

IV. LEGISLATION – POLICIES - RULES

B.1. Policies – Grant Program Eligibility Requirements

The following Grant Program Eligibility Requirements were passed by the Board at their August 3, 2018 meeting and became part of the agency's Rules through the 2019 legislative process. These Rules expired on July 1, 2021. The state librarian is recommending that they become Board policy rather than a Rule going forward. As a self-governing agency, there is precedent for a policy-making board to consider this option. Policies do not hold the same legal weight of Rules, but there is relatively low legal risk of lawsuits by institutions/libraries that are eligible or not eligible to receive grants from the Idaho Commission for Libraries.

Grant Program Eligibility Requirements

Definitions:

Library Consortia. A local, regional, statewide, or interstate cooperative association of library entities which provides for the systematic and effective coordination of the resources of academic, public, school, and special libraries for improved services for the clientele of the member library entities.

Public Library. A library organized and operating in compliance with Title 33, Chapter 26 or Title 33, Chapter 27, Idaho Code. (4-2-08) 07.

School Library. A library organized and operating as part of a primary or secondary school, or both, or school district. Also called a school library media center.

Special Library. A library that is not an academic, public, or school library, usually organized to meet a specialized mission and operating with a specialized collection, or to serve a specialized clientele. A special library may be a tribal, military, or correctional institution library, or one that is, or is part of, a registered non-profit organization with tax exempt status.

General Eligibility Requirements for Public, School, Academic, and Special Library Grant Program Applicants.

Any grant program library applicant must meet the following eligibility requirements:

- The library consists of a specific, permanent space exclusively designated for providing library services.
- The library collects, provides, and coordinates access to library materials.
- The library serves its clientele free of charge.
- The library maintains regular hours of operation posted at the library door and is open at least five (5) hours per week.

- The library has complied with previous Commission grant conditions during the preceding fiscal year.
- The library has at least one (1) paid staff member responsible for the daily operation of the library.
- The library is not affiliated with any school, university or organization controlled by any church, sectarian, or religious denomination (Idaho State Constitution, Article IX, Section 5).
- The library seeking to participate in any grant program must apply on forms provided by the Commission for that purpose.

Additional Eligibility Requirements for School and Academic Library Grant Program Applicants.

For school libraries, the school maintains a space that:

- Is dedicated to library services, and is not space solely used for other instructions, such as a teacher's classroom;
- Houses books and other tools supporting the curriculum, research and reading requirements of students and staff
- Is accessible for the students, teachers, and staff at the school;

For academic libraries, the academic institution is accredited by the Northwest Commission on Colleges and Universities.

Additional Eligibility Requirements for Public Library Grant Program Applicants.

- The library is established and operating in compliance with Title 33, Chapter 26 or Title 33, Chapter 27, Idaho Code.
- The library is open to the general public and does not charge a fee to any resident of its legal service area for any basic library service. Basic library services include:
 - Access during posted operating hours to library collections and the internet.
 - Circulation of library materials, regardless of format.
 - Access to interlibrary loan services. Postage charges for interlibrary loans are assumed by the library, not the user.
 - Reference services, regardless of format.
- The library has a completed annual "Idaho Public Library Survey" for the preceding fiscal year accepted by, and on file at, the Commission.
- The library has adopted a written internet safety policy that has been reviewed within the last three (3) years by the library's board of trustees and is posted at the library.

Board Document 22-32

- The library maintains a web presence that provides current information about, or access to, its services including:
 - Library contact information.
 - Link to the LiLI Portal or to the LiLI Databases with the “funded by LiLI” icon.

Additional Eligibility Requirements for Library Consortium Grant Program Applicants.

Any grant program library consortium applicant must have a formal organizational structure with at least the following elements in place:

- A name for the consortium.
- Identification Number. A tax identification number or an employer identification number (EIN)
- Members List. A list of all the members.
- Governance Structure. A representative governance structure and the name or names of the individuals with leadership roles and responsibilities identified.
- Funding Mechanism. A sustaining funding mechanism supported in part by local funds from the members involved.
- Agreement or By-Laws. A cooperative agreement or by-laws of the organization signed by each member.

Suggested motion: I move that the Board adopt the Grant Program Eligibility Requirements policy as outlined in Board Document 22-32.