

The Texas State Library and Archives Commission (TSLAC) is proposing updates to the administrative rules related to public library accreditation. To simplify the rulemaking process, TSLAC proposes to repeal the current rules (13 TAC §§1.71 – 1.87) and propose new rules (13 TAC §§1.71 – 1.82). TSLAC has created a document that shows the changes to each section to help identify changes to existing language. That document is available [here](#) but should not be relied on as a representation of the actual proposed changes. Please refer to the [Texas Register](#) for official proposed language.

Proposed new §1.70, Purpose and Scope, describes the commission's responsibilities related to accreditation. The new section also explains that the library's annual report is used to review and award accreditation.

Proposed new §1.71, Definitions, defines terms used throughout the subchapter, including accreditation, agency, commission, continuing education, library collection item, library operating hours, local fiscal year, per capita, professional librarian, public library, and state fiscal year.

Proposed new §1.72, Legal Service Area, provides that a public library's legal service area is based on the source(s) of local government funding for the library and the population assigned according to the rule.

Proposed new §1.73, Public Library Services, lists the services a public library must provide to the general public without charge regardless of the person's residency; the services a public library may provide at a charge to any member of the public regardless of the person's residency; and the services a library must provide at no charge to members of the public who reside in the library's legal service area but may provide at a charge to nonresidents. This section also requires a public library to provide TSLAC a nondiscrimination statement each year stating that it will not exclude or deny services to any person.

Proposed new §1.74, Public Library: Legal Establishment, describes the different ways a public library may be established (for example, a division of a city or county or a nonprofit organization, among other options).

Proposed new §1.75, Local Operating Expenditures, lists the minimum per-person and total spending requirements for public libraries each fiscal year.

Proposed new §1.76, Quantitative Standards for Accreditation of a Library, lists the standards a library must meet for accreditation. These standards relate to the number of library collection items per person, the age of collection items, the minimum hours a library must be open each week, the minimum hours a library must employ a library director each week, the minimum required hours of annual continuing education for library directors, and the minimum local expenditures for a library each fiscal year based on the population served by the library.

Proposed new §1.77, Other Operational Requirements, lists other requirements for a library, such as a website, technology services for the public, an online library catalog, participation in statewide interlibrary loan (a service that allows libraries to share books with other libraries for their patrons), a strategic plan that is approved by the library's governing authority and reviewed and updated at least every five years, and publicly available policies addressing circulation, collection development, technology use, and information security and privacy.

Proposed new §1.78, Annual Report, states that a public library must submit an annual report to TSLAC to be eligible for accreditation or the library will automatically lose accreditation for the upcoming state fiscal year and will not be able to receive or participate in certain commission services and programs.

Proposed new §1.79, Emergency Waiver of Accreditation Criteria, allows TSLAC to waive one or more accreditation criteria if the library shows good cause for failing to meet the criteria. This is not a new rule; only renumbered.

Proposed new §1.80, Conditional Accreditation of Library, establishes one simple process for granting temporary accreditation when a library fails to meet one accreditation criterion. The maximum length of time a library may be conditionally accredited is three years.

Proposed new §1.81, Loss of Accreditation, outlines what might cause a library to lose accreditation, how the process will work, and what loss of accreditation means.

Proposed new §1.82, Appeal of Accreditation Determination, establishes the process for how a library may appeal the loss of accreditation.