$6,198	
Meeker Town		1,141	11%				\$670	\$280	\$1,306	2,759	\$678	\$2,654	2,707	\$3,753	
Prague City		2,367	23%				\$1,401	\$582	\$1,306	5,769	\$1,418	\$4,125	4,236	\$5,297	
Stroud City		2,700	26%				\$1,584	\$664	\$1,306	9,045	\$2,223	\$5,113	5,255	\$0	
Tryon Town		501	10%				\$609	\$123	\$1,306	2,508	\$617	\$2,532	2,580	\$2,851	
Crescent City		1,561	12%				\$567	\$384	\$1,306	5,761	\$1,416	\$3,289	\$0	\$2,945	
Guthrie City		11,661	88%				\$4,159	\$2,866	\$2,866	30,614	\$7,525	\$14,550	16,855	\$15,266	
Fairview City		2,594	100%				\$6,045	\$638	\$1,306	5,035	\$1,238	\$8,589	8,689	\$8,717	
Madill City*		16,931	100%				\$2,694	\$4,162	\$4,162	0	\$0	\$6,856	7,149	\$7,116	
Langley Town		822	10%				\$431	\$202	\$1,306	2,811	\$691	\$2,428	2,481	\$2,962	
Locust Grove Town		1,395	11%				\$463	\$343	\$1,306	1,195	\$294	\$2,063	2,092	\$0	
Pryor Creek City		9,379	69%				\$2,976	\$2,305	\$2,305	19,396	\$4,767	\$10,049	10,605	\$11,042	
Salina Town		1,394	11%				\$463	\$343	\$1,306	1,081	\$266	\$2,035	2,058	\$2,298	
Perry City		4,837	100%				\$4,685	\$1,189	\$1,306	6,294	\$1,547	\$7,538	7,677	\$7,719	

State Aid Allocation for FY2020

Scenario 2 - Bartlesville and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

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County/City and Town	County Pop	Municipal Libraries Pop	% of City Pop Est 2017	Living Outside Comm	Mileage County	\$County Mileage Amount	City/ Town Mileage Amount\$	Flat Per Cap Service	Min Included Per Cap	Allocate Pop	Allocate \$\$	FY2021 State Aid	FY2020 State Aid	FY2019 State Aid	
Nowata City		3,552	100%				\$3,665	\$873	\$1,306	6,524	\$1,604	\$6,575	6,722	\$6,763	
Okemah City		3,132	100%				\$3,968	\$770	\$1,306	8,861	\$2,178	\$7,452	7,639	\$7,681	
Henryetta City		5,566	32%				\$1,428	\$1,368	\$1,368	6,826	\$1,678	\$4,474	4,676	\$4,780	
Okmulgee City		11,711	68%				\$3,004	\$2,878	\$2,878	14,362	\$3,530	\$9,413	9,918	\$10,127	
Barnsdall City		1,150	12%				\$1,814	\$283	\$1,306	4,709	\$1,157	\$4,277	4,360	\$4,428	
Fairfax Town		1,265	14%				\$1,995	\$311	\$1,306	5,180	\$1,273	\$4,574	4,693	\$4,769	
Hominy City		3,388	37%				\$5,343	\$833	\$1,306	13,873	\$3,410	\$10,059	10,304	\$10,459	
Pawhuska City		3,415	37%				\$5,386	\$839	\$1,306	13,983	\$3,437	\$10,129	10,409	\$10,318	
Miami City		13,088	100%				\$3,059	\$3,217	\$3,217	18,039	\$4,434	\$10,710	11,323	\$11,484	
Cleveland City		3,125	60%				\$2,243	\$768	\$1,306	6,658	\$1,637	\$5,186	5,314	\$8,063	
Pawnee City		2,106	40%				\$1,511	\$518	\$1,306	4,487	\$1,103	\$3,920	4,001	\$0	
Cushing City		7,615	14%				\$616	\$1,872	\$1,872	2,776	\$682	\$3,170	3,387	\$3,442	
Perkins City		2,817	10%				\$440	\$692	\$1,306	1,983	\$487	\$2,233	2,275	\$2,284	
Stillwater City		50,299	66%				\$2,903	\$12,363	\$12,363	13,086	\$3,217	\$18,483	19,752	\$19,862	
Yale City		1,225	10%				\$440	\$301	\$1,306	1,983	\$487	\$2,233	2,275	\$2,284	
Ada City		17,235	90%				\$4,120	\$4,236	\$4,236	18,306	\$4,500	\$12,856	13,496	\$13,616	
Allen Town		709	10%	814			\$458	\$174	\$1,306	2,034	\$500	\$2,264	2,297	\$2,303	
Antlers City		2,321	100%				\$8,978	\$570	\$1,306	8,775	\$2,157	\$12,441	12,634	\$12,667	
Catoosa City		6,953	20%				\$898	\$1,709	\$1,709	12,555	\$3,086	\$5,693	6,471	\$6,107	
Chelsea Town		1,907	11%				\$494	\$469	\$1,306	6,905	\$1,697	\$3,497	4,034	\$3,625	
Claremore City		18,743	47%				\$2,110	\$4,607	\$4,607	29,504	\$7,252	\$13,969	15,884	\$14,948	
Inola Town		1,803	11%				\$494	\$443	\$1,306	6,905	\$1,697	\$3,497	4,034	\$3,625	
Talala Town		278	11%				\$494	\$68	\$1,306	6,905	\$1,697	\$3,497	\$0	\$3,625	
Konawa City		1,197	10%				\$422	\$294	\$1,306	1,336	\$328	\$2,056	2,087	\$2,098	
Seminole City		7,041	61%				\$2,483	\$1,731	\$1,731	7,860	\$1,932	\$6,146	6,492	\$6,598	
Wewoka City		3,224	28%				\$1,137	\$792	\$1,306	3,599	\$885	\$3,328	3,400	\$3,425	
Duncan City		22,344	83%				\$4,694	\$5,492	\$5,492	13,674	\$3,361	\$13,547	14,273	\$14,432	
Marlow		4,420	17%				\$929	\$1,086	\$1,306	2,705	\$665	\$2,900	2,951	\$2,961	
Guymon City		10,996	75%				\$9,696	\$2,703	\$2,703	4,682	\$1,151	\$13,549	13,952	\$0	
Hooker City		1,844	13%				\$1,735	\$453	\$1,306	838	\$206	\$3,247	3,265	\$8,778	
Texhoma		901	12%				\$1,551	\$221	\$1,306	749	\$184	\$3,041	3,060	\$8,778	
Frederick City		3,545	79%				\$4,392	\$871	\$1,306	2,194	\$539	\$6,237	6,283	\$6,299	
Grandfield City		933	21%				\$1,156	\$229	\$1,306	578	\$142	\$2,604	2,619	\$2,622	
Coweta City		9,944	100%				\$3,729.00	\$2,444	\$2,444	62,284	\$15,309	\$21,482	12,997	\$7,774	
Wagoner City (NQ)		9,061	0%				\$0.00	\$0	\$0	0	\$0	\$0	11,966	\$16,284	

State Aid Allocation for FY2020

Scenario 2 - Bartlesville and Wagoner do not qualify for State Aid

(Based on 2019 Population Estimates)

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Bartlesville City (NQ)		36,144	0%				\$0	\$0	\$0	0	\$0	\$0	\$0	\$0	
Dewey City		3,384	100%				\$2,676	\$832	\$1,306	48,143	\$11,833	\$15,815	16,797	\$17,014	
Alva City		4,953	84%				\$6,872	\$1,217	\$1,306	2,470	\$607	\$8,785	8,881	\$8,939	
Waynoka		914	16%				\$1,268	\$225	\$1,306	456	\$112	\$2,686	2,681	\$2,686	
Mooreland		1,169	10%				\$786	\$287	\$1,306	692	\$170	\$2,262	2,274	\$2,280	
Woodward City		12,121	90%				\$7,076	\$2,979	\$2,979	6,229	\$1,531	\$11,586	11,941	\$12,069	
											Municipal Libraries	\$739,283	761,943	\$754,511	
											Library Systems	\$749,993	794,142	\$801,573	
											State Aid FY2019	\$1,489,276	1,556,085	\$1,556,085	
												1,489,276	1,556,085	\$1,556,085	
												\$0	\$0	\$0	
											Public Library System	Pop	Per Cap	Mileage	State Aid
											Southern Ok	97,280	\$23,911	21,700	\$45,611
											Eastern	243,022	\$59,733	27,833	\$87,566
											Metropolitan	797,434	\$196,004	4,531	\$200,535
											Pioneer	397,080	\$97,600	12,185	\$109,785
											Southeastern	169,206	\$41,590	47,723	\$89,313
											Southern Prairie	27,183	\$6,681	8,474	\$15,155
											Tulsa City	651,552	\$160,148	3,704	\$163,852
											Western Plains	48,393	\$11,895	26,281	\$38,176
											Grand Total	2,431,150	\$597,562	152,431	\$749,993



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #5

Consideration of and possible action on proposed Emergency Rules for Title 405. Oklahoma Department of Libraries, Chapter 25. State Aid Grants to Public Libraries, to address emergency situations impacting eligibility

Summary

Emergency Rules for State Aid Grants to Public Libraries were adopted this year to minimize the consequences COVID-19 related closures had on Oklahoma's public libraries in meeting State Aid requirements. It is recommended that these rules be made permanent. Because the provisions for meeting virtually during the pandemic expired in November 2020 and the board was unable to obtain a quorum in person, the deadline for changing the rules permanently passed without action. The same Emergency Rules are being proposed until permanent rules can be put in place next legislative session (2022).

Supporting documents attached

Timeline for Administrative Rule Changes – Emergency Rulemaking Process
Rule Impact Statement
Proposed rules (see page 3)



Special Meeting of the ODL Board
February 18, 2021

Timeline for Administrative Rule Changes – Emergency Rulemaking Process

~~January 15, 2021~~ **February 18, 2021**

- **Draft of administrative rules and timeline is discussed at ODL Board meeting**

~~by January 25, 2021~~ **Not required**

- ~~Notice of Rulemaking Intent is filed with the Office of Administrative Rules, the Governor, and the Cabinet Secretary~~

~~February 16, 2021~~ **Not required**

- ~~Notice of Rulemaking Intent is published in the *Oklahoma Register*~~

~~February 16 – March 18, 2021 (30 days required)~~ **Not required**

- ~~Comment period open~~

~~February 16, 2021~~ **February 18, 2021**

- **Rule Impact Statement is available to the public on ODL website or by request**

~~(45 days after NRI is filed on December 18)~~

- ~~Deadline for written notice of disapproval by Governor or Cabinet Secretary; if received, all action ceases~~

~~March 18, 2021~~ **Not required**

- ~~Public hearing on Proposed Administrative Rules changes~~

~~March 19, 2021~~ **February 18, 2021**

- **ODL Board considers proposed Administrative Rule changes**

~~by March 25, 2021~~ **February 25, 2021**

- **Adopted rules and Agency Rule Report including Rule Impact Statement are submitted to the Governor, the Legislature, and the Office of Administrative Rules, and the Advisory Committee on Inter-Governmental Relations**

By April 12, 2021

- Governor approves in writing within 45 calendar days
 - OR Governor disapproves or fails to act within 45 days, resulting in disapproval of rule
- Rules are effective upon approval by the Governor

September 14, 2022

- Emergency rule expires unless previously superseded by a permanent rule replacing the emergency rule.

**TITLE 405. OKLAHOMA DEPARTMENT OF LIBRARIES
CHAPTER 25. STATE AID GRANTS TO PUBLIC LIBRARIES**

Rule Impact Statement

1. Brief description of the purpose of the proposed rule

The Department is proposing an amendment to OAC 405:25-1-3 to allow the Oklahoma Department of Libraries Board to modify application of specific requirements for public libraries to receive State Aid Grants due to emergency or extraordinary circumstances.

2. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities

The staff working in local public libraries, local governments who provide public library service and customers of public libraries are the anticipated classes of persons who may be affected by these proposed rule changes.

3. Description of the classes of persons who will benefit from the proposed rule

All of the classes affected by the proposed rule will benefit from the rule change. The Oklahoma Department of Libraries Board having the ability to modify application of certain requirements means that libraries that are ineligible for State Aid due to emergency or extraordinary circumstances outside their control will be qualified to receive state aid as long as all other requirements are met. More city governments will receive funding benefiting the public library budget and customers of public libraries.

4. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change

If the Oklahoma Department of Libraries Board is allowed to modify application of certain requirements, the local governments that would otherwise be ineligible for state aid due to the extended emergency declared by the Governor would receive funding.

5. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency

The anticipated costs to the agency would be minimal if approved. Without the proposed rule change, the probable costs to the agency include the loss of federal dollars due to loss of match and failure to meet maintenance of effort requirements. It is likely that none of the state's public libraries will be eligible for state aid in FY2022 under the current rules due to the catastrophic health emergency. By not meeting the current requirements, local governments would likely experience a loss of up to \$1.5 million in funding for public library services in FY2022. All libraries reduced their hours of operation due to shelter in place orders which impact the requirement to maintain an annual minimum

hours of operation. Municipal libraries experienced budget cuts due to lost sales tax which will impact their ability to meet the annual “maintenance of effort” requirement.

6. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule

The proposed rule will have a positive economic impact on political subdivisions with public libraries. There are 109 municipalities with public libraries. Eight library systems serve 29 counties. It would require no additional cooperation in implementing or enforcing the rule.

7. Determination of whether implementation of the proposed rule may have an economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act

No adverse economic effect on small business is expected if proposed rule changes are implemented.

8. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule

There are no expected compliance costs to implement the proposed rule changes. There were no less costly, nonregulatory, or less intrusive ways to achieve the purpose of the proposed rule.

9. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk

There is no anticipated effect on the public health, safety and environment. The proposed rule changes are not designed to reduce significant risks to the public health, safety and environment.

10. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented

There is no anticipated effect on the public health, safety and environment. The proposed rule changes are not designed to reduce significant risks to the public health, safety and environment.

11. The rule impact statement was prepared on February 11, 2021.



Proposed 2021 ODL Board Meeting Schedule - Revised

Date	Location
Friday, February 19 10:00 a.m. – 12 noon	ODL South Conference Room 200 NE 18 Street Oklahoma City, Oklahoma
Friday, April 30 10:00 a.m. – 12 noon	TBD ¹
Friday, July 9 10:00 a.m. – 12 noon	TBD
Friday, September 24 10:00 a.m. – 12 noon	TBD
Friday, December 10 10:00 a.m. – 12 noon	ODL South Conference Room 200 NE 18 Street Oklahoma City, Oklahoma

65 O.S. § 2-105. Oklahoma Department of Libraries Board Meetings
The Board shall meet at least once every three-month period. Additional meetings may be held upon call of the chairman, vice-chairman, in the absence of the chairman, or the secretary.

¹ Meetings will be held via Zoom during the pandemic as allowed by SB1031. Suggested locations for in-person board meetings are McAlester, Norman, Stillwater, and Tulsa.



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #7

Consideration of and possible action on additional FFY2020 LSTA Project Proposals

Summary

Funding in FFY2020 LSTA is available for an additional project. Read Across Oklahoma is not a new project but will be funded for the first time with LSTA dollars if approved. Because of the pandemic, most of the Read Across Oklahoma activities will be held virtually. The funding will pay for filming, editing, promotion, and hosting of virtual platform.

Background

Read Across Oklahoma is an annual literacy initiative that promotes family reading and early literacy and is an extension of ODL's My First Library project. Inspired by national Read Across America activities, Oklahoma's event features Oklahoma authors rather than Dr. Seuss (Theodor Geisel) each year. The event has been held at the Oklahoma City Zoo for more than 10 years and has an annual attendance (on average) of 1,500 pre-school children invited by ODL, teachers and parent escorts, 80-100 high school volunteers, community volunteers, performers, and hundreds of families. Community partners have been key to making Read Across Oklahoma successful for twenty years. Partners are actively involved in planning, volunteering, funding, and in-kind support.

Budget Impact

Revenues from IMLS:	\$ 2,040,924	Total LSTA FFY2020 allotment
Est. Project Expenditures:	<u>1,956,926</u>	Approved by ODL Board 3/13/20
Initial Amount Unallocated:	\$ 83,998	
Read Across Oklahoma	4,000	New Project Request
Ok Book Festival Canceled	<u>-125,000</u>	
New Balance (Unallocated):	\$ 204,998	

Supporting documents attached

NA



Special Meeting of the ODL Board
February 18, 2021

Agenda Item #8

Consideration of and possible action on FFY2021 LSTA Project Proposals

Summary

In January, ODL was notified that Oklahoma’s LSTA allotment for FFY2021 increased \$24,461 to **\$2,065,385** due to an overall increase to the Grants to States program budget.

ODL staff members submitted 22 projects for consideration with estimated costs for each. A summary of the funding requests by project is attached. All are recommended for approval. Projects are administered by Lead Officers with guidance and oversight from LSTA Coordinator Judy Tirey and under the supervision and approval of the Deputy Director and Director within the parameters set by the board.

Background

Federal funds from the Institute of Museum and Library Services’ Grants to States Program, commonly referred to as LSTA funds, are available to spend in two fiscal years. Activities funded with FFY2021 funds must be completed by September 30, 2022, and expenses must be paid by December 31, 2022.

As projects are completed, any unspent funds are often reallocated to open projects. Funds not used after all other projects are finalized are added to the eMedia and/or Resource Sharing projects. Additional activities are also sometimes added as long as they are consistent with a specific project description. New projects are presented to the ODL Board for approval.

Budget Impact

Revenues from IMLS:	\$	2,065,385
Est. Project Expenditures:		<u>1,995,218</u>
Balance (Unallocated):	\$	70,167

Supporting documents attached

- FFY2021 Grants to States Allotment Table
- Summary of Funding Requests by Project

**INSTITUTE OF MUSEUM AND LIBRARY SERVICES
LIBRARY SERVICES AND TECHNOLOGY ACT
STATE ALLOTMENT TABLE
FY 2021 IMLS Appropriations (Public Law 116-260)**

Total Distributed to States: \$168,803,000

State	Federal Funds from IMLS (66%) (1), (2)	State Matching Funds (34%)	Federal & State Funds
ALABAMA	\$2,695,292.00	\$1,388,483.76	\$4,083,775.76
ALASKA	\$1,110,387.00	\$572,017.55	\$1,682,404.55
ARIZONA	\$3,640,805.00	\$1,875,566.21	\$5,516,371.21
ARKANSAS	\$1,980,065.00	\$1,020,033.48	\$3,000,098.48
CALIFORNIA	\$15,723,840.00	\$8,100,160.00	\$23,824,000.00
COLORADO	\$3,030,470.00	\$1,561,151.21	\$4,591,621.21
CONNECTICUT	\$2,142,520.00	\$1,103,722.42	\$3,246,242.42
DELAWARE	\$1,207,081.00	\$621,829.61	\$1,828,910.61
FLORIDA	\$9,053,930.00	\$4,664,145.76	\$13,718,075.76
GEORGIA	\$4,884,643.00	\$2,516,331.24	\$7,400,974.24
HAWAII	\$1,366,010.00	\$703,702.12	\$2,069,712.12
IDAHO	\$1,524,829.00	\$785,517.97	\$2,310,346.97
ILLINOIS	\$5,594,765.00	\$2,882,151.67	\$8,476,916.67
INDIANA	\$3,388,738.00	\$1,745,713.52	\$5,134,451.52
IOWA	\$2,030,383.00	\$1,045,954.88	\$3,076,337.88
KANSAS	\$1,927,141.00	\$992,769.61	\$2,919,910.61
KENTUCKY	\$2,527,254.00	\$1,301,918.73	\$3,829,172.73
LOUISIANA	\$2,590,821.00	\$1,334,665.36	\$3,925,486.36
MAINE	\$1,344,502.00	\$692,622.24	\$2,037,124.24
MARYLAND	\$3,124,301.00	\$1,609,488.39	\$4,733,789.39
MASSACHUSETTS	\$3,441,168.00	\$1,772,722.91	\$5,213,890.91
MICHIGAN	\$4,603,447.00	\$2,371,472.70	\$6,974,919.70
MINNESOTA	\$2,945,597.00	\$1,517,428.76	\$4,463,025.76
MISSISSIPPI	\$1,769,132.00	\$911,371.03	\$2,680,503.03
MISSOURI	\$3,160,515.00	\$1,628,144.09	\$4,788,659.09
MONTANA	\$1,242,546.00	\$640,099.45	\$1,882,645.45
NEBRASKA	\$1,518,108.00	\$782,055.64	\$2,300,163.64
NEVADA	\$2,020,813.00	\$1,041,024.88	\$3,061,837.88
NEW HAMPSHIRE	\$1,350,605.00	\$695,766.21	\$2,046,371.21
NEW JERSEY	\$4,193,381.00	\$2,160,226.58	\$6,353,607.58
NEW MEXICO	\$1,630,508.00	\$839,958.67	\$2,470,466.67
NEW YORK	\$8,147,500.00	\$4,197,196.97	\$12,344,696.97
NORTH CAROLINA	\$4,843,343.00	\$2,495,055.48	\$7,338,398.48
NORTH DAKOTA	\$1,123,304.00	\$578,671.76	\$1,701,975.76
OHIO	\$5,256,514.00	\$2,707,901.15	\$7,964,415.15
OKLAHOMA	\$2,065,385.00	\$1,063,986.21	\$3,129,371.21
OREGON	\$2,438,090.00	\$1,255,985.76	\$3,694,075.76
PENNSYLVANIA	\$5,668,793.00	\$2,920,287.30	\$8,589,080.30
RHODE ISLAND	\$1,233,676.00	\$635,530.06	\$1,869,206.06
SOUTH CAROLINA	\$2,807,439.00	\$1,446,256.45	\$4,253,695.45
SOUTH DAKOTA	\$1,171,493.00	\$603,496.39	\$1,774,989.39
TENNESSEE	\$3,438,619.00	\$1,771,409.79	\$5,210,028.79

TEXAS	\$11,938,821.00	\$6,150,301.73	\$18,089,122.73
UTAH	\$2,063,031.00	\$1,062,773.55	\$3,125,804.55
VERMONT	\$1,069,610.00	\$551,011.21	\$1,620,621.21
VIRGINIA	\$4,083,012.00	\$2,103,369.82	\$6,186,381.82
WASHINGTON	\$3,743,762.00	\$1,928,604.67	\$5,672,366.67
WEST VIRGINIA	\$1,498,000.00	\$771,696.97	\$2,269,696.97
WISCONSIN	\$3,039,902.00	\$1,566,010.12	\$4,605,912.12
WYOMING	\$1,054,096.00	\$543,019.15	\$1,597,115.15
DISTRICT OF COLUMBIA	\$1,103,450.00	\$568,443.94	\$1,671,893.94
PUERTO RICO	\$1,614,152.00	\$831,532.85	\$2,445,684.85
AMERICAN SAMOA (3)	\$77,537.00	\$0.00	\$77,537.00
NORTHERN MARIANAS (3)	\$79,539.00	\$0.00	\$79,539.00
GUAM (3)	\$123,845.00	\$0.00	\$123,845.00
VIRGIN ISLANDS (3)	\$100,043.00	\$0.00	\$100,043.00
MARSHALL ISLANDS	\$89,816.00	\$46,268.85	\$136,084.85
MICRONESIA	\$98,456.00	\$50,719.76	\$149,175.76
PALAU	\$68,175.00	\$35,120.45	\$103,295.45
Total	\$168,803,000.00	\$86,762,867.03	\$255,565,867.03

(1) The IMLS Federal funds (allotments) are calculated using the current base provisions set into law (20 U.S.C. § 9101 et seq., see in particular §§ 9123-9133) and population figures from the Bureau of the Census (BOC) published in December 2020. For FY2021, the base amount for states, DC, and PR was \$833,845, and for all others the base was \$60,000.

Population data is pulled from the BOC. Data used in the state allotment table are calculated based on the most recent Census data available at the time of the grant award notification. Therefore, the population data used in the FY2020 table is what was available on the BOC website <https://www2.census.gov/programs-surveys/popest/tables/2010-2020/state/totals/nst-est2020.xlsx> as of December 2020.

Population data for American Samoa, Northern Marianas, Guam, Puerto Rico, Virgin Islands, Marshall Islands, Federated States of Micronesia, and Palau is used from the Census International Data Base. <https://www.census.gov/programs-surveys/international-programs/data/tools/international-data-base.html> This table reflects what was available as of December 2020.

(2) The agency is required to reduce the FY2021 allotment of any State that did not meet their FY2018 Maintenance of Effort (MOE) requirement and did not apply for, or receive, a waiver of the requirement. Those funds deducted from states not meeting the MOE requirement have been distributed across the remaining states in accordance with (1).

(3) Waived pursuant to 48 U.S.C. § 1469a(d).

FFY2021 LSTA Proposals
Summary of Funding Requests by Project

Proposed Project Name	ODL Goal	Project Funds Requested	Salary Funds Requested	Total Requested	Totals \$2,065,385.00
Databases	1	\$ 512,382.00		\$ 512,382.00	\$1,553,003.00
Resource Sharing (ILL)	1	\$ 420,970.00	\$ 62,160.00	\$ 483,130.00	\$1,069,873.00
Health Literacy	3	\$ 228,404.00	\$ 50,595.00	\$ 278,999.00	\$790,874.00
Immigration & Citizenship Services	3	\$ 120,500.00	\$ 14,834.00	\$ 135,334.00	\$655,540.00
Emedia	1	\$ 100,000.00		\$ 100,000.00	\$555,540.00
Literacy Development	3	\$ 37,200.00	\$ 48,556.00	\$ 85,756.00	\$469,784.00
LSTA Administration		\$ 250.00	\$ 73,494.00	\$ 73,744.00	\$396,040.00
Institutions	1	\$ 58,500.00		\$ 58,500.00	\$337,540.00
Summer Reading	3	\$ 54,400.00		\$ 54,400.00	\$283,140.00
Computer Lab	2	\$ 36,000.00		\$ 36,000.00	\$247,140.00
Online Learning Technology	2	\$ 31,471.20		\$ 31,471.20	\$215,668.80
Continuing Education for Public Librarians	2	\$ 23,555.00		\$ 23,555.00	\$192,113.80
Certification for Public Librarians	2	\$ 22,100.00		\$ 22,100.00	\$170,013.80
Category 2 E rate	2	\$ 20,000.00		\$ 20,000.00	\$150,013.80
ODL Videoconferencing Maintenance	2	\$ 15,272.00		\$ 15,272.00	\$134,741.80
Images of Oklahoma	1	\$ 15,000.00		\$ 15,000.00	\$119,741.80
Read Across Oklahoma	3	\$ 13,225.00		\$ 13,225.00	\$106,516.80
Podcaster Studio	2	\$ 12,500.00		\$ 12,500.00	\$94,016.80
Website Development	2	\$ 11,850.00		\$ 11,850.00	\$82,166.80
Annual Report	2	\$ 7,000.00		\$ 7,000.00	\$75,166.80
My Favorite Book	3	\$ 5,000.00		\$ 5,000.00	\$70,166.80
Totals		\$ 1,745,579.20	\$ 249,639.00	\$ 1,995,218.20	

02/11/2021