

**Subpart B. ADVISORY COUNCIL ON LIBRARY DEVELOPMENT**

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**CHAPTER 141. PLANS FOR THE USE OF STATE AID**

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**Authority**

The provisions of this Chapter 141 issued under sections 201(5), (7) and (15), 204(5), 303 and 304 of The Library Code (24 P.S. §§ 4201(5), (7) and (15), 4204(5), 4303 and 4304) (Repealed; replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code)), unless otherwise noted.

**Cross References**

This chapter cited in 22 Pa. Code § 131.18 (relating to regional library resource centers); 22 Pa. Code § 131.19 (relating to ineligibility for State aid); and 22 Pa. Code § 131.33 (relating to plan for use of State aid).

**PURPOSE; REQUIREMENT FOR PLAN****Source**

The provisions of these §§ 141.1—141.3 adopted December 14, 1962, unless otherwise noted.

**§ 141.1. Local libraries.**

(a) The purpose of financial assistance to local public libraries by the Commonwealth is to encourage and enable the improvement of public library service throughout this Commonwealth and thereby to fulfill those educational, informational, and recreational needs of its residents served by public library agencies. In order that State funds shall be applied to this end, section 304 of The Library Code (24 P.S. § 4304) requires that each library applying for State aid shall submit plans for use of the funds leading to the achievement of applicable standards after five years of participation in State aid.

(b) Plans for the use of State funds shall be related to the improvement of library service, and such improvement can only be measured in relation to applicable standards of service. Although section 303 of The Library Code (24 P.S. § 4303) does not fix minimum standards of library service, the State Librarian is authorized by section 201(5) of The Library Code (24 P.S. § 4201(5)) “to counsel local libraries on minimum standards for number and quality of library staff, resources of books and other materials, location of new libraries, hours and physical facilities.”

(c) Section 303 of The Library Code also states that “State-aid shall be paid when a library achieves the applicable standards determined by counseling with the State Librarian pursuant to the advice and recommendations of the Advisory Council on Library Development, or submits plans as set forth in Section 304 of this Act leading to the achievement of such standards . . . ,” and section 304 (24 P.S. § 4304) provides “libraries qualifying for aid shall have five years to achieve applicable standards. Further extensions of time may be permitted with the approval of the State Librarian acting under regulations made by the Advisory Council.”

*(Editor’s Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

**§ 141.2. District library centers.**

(a) The primary purpose of State aid to district library centers is to enable such libraries to exercise leadership in developing a coordinated system of library services among all the local libraries of a district which will bring maximum diversity, quality and use to all the residents of the district.

(b) Such State aid is intended to provide services and resources beyond those which a district library center offers as a local library and for which it is receiving State financial assistance. While the extent of district services and activities

shall be related to the amounts of State funds available, each district library center receiving State aid shall offer reference services to all persons and local libraries, and interlibrary loan services through local libraries applying therefor and take steps toward meeting all of the criteria specified in § 141.22 (relating to district library centers).

**§ 141.3. Regional library resource centers.**

The purpose of State aid to regional library resource centers is to enable such libraries to build up major research collections in a planned and joint relationship and to make such specialized materials and services available to all the residents of this Commonwealth under rules and regulations promulgated by a board consisting of the head librarians of all regional library resource centers and under the chairmanship of the State Librarian.

**PROCEDURE**

**Source**

The provisions of these §§ 141.11—141.15 adopted October 7, 1963, unless otherwise noted.

**§ 141.11. Submission of plan.**

(a) Plans for the use of State funds shall be submitted in accordance with instructions provided by the State Library.

(b) The plan shall cover the calendar year in which the library applies, or the calendar year immediately following, or the fiscal year (July 1 through June 30) which contains the date in which State aid is received.

**§ 141.12. Prohibited expenditures of State funds.**

State funds shall not be expended for any of the following purposes:

- (1) Payment of rent to any municipality or to the library board of directors.
- (2) Investment purposes, including stocks, bonds, long term notes, real estate for income or appreciation or any expense in connection with such real estate already owned, or for any other purchases for long term income or capital appreciation.
- (3) Any library expenditure prohibited under The Library Code (24 P.S. §§ 4101—4503).

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

**§ 141.13. Unexpended balances.**

State aid is intended for expenditure during the year covered by the library's plan for its use, but if an unexpended balance does remain the library shall perform the following:

(1) Indicate such unexpended balance of State funds within its financial report required under § 131.32 (relating to proof of eligibility).

(2) Submit to the State Library for approval an amended plan for the use of these funds, or include such unexpended balance of State funds within its plan for the use of the next payment of State aid.

**§ 141.14. Amendments to plan.**

A library board of directors may submit amendments to its plan for the use of State funds for approval by the State Librarian at any time during the period covered by the plan. Approval of amendments to a library's plan shall be subject to the same considerations as those applied to the original plan.

**§ 141.15. General nature of plan.**

The plan for use of State funds need not be for special or extraordinary projects. It may represent a simple program to add State funds to local funds for the purpose of increasing expenditures for books, salaries, operating expenditures, or capital expenditures, and to join in the cooperative practices of the district library center system of the library's district. The State aid may be apportioned to any use which leads to the library's increased effectiveness or efficiency over and above the level reached the preceding year. The plan should include a statement of how the library board of directors expects the intended use of State funds to improve the quality of the services of the library.

**CRITERIA FOR APPROVAL**

**Source**

The provisions of these §§ 141.21—141.23 adopted December 4, 1969, unless otherwise noted.

**§ 141.21. Local libraries.**

In approving and disapproving plans for the use of State funds by local libraries, decisions of the State Librarian will be determined by the following criteria:

(1) *System participation.* Whether the plan includes participation in a cooperative system of existing and new libraries organized around a district library center. For any plan to be approved, the library shall meet the minimum standards of system participation.

(2) *Achievement of standards of services.* Whether the plan leads toward the achievement of the following applicable standards:

(i) *Structure and government of library service.* The structure and government of library service shall conform with the following:

(A) The library shall have a clear legal basis for establishment, organization, and financial support, in the case of a library established at public expense under The Library Code (24 P.S. §§ 4101—4503).

(B) Except where, pursuant to a home rule charter adopted pursuant to the Home Rule Charter and Optional Plans Law (53 P.S. §§ 1-101—1-1309), a local library is governed by an agency other than a library board of directors, board members shall be appointed by the municipal officers of each municipality contributing to the support or aiding in the maintenance of a local library in accordance with section 411 of The Library

Code (24 P.S. § 4411). A municipality is judged to contribute to the support or to aid in the maintenance of a local library when it appropriates to the library annually an amount of money which is equivalent to 15% or more of the yearly income of the library from all local municipal sources. In the case of a local library established prior to June 14, 1961, each municipality which contributes to the support or aids in the maintenance of the local library shall appoint a number of members to serve on the board of library directors as is mutually agreed upon by such municipalities, provided that no single municipality shall be required to appoint more than two board members, and provided, further, that the appointment of board positions agreed to by such municipalities shall be subject to the approval of the State Librarian.

(C) The library shall be an integral part of general local government.

(D) Each municipality which maintains a local library or which contributes to the support or aids in the maintenance of a local library within the meaning of clause (B) of this subparagraph shall pass an ordinance or resolution establishing or designating the library to be the agent of the municipality to provide library service in accordance with section 415 of The Library Code (24 P.S. § 4415). If the library was not established by the municipality, the library board shall pass a resolution accepting the designation.

(E) The public library shall report annually to the municipality.

(F) The library board shall commit the library, by resolution, to participation in the district library center cooperative program.

(G) The function of the library board and the librarian and staff shall be clearly differentiated in a written statement.

(ii) *Service.* Library service shall be as follows:

(A) The library shall maintain well-planned hours of service.

(B) The library shall establish a regular schedule of hours which permits all citizens of the community easy access to the materials and services of the library.

(C) The library shall be open for service weekly in accordance with the following minimums:

<i>Population</i>	<i>Hours Per Week</i>
Less than 25,000	35
25,000—49,999	50
50,000 and more	65

(D) The library shall complete and submit within the prescribed time limit the annual report form and other forms required by the Bureau of Library Development of the State Library.

(iii) *Library materials.* Library materials shall be governed by the following:

(A) The library shall have a written statement of policy covering the selection and maintenance of its collection of library materials.

(B) The library shall provide a well-balanced minimum collection of 1 1/2 currently useful catalogued and classified items per capita; provided that no library shall have a collection of fewer than 15,000 such items.

(C) The library shall receive a balanced collection of currently useful periodicals in accordance with the following minimums:

<i>Population</i>	<i>Minimum Titles</i>
Less than 10,000	30
10,000—24,999	50
25,000—49,999	75
50,000 and more	125

(iv) *Personnel.* The retaining of library personnel shall be in conformance with the following:

(A) The following definitions shall apply in this subparagraph:

(I) A staff member is a person regularly used in a year-round job, other than maintenance, which is customary and necessary for the provision of library service.

(II) Full time is at least 35 hours weekly. The time of several individuals who regularly work at least 5 hours weekly in year-round jobs excluding maintenance jobs may be added together and counted as being equivalent to full time or a fraction thereof.

(III) Qualified means that the staff member must have the training, skills and experience necessary to perform the tasks or carry out the responsibilities of the job to which he is assigned and can give evidence of such qualifications. To be qualified, a head librarian must be certified as specified in clause (C).

(B) The library shall have a written personnel policy.

(C) The library shall be administered by a head librarian certified as follows, except that no library shall be deprived of State aid because of having a noncertified head librarian appointed prior to January 15, 1970:

<i>Population</i>	<i>Required Certification of Head Librarian</i>
0—9,999	Library Assistant
10,000—19,999	Provisional Librarian
20,000 and more	Professional Librarian

(D) The library shall have a qualified staff member, full time or equivalent, for each 3,500 persons in the direct service area; provided that no library shall use fewer than one full time staff member. In the case of

a library which fulfills this standard by use of only one full time staff member, that person must be certified as at least a library assistant in accordance with § 133.6 (relating to library assistant).

(3) *Extension of time.* Whether an extension of time is needed beyond five years in which to achieve applicable standards of library service. A library may request such extension of time from the State Librarian in accordance with the provisions of section 304 of The Library Code (24 P.S. § 4304). In approving or disapproving a library's request for an extension of time and continuation of State aid, the State Librarian shall consider the following factors:

(i) Possible enlargement of the service area of the library so as to increase its local financial effort and the amount of State aid for which it would be eligible.

(ii) Possible merger or cooperative agreement with a district library center, a county library, or a nearby local library or group of libraries with which it can share books and other materials, staff services or physical facilities.

(4) *Library services to the whole community.* Whether the library services are being developed for the community as a whole, rather than for any particular group or age level, the following shall apply:

(i) For a plan to be approved, any local library which provides direct service to schools in the form of bookmobile visits or deposits of classroom book collections shall be required to describe such service in its plans for use of State funds and indicate the percentage of its total expenditures which is devoted to such service to schools.

(ii) In the first year of application for State aid, a library may qualify when it expends more than 20% of its total operating expenditures on direct service to schools only when it submits a plan to reduce its expenditures for direct service to schools to an amount not exceeding 20% of its total operating expenditures within six years of participation in State aid.

(5) *Standards of library expenditures.* Whether the financial support is adequate to provide the applicable standards of service to its direct service area. Such support shall be measured by an amount equal to or exceeding the local financial effort of \$.0005 times market value, or \$2.00 per capita, whichever is less, in addition to all State aid to which the library is entitled. Since State aid is intended to supplement and not to substitute for local financial effort, no plan for the use of State funds shall be approved which projects the reduction of the local financial effort for normal, recurring, operating costs from a previous level unless evidence of substantial curtailment of financial ability of the community is accepted by the State Librarian. In the case of a library which has participated in the aid program for more than 5 years, no plan will be approved which projects operating expenditures of less than \$15,000 in State and local money.

(6) *Expansion of service area.* Whether the library should expand the service area to which it gives all its services free of charge. For any plan to be approved which includes projected expansion of direct service area, the plan of the library shall be accompanied by a copy of the agreement with the municipal authorities that the municipality or municipalities be included in the direct service area of such library. Any municipality which is added to a direct service area of a library shall be considered part of that area for a period of not less than 10 years, except when any of the following apply:

(i) Special approval is granted by the State Librarian for excluding such municipality or municipalities from such direct service area.

(ii) The municipal authorities of such municipality or municipalities resolve to withdraw from such direct service area.

(iii) The municipality or municipalities are included in another library service area through merger of two or more libraries or by contractual agreement.

(7) *Reduction of service area.* Whether the library should reduce the direct service area to which it gives all its services free of charge. For any plan to be approved which includes reduction of service area, the library's plan shall be accompanied by a copy of the library's notification to the municipal officers of the municipality or municipalities affected and to the county library board of directors if one exists within the same county. Plans for the use of State funds which include reduction of service area shall not be approved unless the library also plans to cease to give free library service to the residents of the municipality or municipalities affected.

(8) *Economical use of public funds.* Whether the public funds are used economically and efficiently.

(9) *State aid to supplement or stimulate local support.* Whether State aid is planned to supplement or stimulate local pride, responsibility, initiative and support, rather than to substitute for them.

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

#### Source

The provisions of this § 141.21 amended through May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800. Immediately preceding text appears at serial page (56585).

#### Cross References

This section cited in 22 Pa. Code § 141.25 (relating to basic standards for local libraries); 22 Pa. Code § 141.26 (relating to basic standards for local library members of a library system); and 22 Pa. Code § 141.28 (relating to basic standards for bookmobiles).



**§ 141.22. District library centers.**

(a) *General.* In approving or disapproving plans for the use of State funds for district library center service, decisions of the State Librarian shall be determined by whether or not the library meets or surpasses the minimum standards set forth in subsections (b)—(f) or whether or not the plan leads toward achievement of them.

(b) *Structure and government.* The structure and government of a district library center shall be as follows:

(1) A district library center is a library designated as such by the State Librarian and the Governor's Advisory Council on Library Development and which shall receive State aid for the purpose of making resources and services available without charge to all the residents and the taxpayers of its district as specified by section 211 of The Library Code (24 P.S. § 4211).

(2) The library must meet or exceed minimum standards as a local library or a library system and fully qualify for State aid for its direct service area.

(3) There shall be an advisory council to the district center to review the district budget and help develop the district plans, policies, services, and programs. It shall consist of a librarian and trustee from each library in the district, except that districts shall have the option to develop a plan of rotation of local library representation if membership is representative of the various sized local libraries in the district and the various parts of the district, and if local libraries designate their own representative in turn. In such cases, membership shall not be less than 9 members, one of whom must be from the district center board, and shall include at least 30% trustees and at least 30% librarians. It shall meet at least three times a year.

(4) The library shall file with the State Librarian for approval a 5 year plan for the development and provision of district services and resources. The library shall actively seek input on the plan from local librarians and trustees and provide the opportunity for them to participate in its development. Progress on the plan shall be evaluated annually and revisions made as needed. Copies of the plan and an annual review and necessary revisions shall be sent to the State library and local libraries in the district.

(5) The library shall submit appropriate written reports at least annually to the State Library, the member libraries of the district, and the municipalities from which it receives its financial support.

(c) *Service.* Service shall conform with the following:

(1) The library shall maintain a regular schedule of service which permits all residents and libraries of the district access to the materials and services of the district library center during not less than 64 hours weekly.

(2) Interlibrary reference and information service shall be available for at least the number of hours specified in subsection (c)(1) under the supervision

of a librarian with at least a provisional certificate. Equipment for photo-duplication and rapid communication to and from the district library center shall be available.

(3) Direct reference and information and community information and referral shall be available for at least the number of hours specified in subsection (c)(1) under the supervision of a librarian with at least a provisional certificate.

(4) Interlibrary loan service shall be provided to the libraries in the district in accordance with the most current edition of "Pennsylvania Interlibrary Loan Code." The service shall be supervised by a librarian with a professional certificate and the assistance of appropriate support staff. Provision shall be made for obtaining materials which are not available at the district library center from the regional resource libraries and other libraries. Status Reports shall be available upon request.

(5) The library shall be responsible for developing an interlibrary delivery system using public transportation, special vehicles, or other means if existing public delivery services will not result in delivery within 1 week.

(6) The consultant staff, as provided in subsection (e)(2)(ii), shall visit each local library periodically and shall be responsible for providing professional library knowledge to local librarians and others by means of counselling and continuing education on all aspects of library service including but not limited to the following:

- (i) Materials selection and collection development, including weeding.
- (ii) Service to special groups.
- (iii) Modern library service, administration, library governance, finance.
- (iv) Inservice training of local library personnel and trustees.
- (v) Implementation and promotion of cooperation among local libraries.
- (vi) Provision of public relations programs and materials.

(7) The library shall develop cooperatively with member libraries and disseminate widely to the public, information about district library center services and the need for library services in the district.

(d) *Materials.* Materials shall conform with the following:

(1) The library shall have on file at the State Library a written statement of policy covering the selection and maintenance of its collection of library materials with emphasis on its role as a resource center for the district.

(2) The library shall provide a currently useful collection large enough to meet the demands based on district population size but in no case to be less than 75,000 cataloged items.

(3) The library shall maintain a currently useful noncirculating collection of reference materials.

(4) The library shall receive regularly a balanced collection of periodicals to meet the responsible demands based on district population size but in no case be less than 125 titles.

(5) The library shall have a minimum of 300 16MM film titles or equivalent audio-visual media in its collection or accessible within the district for circulation.

(6) No less than 12% of the total operating budget of the library shall be spent on materials. A minimum of at least 5.0% of the materials budget of the library shall be allocated for audiovisual materials.

(e) *Personnel.* Personnel policy shall be in accordance with the following:

(1) The library shall have a written personnel policy which includes job descriptions and classifications, a pay schedule, a retirement plan, fringe benefits, grievance procedures and a commitment to affirmative action.

(2) The library shall fulfill local library or system standards on the number of staff and provide full-time professional positions as set forth in this subsection, provided that the qualifications do not apply to employees appointed to the positions prior to December 13, 1977, the date of final adoption of this subsection:

(i) Library administrator. The library administrator shall be a librarian with a professional certificate with at least 5 years of public library experience, including a minimum of 2 years supervisory experience or its equivalent.

(ii) Consultant staff. Each consultant shall be a librarian with a professional certificate and have a minimum of 2 years public library experience or its equivalent. The library shall provide consultant services to local libraries, municipal officers, and interested groups in the district. The district library center shall employ not less than one full-time consultant librarian and such additional consultant staff that is necessary to carry out the library's plan for district library service. If fewer than five local libraries are in the district, the consultant librarian may be assigned not more than half-time to other professional duties related to district library center activities.

(iii) Responsibility for the following functions shall be assigned to or supervised by personnel with a professional librarian's certificate:

- (A) Collection management.
- (B) Information services.
- (C) Interlibrary loan service.
- (D) Children, young adult and adult services.
- (E) Technical service.

(iv) Responsibility for the following functions shall be assigned to personnel with training or experience in their fields:

- (A) Audiovisual materials and programs.
- (B) Public relations.

(f) *Facilities.* The library facilities shall be capable of housing the collection, staff and services as listed in the district plan for service and indicated by the standards.

(*Editor's Note:* The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

#### Source

The provisions of this § 141.22 amended through August 31, 1984, effective September 1, 1984, 14 Pa.B. 3155. Immediately preceding text appears at serial pages (62253) and (62257).

#### Cross References

This section cited in 22 Pa. Code § 141.2 (relating to district library centers).

### § 141.23. Regional library resource centers.

In approving or disapproving plans for the use of State funds for regional library resource center service, decisions of the State Librarian shall be guided by whether the plan for the use of such State aid is in accord with the objectives agreed upon by the board of head librarians of regional library resource centers and such rules and regulations as such board may promulgate.

### § 141.24. Library systems.

(a) *General.* In approving or disapproving plans for the use of State funds by library systems, decisions of the State Librarian shall be determined by the criteria set forth in subsections (b)—(g).

(b) *Definitions.* The following definitions shall apply to library systems:

(1) The term library system shall apply to an organization of two or more independent libraries serving not less than a total of 25,000 people which have voluntarily agreed to participate and have delegated the policy making functions to a system board of directors.

(2) A library system may have units and agencies consisting of the following:

(i) *Headquarters or central library unit.* The principal resource unit and administrative center of the system.

(ii) *Nonheadquarters units:* Nonheadquarter units may include the following:

(A) *Federated or associated local libraries.* Local libraries which have agreed to participate in a county, township, or school district public library system from which some or most of its financial support is derived in the form of money, library materials, personnel or services.

(B) *Branch.* A unit with separate quarters, a permanent basic collection of books, a permanent staff and a regular schedule, administered from a central unit.

(C) *Reading station/center.* A unit with separate quarters and limited reader services, minimum basic collection supplemented by rotating collections, a permanent staff, and administered from a central unit.

(D) *Deposit station.* An outlet, usually housed in shared quarters, having no permanent collection or staff and administered by the central unit.

(E) *Bookmobile.* A vehicle especially designed to carry books and other library materials. It may serve not only as a traveling library branch but also as a guide for the location of future branches and reading stations. Bookmobiles serve populations of varying size and maintain regular schedules of community stops throughout the system.

(3) A municipality is judged to contribute to the support or aid in the maintenance of a library system when it appropriates to the library system annually an amount of money which is equivalent to 15% or more of the system's yearly income from all local municipal sources.

(4) Effective service area shall be construed to be the geographic area from which come 60% of the unit's registered borrowers and usage.

(5) Full time is at least 35 hours per week. The time of several individuals who regularly work at least 5 hours weekly in year-round jobs, excluding maintenance personnel, may be added together and counted as being equivalent to full time or a fraction thereof.

(6) A staff member is a person regularly used in a year-round position, other than maintenance, which is customary and necessary for the provision of library service.

(7) Qualified means that the staff member must have the training, skills, and experience necessary to perform the tasks or carry out the responsibilities of the job to which he is assigned and can give evidence of such qualifications. To be qualified, the administrator of a system and the head librarian of each unit of the system must be certified as specified in subsection (f)(2).

(c) *Structure and government of library systems.* The structure and government of library systems shall conform with the following:

(1) The structure of the library system shall be determined by those units or agencies comprising the system so long as the system shall be established, organized, and financially supported in conformity with The Library Code (24 P.S. §§ 4101—4503), which is the authority for establishing library service at public expense.

(2) System board members shall be appointed by the municipal officers of each municipality contributing to the support or aiding in the maintenance of a library system in accordance with section 411 of The Library Code (24 P.S. § 4411).

(i) In the case of a Library System established prior to June 14, 1961, each municipality which contributes to the support or aids in the maintenance of the system shall appoint a number of members to serve on the board of library directors of the system as is mutually agreed upon by such municipalities; provided that no single municipality shall be required to appoint more than two board members and provided, further, that the apportionment

of board positions agreed to by such municipalities shall be subject to the approval of the State Librarian.

(ii) In the case of a library system which receives no contribution in support or aid in maintenance from a municipal government, the system board shall consist of not less than five nor more than nine members selected or appointed as the participating libraries may agree. The apportionment of members and the method of appointment or selection shall be subject to the approval of the State Librarian. The first members shall be appointed or selected as nearly as may be 1/3 for 1 year, 1/3 for 2 years and 1/3 for 3 years. All subsequent appointments or selections to fill the places of those whose terms have expired shall be for a term of three years. Vacancies shall be filled for the unexpired terms. In the event that a municipality subsequently begins to contribute to support of the system, the system board shall be reorganized to comply with the provisions of subparagraph (i).

(3) The system shall have written agreements of participation between the system board and each local library which is a member of the system, in which the obligations, services, and contributions of each party shall be stated.

(4) The system board shall have and shall file with its local agencies and the State Library of Pennsylvania a written plan for system-wide service and development. The plan shall be reviewed annually and amended as necessary and shall include in its overall objectives specifications for programming and services to increasingly meet the needs of the public. Each resident of the system service area must be provided with direct and convenient access to library services.

(5) The annual operating expenditures of the total system must be equivalent to the State aid for the total population in the total service area of the system and the amount of local effort necessary to qualify for that aid as provided in section 303(1) and (3) of The Library Code (24 P.S. § 4303(1) and (3)), but, in no event, shall such operating expenditures be less than \$50,000.

(6) The library system shall be an agency of local governments.

(i) Each municipality which maintains a library system or which contributes to the support or aids in the maintenance of a library system within the meaning of subsection (b)(3), shall pass an ordinance or resolution establishing or designating the library system to be the agent of the municipality to provide library services to the residents and taxpayers thereof in accordance with section 415 of The Library Code (24 P.S. § 4415). If the library system was not established by the municipality, the system board shall pass a resolution accepting the designation.

(ii) The system board shall make written financial and statistical reports at least quarterly to its municipalities and other funding agencies and to the member units of the system.

(7) The system board shall commit the system, by resolution, to participation in the District Library Center Cooperative Program.

(8) The functions of the system board and of the system administrator shall be clearly differentiated in a written statement.

(9) The board shall develop criteria for membership in the system and adopt policies that will be applicable throughout the system.

(10) The system administrator and the heads of the participating units shall meet at least bi-monthly to consider system services and activities.

(d) *Services.* Library system services shall include the following:

(1) Each unit within the system shall provide free access including free lending and reference services to all residents of the system's total service area.

(2) The units within the system shall maintain well-planned hours of service which will permit all residents of the system's community convenient access to library materials and services.

(3) The library system shall be open for services weekly in accordance with the following minimums:

<i>Description</i>	<i>Population</i>	<i>Hours per week</i>
Headquarters unit	25,000—49,999	50
	50,000—and over	65
Nonheadquarters units	0—4,999	10
	5,000—9,999	20
	10,000—24,999	25
	25,000—and over	40

(4) The system shall develop an interlibrary loan service among the members of the system which will assure a status report or delivery of the item requested within three days after receipt of the request.

(e) *Library materials.* The library system shall conform with the following regarding library materials:

(1) The system shall have a written statement of policy governing selection and maintenance of library materials.

(2) The system as a whole shall provide a well-balanced collection of not less than one title per capita and not less than 1 1/2 currently useful items per capita using the population of the system as the basis for determining the total required; provided that no system shall be required to have more than 100,000 titles. The holdings of all units of the system shall be used to arrive at the actual holdings of the system in order to determine compliance with this minimum standard.

(3) The system shall develop rotating collections to supplement the basic collections of the units as required by the system plan.



(4) No unit in a system shall subscribe to fewer than ten periodical titles. The system headquarters unit shall subscribe to a balanced collection of currently useful periodicals in accordance with the following minimums:

<i>Population of the System</i>	<i>Minimum titles</i>
25,000—49,999	75
50,000—and over	125

(5) The system shall develop and maintain a catalog of acquisitions after the effective date of the standards.

(f) *Personnel.* The library system shall conform with the following regarding personnel:

(1) The system shall have a written personnel policy.

(2) The system shall be administered by a certified professional librarian with at least two years public library experience including some supervisory experience or its equivalent; provided, however, that no system shall be deprived of State aid because of having a noncertified administrator appointed prior to the effective date of this section. Each unit within the system shall have a head librarian qualified in accordance with its effective service area as follows:

(i) *Population up to 5,000.* System certified personnel with at least in-service training provided by the system.

(ii) *Population 5,000—14,999.* Certification at least as a Library Assistant by the State Library of Pennsylvania.

(iii) *Population 15,000—19,999.* Certification at least as a Provisional Librarian by the State Library of Pennsylvania.

(iv) *Population 20,000 and above.* Certification as a Professional Librarian by the State Library of Pennsylvania.

(3) The library system shall have one qualified staff member, full time or equivalent, excluding maintenance personnel, for each 4,500 persons in the total service area of the system. One-fifth of the staff shall be certified professional librarians. For systems with populations 100,000 and over, at least 22 staff members, full time or equivalent, excluding maintenance personnel, plus one for every 5,500 persons over 100,000 population, shall be required. In determining compliance with this standard, all staff members, exclusive of maintenance personnel, in all units of the system shall be considered as part of the final total staff.

(g) *Facilities.* Library system facilities shall conform with the following:

(1) After the effective date of this section, it shall be the responsibility of the system board to review and approve plans for construction, remodeling, or enlargement of units in the system to confirm that the units fulfill the needs of the area served.



- (2) Each member unit shall have an outdoor sign stating it is a library.
- (3) Each member unit shall have a telephone listing.

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

#### Source

The provisions of this § 141.24 amended through May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800. Immediately preceding text appears at serial page (56592).

#### Cross References

This section cited in 22 Pa. Code § 142.1 (relating to definitions).

### § 141.25. Basic standards for local libraries.

(a) A local library is any free public nonsectarian library—whether established and maintained by a municipality or by a private association, corporation, or group—which serves the informational, educational and recreational needs of all the residents of the area for which its governing body is responsible by providing free access including free lending and reference services to an organized and currently useful collection of printed items and other materials and to the services of a staff trained to recognize and provide for these needs.

(b) The central library unit of a local library is the principal resource library or administrative center.

(c) For a plan to be approved for the use of basic aid provided by section 303(1) of The Library Code (24 P.S. § 4303(1)) and the equal distribution grant provided by section 303(7) of The Library Code (24 P.S. § 4303(7)), a local library shall fulfill the following requirements:

(1) The local library shall be governed as specified in § 141.21(2)(i)(B) (relating to local libraries).

(2) The local library shall qualify for aid for the city, borough, town, or township in which the central library unit is located.

(3) Any municipality for which a local library claims and qualifies for State aid must be claimed by that local library in each year for not less than 10 successive years, and the minimum required local financial effort for such a municipality will be taken into account each year when determining the library's eligibility for State aid except when any of the following apply:

(i) Special approval is granted by the State Librarian for excluding such municipality from such service area.

(ii) The municipal officers of such municipality resolve to withdraw from such service area.

(iii) The municipality is included in another library service area through merger of two or more libraries or by contractual agreement.

(4) Service shall be provided as follows:

(i) The local library must be open for service at least 20 hours per week during hours which are best suited to the needs of the residents of its service area.

(ii) Ready reference service must be available at all times the local library is open.

(iii) The staff of the local library shall be ready and willing to communicate with the district library center for reference assistance and interlibrary loans.

(iv) The local library shall have a telephone which is listed in the local directory.

(v) The local library shall have a sign which clearly identifies it, from the outside, as a public library.

(5) Library materials shall be provided as follows:

(i) The local library must have in its collection, available on its premises, not less than 6,000 items which are organized by subject and recorded in a manner which makes them easily accessible to the public. These items must be currently useful to the residents of the service area. Libraries with collections of less than 6,000 will not be denied State aid if they can demonstrate the usefulness and vitality of their collections by circulation per capita or collection turnover rate in excess of the average for other libraries of comparable size and service area.

(ii) The local library shall budget and expend annually for the purchase of library materials twice the amount of the equal distribution grant allotted to it. For example, if the equal distribution grant is \$900, then the expenditure for library materials in the year of the grant must be not less than \$1,800.

(iii) The collection shall be selected to serve the informational, educational, and recreational needs of all residents in its service area.

(iv) The local library shall have a collection of ready reference items of sufficient scope to meet the needs of the residents of its service area.

(v) The local library shall subscribe to and make available for use at least ten different periodicals which are indexed in the *Readers Guide to Periodical Literature* or other recognized periodical indexes.

(6) Personnel policies shall be as follows:

(i) The local library shall be in the charge of a person who has been trained to recognize and provide for the informational, educational, and recreational needs of the residents of the library's service area. The training may be provided by the district library center.

(ii) The person in charge shall work on the premises of the local library not less than 20 hours weekly during hours when the library is open for service to the public.

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

#### Source

The provisions of this § 141.25 adopted May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800.

#### Cross References

This section cited in 22 Pa. Code § 141.26 (relating to basic standards for local library members of a library system).

### § 141.26. Basic standards for local library members of a library system.

(a) A local library member of a library system is a local library, as defined in § 141.25(a) (relating to basic standards for local libraries) which has agreed to participate in a county, township or school district public library system from which some or most of its financial support is derived in the form of money, library materials, personnel or services.

(b) For a plan to be approved for the use of the equal distribution grant awarded to a library system on behalf of a member local library as authorized by section 303(7) of The Library Code (24 P.S. § 4303(7)), a local library member of a library system shall fulfill the following requirements:

(1) The local library member shall be governed as specified in § 141.21(2)(i)(B) (relating to local libraries).

(2) The library system shall qualify for basic aid as specified in section 303(1) of The Library Code (24 P.S. § 4303(1)).

(3) Service shall be provided as follows:

(i) The local library shall be open for service at least 20 hours per week during hours which are best suited to the needs of the residents of its service area.

(ii) Ready reference service shall be available at all times the local library is open.

(iii) The staff of the local library shall be ready and willing to communicate with the headquarters library or the district library center, whichever is most appropriate, for reference assistance and interlibrary loans.

(iv) The local library shall have a telephone which is listed in the local directory.

(v) The local library shall have a sign which clearly identifies it, from the outside, as a public library.

(4) Library materials shall be provided as follows:

(i) The local library shall have in its collection, available on its premises, not less than 6,000 items which are organized by subject and recorded in a manner which makes them easily accessible to the public. These items shall be currently useful to the residents of the service area. Libraries with collections of less than 6,000 will not be denied State aid if they can dem-

onstrate the usefulness and vitality of their collections by circulation per capita or collection turnover rate in excess of the average for other libraries of comparable size and service area.

(ii) The local library shall budget and expend annually for the purchase of library materials twice the amount of the equal distribution grant allotted to it. For example, if the equal distribution grant is \$900, then the expenditure for library materials in the year of the grant must be not less than \$1,800.

(iii) The collection shall be selected to serve the informational, educational and recreational needs of all residents in its service area.

(iv) The local library shall have a collection of ready reference items of sufficient scope to meet the needs of the residents of its service area.

(v) The local library shall subscribe to and make available for use at least 10 different periodicals which are indexed in the *Readers Guide to Periodical Literature* or other recognized periodical indexes.

(5) Personnel policies shall be as follows:

(i) The local library shall be in the charge of a person who has been trained to recognize and provide for the informational, educational and recreational needs of the residents of the library's service area. The training may be provided by the administrator of the library system or by the district library center.

(ii) The person in charge shall work on the premises of the local library not less than 20 hours weekly during hours when the library is open for service to the public.

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

#### Source

The provisions of this § 141.26 adopted May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800.

### § 141.27. Basic standards for branch libraries.

(a) A branch library is a unit with separate quarters, a permanent basic collection of books, a permanent staff, and a regular schedule administered from a central library unit.

(b) The central library unit of a local library or library system is the principal resource library or administrative center.

(c) For a plan to be approved for the use of an equal distribution grant which is awarded to a local library or a library system for a branch library the following requirements shall be met:

(1) The local library or library system shall qualify for basic aid as specified in section 303(1) of The Library Code (24 P.S. 4303(1)).

(2) Service shall be provided as follows:

(i) The branch library shall be open for service at least 20 hours per week during those hours which are best suited to the needs of the residents of its service area.

(ii) Ready reference service shall be available at all times the branch is open.

(iii) The staff of the branch library shall be ready and willing to communicate with the headquarters library or district library center, whichever is most appropriate, for reference assistance and interlibrary loans.

(iv) The branch shall have a telephone which is listed in the local directory.

(v) The branch shall have a sign which clearly identifies it, from the outside, as a public library.

(3) Library materials shall be provided as follows:

(i) The branch library shall maintain a collection of not less than 4,000 items on its premises and shall annually offer a selection of not less than 6,000 different titles which are current and are demonstrably useful to the residents of its service area. The items shall be organized by subject and recorded in a manner which makes them easily accessible to the public.

(ii) The local library or the system shall budget and expend annually for the purchase of library materials for each qualifying branch library twice the amount of the equal distribution grant allotment for that branch. For example, if the equal distribution grant is \$900, then the expenditure for library materials for the branch in the year of the grant shall be not less than \$1,800.

(iii) The collection shall be selected to serve the informational, educational, and recreational needs of all residents in its service area.

(iv) The branch library shall have a collection of ready reference items of sufficient scope to meet the needs of the residents of its service area.

(v) The branch library shall subscribe to and make available for use at least 10 different periodicals which are indexed in the *Readers Guide to Periodical Literature* or other recognized periodical indices.

(4) Personnel policies shall be as follows:

(i) The branch library shall be in the charge of a person who has been trained to recognize and provide for the informational, educational and recreational needs of the residents of the library's service area. The training may be provided by the administrator of the local library or library system of which the branch library is a part or by the staff of the district library center.

(ii) The person in charge shall work on the premises of the branch library not less than 20 hours weekly during hours when the library is open for service to the public.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

#### Source

The provisions of this § 141.27 adopted May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800.

#### Cross References

This section cited in 22 Pa. Code § 141.28 (relating to basic standards for bookmobiles).

### § 141.28. Basic standards for bookmobiles.

(a) A bookmobile is a vehicle especially designed and equipped to carry books and other library materials and to function as a mobile library. It maintains a regular schedule of community stops throughout the service area of the local library or library system which operates it.

(b) For a plan to be approved for the use of an equal distribution grant which is awarded to a local library or library system for a bookmobile, the following requirements shall be fulfilled:

(1) The local library or library system shall be governed as specified in § 141.21(2)(i)(B) (relating to local libraries).

(2) The local library or library system must qualify for basic *per capita* aid as specified in section 303(1) of The Library Code (24 P.S. 4303(1)).

(3) The central library unit as defined in § 141.27(b) (relating to basic standards for branch libraries) must qualify for an equal grant.

(4) Service shall be provided as follows:

(i) The bookmobile shall be at stops not less than 20 hours weekly at times and in locations which afford all residents good access to it and which best suit their needs.

(ii) The bookmobile shall be able to provide some ready reference service.

(iii) The staff of the bookmobile shall be ready and willing to communicate with the headquarters library for reference assistance and interlibrary loans.

(5) Library materials shall be provided as follows:

(i) The bookmobile shall have a shelf capacity of at least 2,000 items and shall offer a selection of not less than 6,000 different titles annually which have currency and are demonstrably useful to all residents of its service area.

(ii) Libraries with bookmobiles shall expend annually, for the purchase of materials for use on each qualifying bookmobile, twice the amount of the equal distribution grant for that bookmobile. For example, if the equal distribution grant is \$900, then the expenditure for library materials in the year of the grant must be not less than \$1,800.

(6) Personnel policies shall be as follows:

(i) The bookmobile must be in the charge of a person who has been trained to recognize and provide for the informational, educational, and recreational needs of the residents of its service area. The training may be provided by the local library or library system which operates the vehicle or by the district library center.

(ii) At all stops, the bookmobile shall be staffed by a person trained as specified in subparagraph (i), and the person in charge shall work on it during the majority of hours that the bookmobile is at stops.

*(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)*

**Source**

The provisions of this § 141.28 adopted May 22, 1981, effective May 23, 1981, 11 Pa.B. 1800.

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