



MEMO

To: 2023 Public Library Standards Task Force Members
From: Tracy Cook, Lead Consulting Librarian and Cara Orban, Consortia Director
Subject: Amend deferral process
Date: August 15, 2023

Admin Rule 10.102.1162 defines the process a library must follow when it does not meet a standard. The rule gives the State Librarian the ability to grant a waiver and award funding to the library in return for the library entering a compliance plan.

MSL staff are seeking input on this section as the current process needs more clarity both for the State Library and public libraries. Current practice is for the State Librarian to grant waivers when libraries are unable to meet one or more standards due to a hardship that is outside of the control of the library to immediately resolve. A hardship is not currently defined in rule.

We have the following questions for the task force to consider.

- Is the current practice a fair definition of hardship? Why or why not?
- If it isn't a fair definition of hardship, what is NOT considered a hardship? Instead of trying to define every type of hardship that might exist, are there any circumstances where a library should not receive a waiver? If yes, what are they?
- If a waiver is granted, what should be included in a compliance plan? Shall we grant multi-year waivers if the library has a particularly challenging issue to address that would take more than one year to resolve? If so, shall we require the library to provide updates to the State Library on their progress to come into compliance? What would that process look like?
- Should we consider a grace period? Some libraries can't comply right away but meet a standard by the end of the year – how should we handle that?
- Should there be a limit to the number of years a waiver can be granted? In the previous version of the standards libraries could request a deferral for three years in a row. The State Librarian could then give them one additional year, so the library had four years to comply with a standard. Should we return to that option?