Texas State Library and Archives Commission

Self-Evaluation Report

Prepared for the Texas Sunset Advisory Commission

August 2005

Texas State Library and Archives Commission
Self-Evaluation Report
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I.   Agency Contact Information

<table>
<tr><td colspan="5">Texas State Library and Archives Commission
Exhibit 1: Agency Contacts</td></tr>
<tr><td></td><td>Name</td><td>Address</td><td>Telephone &
Fax Numbers</td><td>E-mail Address</td></tr>
<tr><td>Agency Head</td><td>Peggy D. Rudd</td><td>Box 12927, Austin 78711</td><td>463-5460; 463-5436</td><td>prudd@tsl.state.tx.us</td></tr>
<tr><td>Agency's Sunset Liaison</td><td>Edward Seidenberg</td><td>Box 12927, Austin 78711</td><td>463-5459; 463-5436</td><td>eseidenberg@tsl.state.tx.us</td></tr>
</table>

II.   Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

The mission of the Texas State Library and Archives Commission (TSLAC) is to safeguard significant resources, provide information services that inspire and support research, education, and reading, and enhance the capacity for achievement of current and future generations. To accomplish this, TSLAC:

- Preserves the record of government for public scrutiny,
- Secures and makes accessible historically significant records and other valuable resources,
- Meets the reading needs of Texans with disabilities,
- Builds and sustains statewide partnerships to improve library programs and services, and
- Enhances the capacity for achievement of individuals and institutions with whom we work.

TSLAC's strategic objectives center around cost avoidance for libraries through a statewide resource sharing program and cooperative purchasing agreements; increased use of library services by Texans with disabilities; customer satisfaction with information services; increased records retention compliance by state agencies and local governments; and increased use of historically underutilized businesses (HUBs) in agency purchasing and procurement.

TSLAC's key functions include advocating for the essential place of libraries and archives in our society; advising libraries, government agencies, and the public on a broad range of topics; providing direct services to libraries, government agencies, and the general public; preserving historically valuable state records for public use; collecting, evaluating, and reporting data from libraries, government agencies, and others we serve; monitoring and enforcing federal and state statutory and regulatory requirements related to management of library services, archives, and records; providing state level leadership in all areas of responsibility; facilitating cooperation among different types of libraries, archives, and governmental entities; educating target markets of customers through workshops, conferences and institutes, videoconferences, and Web-based instruction; and, finally, using and promoting innovative ideas and technology to better meet the library and information needs of Texans.

B. Do each of your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

Yes, each key function continues to serve a clear and ongoing objective. No other state agency is performing these ten key functions for the library, archives, and records management communities in Texas. In addition, the commission is the only freely available source of Braille and audio books for Texans with disabilities.

Without these functions being performed, federal funds would not be awarded, significant historical documents would not be available to document the state' heritage, Texans with disabilities would be deprived of a free source of reading materials, local communities would have libraries that are unable to deliver 21st Century services, state agencies would spend unnecessary monies to manage their records, and local and state governments would have a larger potential legal liability for mishandling their records.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

Quarterly reports on key output and efficiency measures are monitored regularly and variances are analyzed. Annual reports on key outcome measures document the performance of the agency with respect to meeting annual objectives and making progress toward goals. TSLAC has exceeded most of its objectives as a result of much greater public use of resources than projected. In a few cases, TSLAC's performance indicates movement toward fulfillment of an objective although the objective has not been completely met. For example, TSLAC has an objective to increase library use by Texans with disabilities to 8% of the eligible population by 2009, as measured by registrations for service from the Talking Book Program. Annual performance has exceeded 7%, and the agency fully expects to achieve the objective by the target date. In addition, divisions use regular customer satisfaction surveys to gauge impact of service.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

To a great extent, the agency's enabling laws continue to be relevant; however, the agency has included a full-scale review and revision of its laws as one of our policy issues. It is expected that this review will result in some substantive changes, clearer statutory language, and updated terminology. The agency has recommended changes to the Legislature, and these recommendations have been acted upon favorably. For example, HB 2473 (Delisi), which relates to the state publications depository program and passed in the 79th Legislative Session, clarified definitions, mandated the agency to maintain the Texas Records and Information Locator (TRAIL), and included state agency publications in digital format.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The Texas State Library and Archives Commission is unique among state agencies in that no other state agency has responsibility for the development of the state's libraries, for promoting statewide resource sharing among all types of libraries, for ensuring the development and implementation of efficient and effective records management programs by state and local governments, for preserving the history of state government, and for meeting the reading needs of disabled Texans. We ensure against duplication by focusing on functional areas for which we have statutory authority and for which we have a clearly delineated customer base with longstanding service expectations.

F. In general, how do other states carry out similar functions?

Each of the 50 states has a state library administrative agency. The Texas State Library and Archives Commission is the most complex of the 50 state library agencies in terms of number and size of facilities, heterogeneity of customer base, and size and scope of programs and services. According to the most recent (FY2004) statistics available from the National Center for Education Statistics, 48 state library agencies are part of the executive branch of government and 2 state library agencies are part of the legislative branch of government. Of those located in the executive branch, 15 are independent agencies and 33 are part of a larger agency. Of the 33 that are part of a larger agency in the executive branch of government, 14 are located in departments of education, 4 are located in departments of cultural resources, 5 are located in departments of state, and 10 are located in a variety of other state government structures, e.g., department of administration, department of community and economic development, board of regents of university system, and others.

G. What key obstacles impair your agency's ability to achieve its objectives?

The loss of funding from the Telecommunications Infrastructure Fund has had a dramatic impact on the ability of the commission to meet the needs of public, academic, and medical libraries for online databases to better serve their customers. The agency reduced the amount of funding for the TexShare databases, eliminated two subgrant programs in order to shift federal funds to support the databases, and began charging TexShare members fees to help cover the cost of licensing databases, albeit a reduced number of databases.

Our aging main facility, the Lorenzo de Zavala State Archives and Library Building, is a major obstacle in caring for the official archives of the state. Archival storage space is no longer available within the main facility, and several thousand

cubic feet of archival materials must be stored at the State Records Center, which does not have the environmental controls necessary for the proper storage of archival materials.

The commission lacks the technology and human resources to accept from other agencies electronic record keeping systems that contain archival state records. Electronic state records that have archival value must now be maintained by the creating agency, except as otherwise determined by the state archivist. They must be maintained through hardware and software upgrades as authentic evidence of the state's business in an accessible and searchable form. Regrettably, the commission lacks the resources to hire staff with the necessary education and expertise to provide training of other agency staff in the areas of current and developing standards, available software, and other technological assistance in regard to the long-term maintenance and preservation of archival electronic records.

H.	**Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).**

The national library community is gearing up for the reauthorization of the Museum and Library Services Act, which includes the Library Services and Technology Act (LSTA), the only source of federal funds for libraries. If Congressional intent, program purposes and priorities, or the method of allocating funds change, there would be potential changes in the state administered portion of the act, which is the largest part of LSTA and is administered in Texas by TSLAC.

I.	**What are your agency's biggest opportunities for improvement in the future?**

Technology holds tremendous promise for increasing public awareness of and public access to the print and electronic resources housed at or made available by TSLAC. In addition, TSLAC has used technology in innovative ways to bring new and highly valued services to our customers and to support our grant programs, statistical reporting efforts, and continuing education activities with Web-based applications.

Partnerships with allied groups and organizations have made it possible for TSLAC to leverage increased support for library services. For example, through collaborations with the Bill and Melinda Gates Foundation and the Tocker Foundation, TSLAC has been able to help local public libraries deploy public access computers and advanced telecommunications services.

The impending modernization and renovation of the Lorenzo de Zavala State Archives and Library Building, authorized by the 79th Legislature, will add space for archives, upgrade archival environmental controls, combine public service operations, and generally enable the agency to organize operations and staff more efficiently.

J.	**In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures.**

<table>
<tr><td colspan="4" align="center">Texas State Library and Archives Commission
Exhibit 2: Key Performance Measures -Fiscal Year 2004</td></tr>
<tr><td>Key Performance Measures</td><td align="center">FY 2004
Target</td><td align="center">FY 2004
Actual Performance</td><td align="center">FY 2004 % of
Annual Target</td></tr>
<tr><td>Percent of population living outside of the service areas of public libraries</td><td align="center">7.30%</td><td align="center">7.00%</td><td align="center">95.89%</td></tr>
<tr><td>Percent of eligible population registered for Talking Book Program services</td><td align="center">7.85%</td><td align="center">7.43%</td><td align="center">94.65%</td></tr>
<tr><td>Number of persons provided project-sponsored services by shared resources</td><td align="center">3,620,000</td><td align="center">12,851,797</td><td align="center">355.02%</td></tr>
<tr><td>Number of persons provided local library project-sponsored services</td><td align="center">1,830,000</td><td align="center">3,062,687</td><td align="center">167.36%</td></tr>
<tr><td>Number of persons served by the Talking Book Program</td><td align="center">21,000</td><td align="center">20,044</td><td align="center">95.45%</td></tr>
<tr><td>Number of assists with information resources</td><td align="center">126,000</td><td align="center">148,419</td><td align="center">117.79%</td></tr>
<tr><td>Percent of customers satisfied with state library reference and information services</td><td align="center">95%</td><td align="center">98.04%</td><td align="center">103.20%</td></tr>
<tr><td>Number of cubic feet stored/maintained at the State Records Center</td><td align="center">351,000</td><td align="center">365,376</td><td align="center">104.10%</td></tr>
</table>

III.   History and Major Events

Provide a timeline of your agency's history, and key events, including:

- **the date your agency was established;**
- **the original purpose and responsibilities of your agency;**
- **major changes in responsibilities or statutory authority;**
- **changes to your policymaking body's name or composition;**
- **significant changes in state/federal legislation, mandates, or funding;**
- **significant state/federal litigation that specifically affects your agency's operations; and**
- **key changes in agency's organization (e.g., a major reorganization of the agency's divisions or program areas).**

1895 - U.S. and Texas governments agreed to exchange government documents.

1909 - Texas Library and Historical Commission was created; in 1979, it was renamed Texas State Library and Archives Commission (TSLAC).

1919 - Legislation enacted regarding county public libraries.

1931 - National Library Service established for adults who are blind; TSLAC began providing Talking Book services.

1947 - State records management function was established.

1952 - Children who are blind became eligible for Talking Book service.

1956 - Federal Library Services Act was created and funded to establish and improve local public library service.

1962 - Lorenzo de Zavala State Archives and Library Building opened; Federal Depository Library Act established regional depository system for federal government publications.

1963 - State legislation was enacted to authorize TSLAC to collect, organize, and distribute Texas documents and to establish the depository library system for state government publications.

1966 - Persons with physical disabilities other than blindness became eligible for the Talking Book service.

1969 - Legislative Reference Library was separated from the agency; Library Systems Act passed to provide a regional cooperative program to improve Texas public libraries.

1971 - Local government records function enacted.

1972 - State Records Center opened.

1974 - Persons with organic dysfunction resulting in learning disabilities became eligible for Talking Book service.

1977 - Sam Houston Regional Library and Research Center in Liberty opened.

1978 - Talking Book Program Volunteer Recording Studio is established.

1987 - Talking Book Program acquires the Machine Lending Agency function from Texas Commission for the Blind.

1988 - State Records Center expansion completed, including the adjacent Talking Book Program circulation facility.

1989 - Local Government Records Act was passed.

1994 - North Texas Regional Library System became the first of the ten regional public library systems to establish as a private not-for-profit organization, funded with a Library Systems Act grant.

1995 - Legislature assigned responsibility for the development of standards for school library programs to TSLAC; legislation added electronic publications and Internet to agency responsibilities; State Archives division and Information Services division are merged to create the Archives and Information Services division.

III.   History and Major Events (continued)

1996 - Federal Library Services and Technology Act replaced the Library Services and Construction Act; Texas Book Festival inaugurated to raise funds for public libraries and to encourage reading; Library Resource Sharing division created by agency reorganization.

1997 - Legislature created library districts as a mechanism to establish and fund public libraries; legislature enacted new state records preservation and management law; legislature transferred responsibility for the TexShare academic library resource sharing consortium to TSLAC.

1999 - Legislature added public libraries to the TexShare library resource sharing consortium; "Texas Reads" specialty license plate created.

2000 - Technical Services division eliminated; functions and staff allocated between Indirect Administration and Archives and Information Services.

2001 - Loan Star Libraries direct grants initiated; libraries of clinical medicine added to TexShare.

2003 - Legislature increased number of Commissioners to seven; Library Services and Technology Act reauthorized; first digital recording bay installed in the Talking Book Program Volunteer Recording Studio.

2004 - Texas Heritage Digitization Initiative formed to enhance access to special collections of cultural heritage materials; Library of Texas inaugurated.

2005 - TSLAC authorized to negotiate statewide database subscriptions for K-12 public school libraries; 79th Legislature passes bill to allow local governments to create multi-jurisdictional library districts.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

<table>
<tr><td colspan="4" align="center">Texas State Library and Archives Commission
Exhibit 3: Policymaking Body</td></tr>
<tr><td align="center">Member Name</td><td align="center">Term / Appointment Dates
/ Appointed by</td><td align="center">Qualification
(e.g., public member, industry rep)</td><td align="center">City</td></tr>
<tr><td colspan="4">All commissioners are appointed for a 6-year term by the Governor with the advice and consent of the Senate.</td></tr>
<tr><td>Sandra J. Pickett, Chairman</td><td>through 09-28-09</td><td>Public</td><td>Liberty</td></tr>
<tr><td>Chris A. Brisack</td><td>through 09-28-05</td><td>Public</td><td>Houston</td></tr>
<tr><td>Elizabeth Sanders</td><td>through 09-28-05</td><td>Public</td><td>Mabank</td></tr>
<tr><td>Diana Rae Hester Cox</td><td>through 09-28-07</td><td>Public</td><td>Canyon</td></tr>
<tr><td>Sandra Holland</td><td>through 09-28-07</td><td>Public</td><td>Pleasanton</td></tr>
<tr><td>Cruz G. Hernandez</td><td>through 09-28-09</td><td>Public</td><td>Burleson</td></tr>
<tr><td>Martha Doty Freeman</td><td>through 09-28-09</td><td>Public</td><td>Austin</td></tr>
</table>

B. Describe the primary role and responsibilities of your policymaking body.

The primary role of the commission is to set policy direction to guide implementation by the program divisions of the agency. The primary responsibilities of the commission are to support the development of Texas libraries and enhance their abilities to better serve Texans; to encourage resource sharing among all types of libraries; to support effective records management programs in state agencies and local governments; to collect, preserve, and make available the documentary heritage of Texas as a province, colony, republic, and state; to meet the reading needs of Texans with disabilities; and to ensure the right of all of the people of Texas to adequate information and library resources.

C. How is the chair selected?

Appointed by the Governor.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

All seven commissioners must be members of the general public. The commission is the designated State Library Administrative Agency for the purpose of administering the federal Library Services and Technology Act in Texas. While the commission, like all other state agencies, is responsible for providing access to its records in accordance with the Public Information Act, it must also ensure the confidentiality established by that Act or any other state law of any archival record transferred to its custody. The commission endorses the Library Bill of Rights and the Freedom to Read principles.

E. In general, how often does your policymaking body meet? How many times did it meet in FY04? in FY05?

The commission generally meets 6 times per year. There were 6 meetings in 2004 and 7 in 2005.

F. What type of training do members of your agency's policymaking body receive?

A detailed department briefing is given to newly appointed members by the agency senior staff. Commissioners also receive a tour of the agency's facilities and have the opportunity to meet and talk with key managers and program administrators. The new commission members receive training provided by the Assistant Attorney General assigned to the agency on the requirements of the Open Meetings Act, the Public Information Act and various ethics requirements. The commission members may also attend training that is offered by the Governor's Office or the Office of the Attorney General for all appointed members of boards.

In addition, agency staff periodically delivers presentations in relevant program areas and some support functions during commission meetings to further enhance the members' knowledge of the agency.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

The general powers and duties of the commission are described in Gov't Code §441.006 and in 13 TAC 2.2 – 2.4. In general, the commission provides policy direction and selects a director and librarian who has responsibility for staffing, budgeting, reporting, and other duties related to operational management. In practical terms, the commission is the policymaking body, the director and librarian acts as the chief executive officer, and the assistant state librarian acts as the chief operating officer.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

The director and librarian prepares a formal written report for each commission meeting and includes information on agency performance. Internal audits are conducted each year under contract with an audit firm, and formal presentations of audits are made to the commission. Several of these annual audits are conducted on operational units of the agency and focus in great detail on performance. If problems arise related to the agency's performance, commissioners receive a briefing on the issues related to the performance variance. Commissioners are involved in the development of the agency's strategic plan, including drafting goals and objectives from which performance measures derive.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

At each commission meeting, generally every other month, the agenda includes an item for public comment. Any interested party may share concerns, comments, or complaints with the commission members at that time.

The commission generally holds at least two meetings annually outside of the agency's headquarters. One meeting is usually held in conjunction with the Texas Library Association Annual Conference, and another is held at a library, archival, or records facility in the state.

Commissioners often attend meetings of constituent groups, as their schedules allow.

If rules are to be adopted, the public is invited to comment on any proposal before the commission. All rules are posted in the Texas Register for public comment.

Members of the public and constituent groups may correspond or call commission members. Depending on the content of the communication, it may be referred to the director and librarian or other staff for attention or may be added to the agenda for a future commission meeting.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following.

Texas State Library and Archives Commission Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	**Size/Composition/How are members appointed?**	**Purpose/Duties**	**Legal Basis for Committee**
Audit Committee	3 members; appointed by commission chairman	Review internal audits and make recommendations to full commission.	13 TAC §2.3(d)
Library Systems Act Advisory Board	5 members; appointed by commission	Advise commission on matters relating to the Library Systems Act.	Gov't Code 441.124
TexShare Advisory Board	11 members (2 general public, 2 affiliated with a 4-year public university, 2 affiliated with a public community college, 2 affiliated with a private institution of higher education, 2 affiliated with a public library); appointed by commission	Advise commission on matters relating to the TexShare Library Consortium.	Gov't Code 441.226

Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Texas Historical Records Advisory Board	9 members; 3 appointed by governor, 6 appointed by director and librarian.	Required to receive monies from the National Historical Publications & Records Commission in support of archival &records management programs. Also serves as a catalyst for improving archival & records storage conditions in the state.	Gov't Code 441.242
Public Advisory Committee (TRAIL)	5 public members; appointed by commission	Annually evaluate the operation of the electronically searchable central database of state-issued grants.	Gov't Code 441.010
Agency Advisory Committee (TRAIL)	9 members; appointed by governor from the Electronic Grants Technical Assistance Workgroup	Gather input from public and other users of grant database. Advise the commission re-garding development of a data-base & regarding state agency reporting of grant opportunities.	Gov't Code 441.010
Local Government Records Committee	12 members (attorney general, comptroller of public accounts, and 10 local government members appointed by the director and librarian)	Review & approve records retention schedules prepared by commission. Review certain rules considered for adoption by commission. Advise com-mission on all matters con-cerning management & preser-vation of local government records.	Gov't Code 441.161 - 167
Electronic Recording Advisory Committee	19 members (6 ex-officio state officials, 4 appointed by director and librarian, and 9 appointed by other groups)	Make recommendations to the commission regarding rules for the electronic recording of real property records by county clerks.	Local Gov't Code 195.008
Records Management Interagency Coordinating Council	7 permanent members by statute; 3 others appointed by presiding officer	Review, study and report on records management issues in state government. Categorize state agency programs and telephone numbers by subject matter.	Gov't Code 441.203

V. Funding

A. Provide a brief description of your agency's funding.

The agency was appropriated $27,413,608 for Fiscal Year 2005 from a variety of sources. These include General Revenue (43.32%), Federal Funds (36.88%), Telecommunication Infrastructure Funds (11.03%), Interagency Receipts (5.85%), Appropriated Receipts (2.48%), Earned Federal Funds (0.4%), and fees from the sale of Texas Reads (formerly New Millennium) license plates (<0.1%).

B. List all riders that significantly impact your agency's budget.

Rider 3. Unexpended Balances: Imaging and Storage Fees – provides UB authority for fees collected for the purpose of cost recovery of imaging state and local records and from storage of state records; funds may be carried forward from the first year of the biennium to the second year.

Rider 4. Appropriation of Receipts and Unexpended Balances of TexShare Membership Fees and Reimbursements – authorizes collection of fees from TexShare member libraries for costs associated with the TexShare program; provides UB authority for fees collected in one biennium to be used for TexShare services in the next biennium.

Rider 5. Cash Flow Contingency – gives the ability to borrow against general revenue funds not to exceed $200,000 for the purpose of meeting temporary cash flow needs in imaging and records storage services; any borrowed funds are reimbursed to the Treasury as reimbursements are made by state agencies and local governments for imaging and storage services. This authority has not yet been used.

C. Show your agency's expenditures by strategy.

Texas State Library and Archives Commission
Exhibit 5: Expenditures by Strategy - Fiscal Year 2004 (Actual)

Goal/Strategy	Amount
A.1.1 Share Library Resources Statewide	$8,801,402.13
A.1.2 Aid in Development of Local Libraries	$11,859,072.69
A.2.1 Provide Library Service to Texans with Disabilities	$1,548,767.96
B.1.1 Provide Access to Information and Archives	$1,412,046.54
C.1.1 Provide Records Management Services to State-Local Governments	$1,999,243.29
D.1.1 Indirect Administration	$1,959,385.20
GRAND TOTAL:	**$27,579,917.81**

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2004-2005.

Texas State Library and Archives Commission
Exhibit 6: Objects of Expense by Program or Function - Fiscal Year 2005

Object-of-Expense	Library Resource Sharing	Library Development	Talking Book Program
Salaries & Wages	408,893	619,291	1,442,818
Other Personnel Costs	39,171	44,091	60,946
Professional Fees & Services	4,470	160,303	3,000
Fuels & Lubricants	0	0	30
Consumables	6,300	11,200	20,570
Utilities	100	2,745	6,450
Travel	7,117	29,603	4,300
Rent - Building	1,050	4,000	1,000
Rent - Machine & Other	2,500	4,000	500
Debt Service	N/A	N/A	N/A
Other Operating Expense	5,401,167	480,284	125,536
Grants	1,962,577	10,962,648	N/A
Capital Expenditures	3,000	44,197	40,450
TOTAL:	7,836,345	12,362,362	1,705,600

Texas State Library and Archives Commission Exhibit 6: Objects of Expense by Program or Function - Fiscal Year 2005 (continued)			
Object-of-Expense	Archives & Info Services	State & Local Records	Indirect Administration
Salaries & Wages	1,118,741	1,514,777	1,562,525
Other Personnel Costs	33,300	40,240	44,645
Professional Fees & Services	1,334	26,711	54,701
Fuels & Lubricants	0	6,700	900
Consumables	16,118	101,500	23,469
Utilities	20,674	203,250	6,346
Travel	7,350	13,000	7,852
Rent - Building	0	175	5,850
Rent - Machine & Other	16,600	2,500	4,150
Debt Service	N/A	N/A	N/A
Other Operating Expense	144,094	168,875	156,397
Grants	N/A	N/A	N/A
Capital Expenditures	49,877	105,150	51,500
TOTAL:	1,408,088	2,182,878	1,918,335

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.

Texas State Library and Archives Commission Exhibit 7: Sources of Revenue - Fiscal Year 2004 (Actual)	
Source	Amount
New Millennium License Plate Fees	$ 5,610.00
Federal Funds – Matched	10,041,884.86
Fees for Copies	42,858.92
Cooperative Catalog Service	12,692.00
Training Registration Fees	19,245.55
TexShare Membership Fees	1,484,109.31
Gifts/non-federal Grants	939,213.16
Coin Operations	6,274.10
Sale of Publications	9,003.58
Reimbursement for Lost Books	184.72
Storage Fees	1,090,231.52
Cancelled Warrants	1,740.00
3rd Party Reimbursements	7,562.23
Earned Federal Funds	110,630.00
Archival Copy Fees	2,541.29
Microfilm / Imaging Fees	507,352.85
TOTAL:	$14,281,134.09

F. If you receive funds from multiple federal programs, show the types of federal funding sources.

Texas State Library and Archives Commission Exhibit 8: Federal Funds - Fiscal Year 2004 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
Federal LSTA Funds (includes Earned Federal Funds & Mandatory Match & Maintenance of Effort)	44% S / 56% F	$8,032,846.92	$10,152,514.86	$18,185,361.28
NHPRC	70% S / 30% F	$5,770.00	$2,458.89	$8,228.89
TOTAL:		**$8,038,616.42**	**$10,154,973.75**	**$18,193,590.17**

G.	**If applicable, provide detailed information on fees collected by your agency.**

Texas State Library and Archives Commission
Exhibit 9: Fee Revenue - Fiscal Year 2004

Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
New Millennium License Plate Fee (Rider 6, GAA, 78th Leg RS)	$22	255	$5,610.00	GR-Dedicated 5042
Registration Fees (8.08, Art. IX, GAA, 78th Leg. RS)	Cost only	Varies	$19,245.55	GR
TexShare Membership Fees Library Resource Sharing (Rider 4, GAA, 78th Leg. RS and TGC 441.224)	Fees set according to schedule (in FY04 from $500 to $15,000)	362	$1,484,109.31	GR
Records Storage Fees Gov't Code, §441.017 & §441.182	Fees vary according to service	Varies	$1,090,231.52	GR
Microfilm Fees Gov't Code, §441.1168 & §441.182	Fees vary according to service	Varies	$507,352.85	GR
Copy Fees (6.16(b), Art. IX, 78th Leg RS)	Fees charged in accordance with 1 TAC 111.63	Varies	$42,858.92	GR
Sale of Publications (6.16(b), Art. IX, 78th Leg RS and TGC 441.196)	25% over production costs	Varies	$9,003.58	GR
Coin-operated Copies (8.06, Art. IX, GAA, 78th Leg. RS and TGC 552.261)	$.25/copy	Varies	$6,274.10	GR

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

See organization chart on page 14.

B. If applicable, fill in the chart below listing field or regional offices.

Texas State Library and Archives Commission
Exhibit 10: FTEs by Location - Fiscal Year 2004

Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2004	Number of Actual FTEs as of August 31, 2004
Headquarters - Lorenzo de Zavala State Archives and Library Building	1201 Brazos Street, Austin	133.75	118.625
State Records Center & Talking Book Circulation Department	4400 Shoal Creek, Austin	71.25	62.5
Sam Houston Regional Library and Research Center	650 FM 1011, Liberty	5.5	5.5
TOTALS:		210.5	186.625

C. What are your agency's FTE caps for fiscal years 2004 - 2007?

FY04 = 210.5 FTEs   FY05 = 210.5 FTEs   FY06 = 206.3 FTEs   FY07 = 206.3 FTEs

D. How many temporary or contract employees did your agency have as of August 31, 2004?

None

E. List each of the agency's key programs or functions, along with expenditures and FTEs by program.

Texas State Library and Archives Commission
Exhibit 11: List of Program FTEs and Expenditures - Fiscal Year 2004

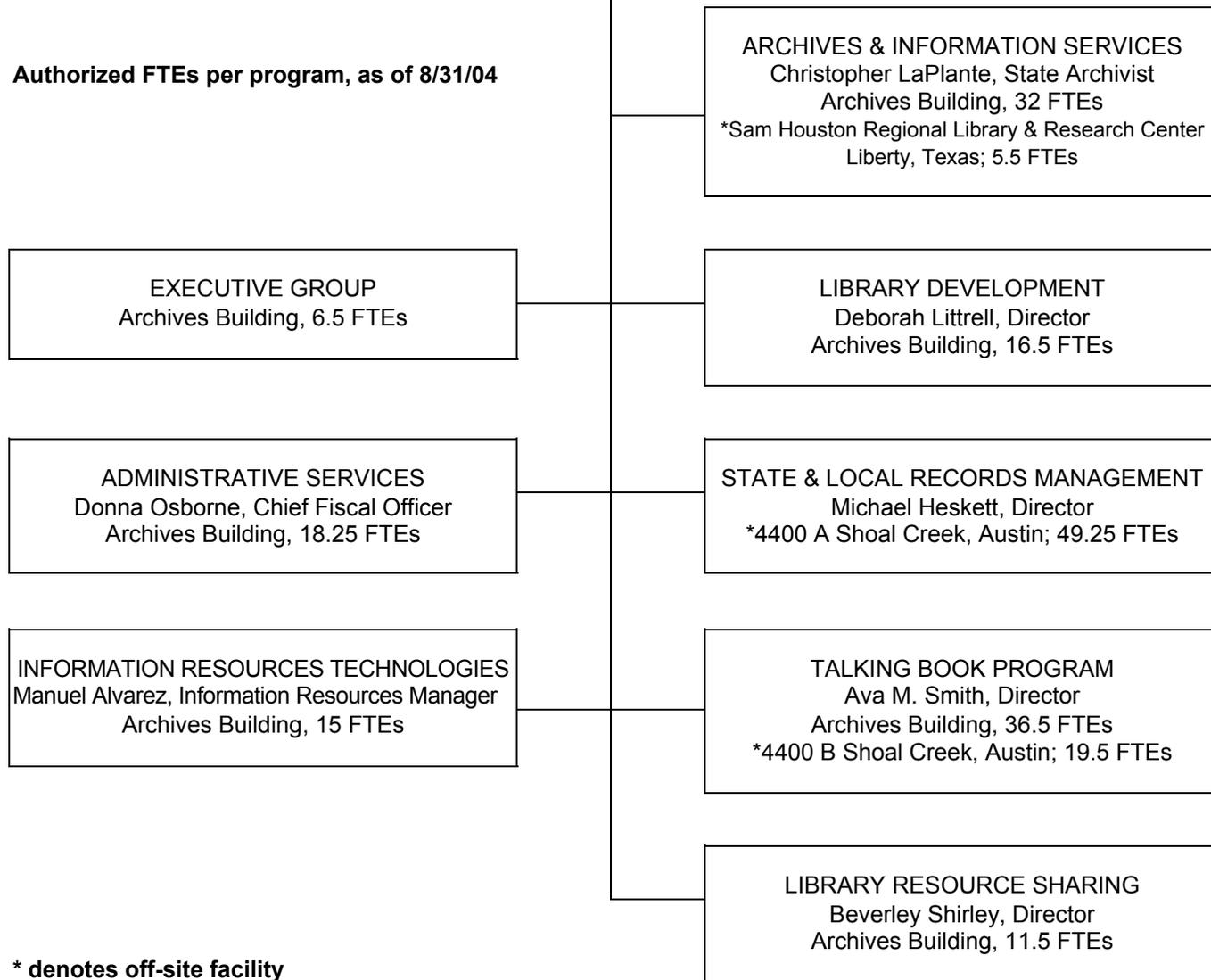| Program	FTEs as of August 31, 2004	Actual Expenditures
Library Resource Sharing Division	11.50	$8,801,402.13
Library Development Division	15.50	$11,859,072.69
Talking Book Program	46.25	$1,548,767.96
Archives and Information Services	34.375	$1,412,046.54
State and Local Records Management	42.25	$1,999,243.29
Administrative Services	36.75	$1,959,385.20
TOTAL	186.625	$27,579,917.81

GOVERNOR

STATE LIBRARY AND ARCHIVES COMMISSION

DIRECTOR-LIBRARIAN-- Peggy D. Rudd

ASSISTANT STATE LIBRARIAN-- Edward Seidenberg

Authorized FTEs per program, as of 8/31/04

ARCHIVES & INFORMATION SERVICES
Christopher LaPlante, State Archivist
Archives Building, 32 FTEs
*Sam Houston Regional Library & Research Center
Liberty, Texas; 5.5 FTEs

EXECUTIVE GROUP
Archives Building, 6.5 FTEs

LIBRARY DEVELOPMENT
Deborah Littrell, Director
Archives Building, 16.5 FTEs

ADMINISTRATIVE SERVICES
Donna Osborne, Chief Fiscal Officer
Archives Building, 18.25 FTEs

STATE & LOCAL RECORDS MANAGEMENT
Michael Heskett, Director
*4400 A Shoal Creek, Austin; 49.25 FTEs

INFORMATION RESOURCES TECHNOLOGIES
Manuel Alvarez, Information Resources Manager
Archives Building, 15 FTEs

TALKING BOOK PROGRAM
Ava M. Smith, Director
Archives Building, 36.5 FTEs
*4400 B Shoal Creek, Austin; 19.5 FTEs

LIBRARY RESOURCE SHARING
Beverley Shirley, Director
Archives Building, 11.5 FTEs

* denotes off-site facility

VII.   Guide to Agency Programs

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**Library Resource Sharing**
Location/Division	Library Resource Sharing
Contact Name	Beverley Shirley
Actual Expenditures, FY 2004	$8,801,402
Number of FTEs as of August 31, 2004	11.5

B.   What is the objective of this program or function? Describe the major activities performed under this program.

This agency is charged by Gov't Code, Chapter 441 to support cooperation among libraries. Library Resource Sharing (LRS) programs enable librarians to provide Texans with a wider range of information than any single library could provide on its own. Services include:
(a) The TexNet interlibrary loan network to enable Texans to borrow materials that are unavailable locally.
(b) TRAIL, which indexes state electronic resources from more than 170 state agencies, provides a special state grant search feature, and archives state documents in an electronic format.
(c) Texas State Publications Depository Program to collect and distribute print state publications via a network of 49 cooperating libraries.
(d) TexShare, a resource sharing consortium of 700 libraries that provides access to online commercial databases, a courier service for library-to-library delivery of materials, a reciprocal borrowing card, a program to encourage and support digitization of special library collections, and other services. The primary service of the consortium is provision of online databases. Online database subscriptions put vast storehouses of knowledge on desktops of library users. A related service is the user-friendly interface, "Library of Texas," which allows Texans to locate and request materials from more than 125 Texas libraries through a single, simple search.

C.   What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics & performance measures that best convey the effectiveness and efficiency of this function or program.

LRS services assist library personnel in providing informational, enrichment, and lifelong learning materials to Texans. The effectiveness and efficiency of the program is reflected through a variety of measures. The most significant include:

Output:

- *Number of persons provided project-sponsored services by library resource sharing*. In FY1995, 4.8 million persons used LRS services. In FY2004, that number had grown to 12.8 million. This is a 168 percent increase in Texans benefiting from services during a time period when the population increased by only 19 percent.

- *Number of books and other materials made available/circulated by library resource sharing*. The program facilitates access to materials. From FY1995 to FY2004, the number of materials provided jumped from 2.7 million to over 20 million, an increase of 644 percent.

Outcome:

- *Dollar value of cost avoidance achieved by library resource sharing*. Providing reliable library resources through state-wide cooperative subscription agreements takes advantage of savings realized through economies of scale and is the most cost-effective way to provide Texans the information needed to be competitive in an information-based economy. "Cost avoidance" measures the difference between costs of the statewide program and those individual libraries would pay if they purchased these products on their own. This measure was first calculated in FY1999 at $30.4 million. It reached $413.2 million in FY2002 when funding reached a high point. With a decline in funding, cost avoidance dropped to $216.1 million in FY2004.

- *Impact on information access and retrieval practices in Texas*. 90 percent of FY2004 survey respondents indicated the statewide databases meet their informational needs over 50 percent of the time. 73 percent say they are more successful in locating information than prior to availability of databases.

Efficiency:

- *Number of days of average turnaround time for interlibrary loans*. This measures how promptly Texans get the materials they need through interlibrary loan. Turnaround time for the TexNet program has improved from 12.61 days in FY1995 to 10.67 days in FY2004.

- *Cost per book and other library material provided by shared resources.* This reflects cost-effectiveness of the delivery of information through program activities. The estimated cost per item in FY1995 was $1.08. In FY2004 that amount dropped to $0.45 per item, a decrease of 58 percent. During that time period, the consumer price index increased 24 percent.

Customer Satisfaction:

- We measure customer satisfaction regularly through customer surveys. The results of these surveys reflect an overall satisfaction rate of 91percent for FY2003 – FY2004 performance.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

N/A

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

- The TexNet interlibrary loan service assists public libraries to meet the interlibrary loan (ILL) needs of users. Nine public libraries serve as TexNet Centers and are funded by contract with TSLAC to provide ILL services to their patrons and area libraries. The Centers are in large public libraries. The area libraries include approximately 639 public libraries and other libraries (special, school, and academic libraries). An additional 79 public libraries receive subsidies to provide ILL services to their patrons. Approximately 20.3 million Texans are served by public libraries and are reached through the TexNet program.

- TRAIL indexes state electronic resources from more than 170 state agencies, providing a free Web-based search engine.

- The Texas State Publications Depository Program receives, indexes, and distributes information in physical format from state agencies and institutions of higher education. It has collected and classified documents from more than 700 governmental and quasi-governmental units. It serves Texans through a network of depository libraries (nine public libraries, 37 academic libraries and three special libraries). These libraries agree to provide access to their state documents collections to all requestors.

- TexShare membership is restricted by statute to public libraries that are members of regional library systems (currently 535 libraries), to public and independent academic libraries (currently 54 public four-year institutions, 48 private four-year institutions and 56 community colleges), and to libraries of clinical medicine (currently four libraries). These libraries serve 20 million public library users, 759,000 full time equivalent students in academic institutions, 75,000 faculty and staff, as well as over 5,200 health professionals throughout Texas.

- Additionally, the online database service is extended to all 165,000 Texas state employees, either through 25 state agency libraries or by registering as users of TSLAC's reference services. New legislation to allow TSLAC to negotiate databases for K-12 school libraries will further expand the benefits of the database service to a potential 8,500 public school libraries and the 4.4 million students they serve.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

A division director manages the Library Resource Sharing division. The director reports to the assistant state librarian.

The LRS function is comprised of four units:

The Network Library Services unit administers the TRAIL program and the Library of Texas service. TRAIL is operated as a partnership with Texas state agencies. Each agency appoints a liaison to carry out the program requirements. Statute allows TSLAC to establish a system of electronic depository libraries, but no such libraries have been established to date. Current statute requires TRAIL to provide a grant-searching tool and to administer two advisory boards for that tool, an Agency Advisory Committee and a Public Advisory Committee. These advisory boards are discussed as part of policy issue 8 (Section 9 of this document). The Library of Texas is one of the TexShare Consortium services, and follows the governance policies and procedures of that program.

The TexNet Interlibrary Loan unit administers a statewide program, by funding regional centers with annual, noncompetitive grants. These centers provide service for smaller libraries in their region. They also loan materials to other libraries throughout Texas and the world. Nine centers are in large public libraries, and one is at the state library. Ancillary projects (Texas Group, Project Loan) provide centrally administered subsidies and incentives for libraries that participate.

The Texas State Publications Depository Program is centrally administered. Each state agency appoints a liaison to work with TSLAC in carrying out the requirements of the depository statutes. Per statute, TSLAC has established a system of state depository libraries to enable statewide access to state publications. This system is governed by TSLAC administrative rules. TSLAC consults with libraries in the program to establish practices and procedures.

TexShare is a TSLAC program governed with input from the member libraries, including a legislatively mandated advisory board and working groups that provide advice to commission staff and to the advisory board. The advisory board approved a formal "Roles and Responsibilities" document in 1999. For more detail on TexShare governance, see the TexShare Web site at http://www.texshare.edu/.

> **G.** **Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

Federal and state monies, as well as fees paid by member libraries, fund the program. The federal funds are granted through the Library Services and Technology Act (LSTA). The agency collects TexShare Database Participation fees from TexShare members. Through an appropriations act rider, the unexpended balance of fees collected from TexShare members is appropriated for the same purpose in the next fiscal year. Fees are established in consultation with the Advisory Board and are based on levels of database usage. Academic libraries pay 75 percent of the total fees; public libraries pay 25%. The formula for academic libraries is a weighted combination of 30 percent undergraduate FTE's and 70% information resources expenditures; for public libraries, it is 30 percent population served and 70 percent collection expenditures. Several "ceilings" and "floors" establish a minimum or maximum fee amount for various member categories. Libraries may appeal the fee amount assessed by following the practice outlined in 13 TAC 2.53.

Sources of Funding - FY 2004:

Federal Funds - $3,558,185.96

General Revenue - $705,475

General Revenue dedicated - $3,025,000

Fees (TexShare Database Participation) - $1,484,109

> **H.** **Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.**

Amigos Library Services is a non-profit resource-sharing network serving libraries in the Southwest and acting as the agent for the OCLC international resource-sharing network. Through membership in Amigos, libraries receive discounts on database subscriptions and other library services and materials; transact interlibrary loans; participate in courier service for delivery of library-to-library materials; purchase services for imaging and preservation, cataloging, virtual reference, and continuing education. Amigos and LRS both facilitate resource sharing among Texas libraries. The major differences are: (a) Amigos services are available only to libraries that pay Amigos membership dues and service fees. TSLAC programs reach Texas libraries that are unable to pay for Amigos membership and service; (b) Amigos services focus mainly on the needs of its largest membership categories – academic libraries and large libraries. TSLAC programs address the needs of public, academic, and medical libraries of all sizes; (c) Amigos services often address needs that are very specific to a limited audience. TSLAC programs focus on meeting the broad and basic resource sharing needs of all audiences; and, (d) Through its affiliation with OCLC, Amigos is able to offer libraries the ability to tap into multi-state, national, or international networks for library resource sharing. TSLAC does not administer networks of that nature.

In FY2004 funding to the Texas Education Agency was cut, and the statewide database program serving K-12 school libraries was discontinued. At that time, several of the education service centers (ESCs) started group purchasing programs to allow K-12 libraries to benefit from group contracts. With passage of SB483 (79th Legislature), TSLAC may permit K-12 public school libraries to participate in its group purchasing agreements, a service very similar to one that is being offered by these ESCs.

SB 1002 (79th Legislature) created a TexasOnline project concerning grant assistance provided by state agencies. This legislation requires the Department of Information Resources, in conjunction with the Office of the Governor, to create a single site with all agency grant information and to allow the electronic submission of state grant assistance applications in a streamlined and simplified process. In Gov't Code, §441.101, TSLAC is charged with establishing an electronically searchable central database, a service that would duplicate, to a large extent, that of the TexasOnline project.

I.	Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

- Through contractual arrangements with Amigos, TSLAC subsidizes Texas library participation in multi-state, national, and international networks, as appropriate, so these services can be extended to Texas libraries.

- Amigos has been officially designated as a TexShare Strategic Partner. As such, Amigos works closely with the agency to develop resource-sharing services that are complimentary rather than duplicative.

- Because SB 483 has just recently passed, no formal mechanism to avoid duplication or conflict with other programs has been established. However, TSLAC has met with ESC library program coordinators and with representatives of the school library community to learn more regarding the needs and expectations of that customer group and the type of cooperation that is feasible between TSLAC and the ESCs.

- Policy Issue 8 discusses SB 1002.

J.	If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

State government agencies must follow the regulations of the agency regarding deposit of their publications into the State Publications Depository Program and TRAIL.

Public libraries, state and private university libraries, and community college libraries may belong to the TexShare consortium and participate in its programs.

Public school libraries may participate in TSLAC's group purchasing programs for database services.

State universities, public libraries, school libraries have joined in partnership with the agency to form the Texas Heritage Digitization Initiative.

The Institute of Museum and Library Services (IMLS) is the federal agency administering Library Services and Technology Act (LSTA) funds. TSLAC receives and administers the LSTA state grant. TSLAC may also submit grant proposals to IMLS for specific projects that qualify under National Leadership Grants for Libraries. TSLAC submitted such a proposal in February 2005. TSLAC adheres to the rules, policies, and guidelines established by IMLS and has safeguards in place to assure subcontractors and subgrantees also adhere to federal rules, policies, and guidelines.

K.	If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

All contracts for services include specific deliverables and deadlines, if applicable. A contract manager is assigned to each contract to ensure that the contractor is on schedule and that the deliverables are provided according to the specifications in the contract. Contracts that involve high dollar amounts, tight time frames, or high-profile projects require regular progress reports and conferences with the contractor as appropriate.

All grantees are expected to adhere to UGMS requirements, including regular reporting in the form of financial status, statistical and narrative reports. The grant contract manager performs a risk factor analysis each year to plan monitoring activities. We perform scheduled site visits for high-risk grantees. Grantees that are scored in the upper middle range of risk are scheduled for desk audits to further evaluate if a site visit is needed. Depending on the grant program, meetings are held during the grant year with grantee staff and among the grant program managers. These meetings are both to review current grant activities and to plan for future grant activities.

L.	What statutory changes could be made to assist this program in performing its functions? Explain.

The program would benefit from changes indicated in policy issue 8 in Section 9 of this document.

M.	Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

N. **Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**
- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

This is not a regulatory program.

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**Library Development Division**
Location/Division	Library Development Division
Contact Name	Deborah Littrell
Actual Expenditures, FY 2004	$11,859,072.69
Number of FTEs as of August 31, 2004	15.5

B.   What is the objective of this program or function? Describe the major activities performed under this program.

The purpose of this program is to improve library and information services for all Texans. One strategy presented in the Library and Archives Commission's Strategic Plan and Legislative Appropriations Request is administered by this division: Strategy 1.1.2: Aid in the development of local libraries. The agency is directed by statute to aid and encourage the development of libraries (Gov't Code §441.006).

Gov't Code §441.123 directs the agency to establish and develop a state library system. The purpose of this program is to improve local public library service through sub-grants to operate library systems which provide shared services to local public libraries. Public library service is a local government activity; expansion and improvement of these services depends substantially on local funding. This program is designed to use state and federal (LSTA) funds to help local governments make the best use of their resources. The state is divided into ten geographic regions; in each a large (generally the largest) public library or non-profit corporation serves as a major resource center for the other libraries in the region that belong to the system, under a contract with the state library.

The systems develop and provide a wide range of services for local libraries. Each system operates its projects in a somewhat different way. They all offer consulting assistance and continuing education programs. They may also offer the purchase of books, audiovisuals and other information sources to expand local collections, targeted at underserved populations; shared services to local public libraries (for example, centralized special collections); programs serving under-educated adults and those with limited English fluency; automation and resource-sharing projects; and assistance with hard-to-answer reference questions.

Funding for the systems is allocated under a statutory formula; 25 percent of the total funds for system operations are divided equally among the ten regions and the remaining 75 percent is divided per capita. For FY2004, the total grant was $7,500,000, with a base grant of $187,500 to each system.

The commission is directed by Gov't Code §441.136 to adopt rules for the administration of state grants. The rules for administering the Library Systems Act are in 13 TAC Chapter 1.

The commission receives advice regarding the Texas Library Systems program and rules for the Library Systems Act from the Library Systems Act Advisory Board (Sec. 441.124. ADVISORY BOARD), a five-member board of professional librarians appointed by the Commission.

This strategy seeks to improve local library service by providing direct services and grants to individual local libraries. Sec. 441.0091 permits the agency to administer grant programs for local libraries. The Loan Star Libraries grant program, begun in 2001, provides direct grants-in-aid to Texas public libraries that meet the accreditation standards. These grants may be used for most library operating expenditures. Sec. 441.0092 permits the agency to use the proceeds from the Texas Reads license plate to provide grants to public libraries to promote reading programs in local communities. Funding allows for approximately 5 grants per year.

Sec. 441.006 directs the agency to give to any person contemplating the establishment of a public library advice regarding matters such as maintaining a public library, selecting books, cataloging, and managing a library, as well as to conduct library institutes and encourage library associations. The division's continuing education and consulting activity helps to improve the skills and knowledge of local library staff through training and consulting in library technology, management development, services to special populations, children's and youth programming, and funding opportunities. Distance learning courses, as well as in-person workshops, are provided. Consulting staff also certifies library technology plans for local libraries participating in the federal E-rate discount program. The Library Science Collection provides specialized library-related materials and information by mail and telephone reference. Librarians and board members across the state use it to enhance their skills, solve problems, and develop new ideas. Planning manuals, posters, bookmarks, and other materials are produced and distributed for the Texas Reading Club, an annual summer reading program for children.

Centrally producing these materials for the state increases the quality and reduces the time and expertise required of local libraries. The agency is directed to develop voluntary school library standards in Education Code 33.021, and the children's/youth services consultant coordinates this activity.

The commission is directed by Gov't Code 441.127 to adopt rules for the accreditation of public libraries as members of the Texas Library System. Public libraries must file a report annually with the state library whose staff calculates the assigned population served, determines if standards for accreditation have been met, and issues a letter of accreditation. Libraries may be provisionally or probationally accredited if they fail to meet only one of the quantitative standards. Accreditation is based entirely on self-reports; the agency does not inspect or audit local libraries. Major resource system staff work to improve the performance of local libraries that fail to meet accreditation standards. Libraries that fail to meet standards are ineligible for system membership, TexShare membership, and direct grants for the ensuing fiscal year, but libraries remain eligible for consulting, continuing education, and interlibrary loan services.

The commission is directed by Gov't Code 323.005 to certify county librarians. The rules for certification are in 13 TAC 5.1. Three levels of certification are available: Grade I, a permanent certificate for librarians holding a Master's of Library Science from a school accredited by the American Library Association; Grade II, a temporary certificate requiring a college degree or a combination of at least two years of college and up to 2,000 hours of library experience; and Grade III, a temporary certificate requiring 30 hours college credit or a combination of a high school diploma, college credit, and library experience. A Grade I certificate is required to administer a county library serving over 25,000 people, Grade II for libraries serving between 10,000 and 25,000, and Grade III for libraries under 10,000. Temporary certificates must be renewed every two years, and require three additional semester hours of college credit or 20 hours of continuing education. Applicants must provide proof of education and experience; temporary certificate holders must submit proof of continuing education. 13 TAC 1.78 provides that libraries receiving county funding must have a certified librarian to be accredited.

Federal funding is a major source of funding for several programs operated by this division. Sec. 441.009 permits the agency to adopt a State Plan for Library Services and Construction (LSCA). LSCA, a federal program for libraries, changed in 1997 to the Library Services and Technology Act (LSTA), administered by the Institute of Museum and Library Services. An approved five-year state plan is required for receipt of the funds. The Texas Library System is primarily funded by LSTA, as is the Technical Assistance Negotiated Grants (TANG) program. TANG is offered to the ten systems to encourage and assist libraries to use technology to serve the information needs of Texans.

C.	**What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.**

Effectiveness and efficiency of the programs offered through Library Development are demonstrated in three ways: through the Legislative Budget Board (LBB) performance measures, through customer evaluations, and through outcome-based evaluation (OBE).

The LBB measures are:

Output:

- *Number of persons provided local library project-sponsored services*: For FY04, 3,062,387 were reported. This figure (after adjusting for a definition change) is growing, reflecting an increase in electronic based services that more easily reach larger numbers of people.

- *Number of books and other library materials provided to local libraries:* 889,589 – this figure has remained steady or even declined somewhat. This is due to a definition clarification and also to more of an emphasis on programs at the local library level as opposed to the simple procurement of additional materials.

- *Number of librarians trained or assisted in local libraries*: In FY2004 301,814 were trained or assisted. This is a non-unique number showing the number of times agency or system/TANG staff trained or assisted librarians across the state. This number has also been growing, in part due to the greater numbers that can more efficiently be reached through distance education.

Efficiency:

- *Cost per person provided local library project sponsored services*: $3.78 was calculated for FY2004. This is an increase over previous biennia, but reflects the joining of the two strategies for the division and the differences among the programs used in the calculation, compared to those in the past. It is less than projected.

Outcome:

- *Percent of Population without Public Library Service*: 6.96% was reported for FY2004. This measure has stayed at approximately 7% for several years. The growth in the state population, especially in un-served areas, makes progress in this area difficult.

Customer evaluations are conducted for all continuing education workshops provided and for the Texas Reading Club. Thirty-one percent returned workshop evaluation forms, and 98.7 percent were satisfied. Fifty-seven percent of participants in the Texas Reading Club returned evaluation forms, and 95.4 percent were satisfied.

Outcome-Based Evaluation (OBE) is an initiative of the Institute of Museum and Library Services to help demonstrate the impact of federal funding. Agency programs funded by federal funds must use OBE wherever possible. The agency has been training and phasing in implementation of OBE across any program for which it is suitable for the past three years. Currently OBE is used for all continuing education workshops (offered by the agency, the systems, TANG); for all other system programs (such as targeted services, literacy programs) except consulting; and plans are underway to incorporate OBE into the summer reading program. Elements of OBE are part of the Loan Star Libraries program as well, although this is not as formal a process at the current level of funding. We are still developing the tools (under IMLS guidance) to fully consolidate and report OBE findings. However, workshop results show that the training offered has increased the knowledge and skills of library staff (short term outcome). In the intermediate term (underway) we will determine if there has been a corresponding change in the quality of services offered to local library patrons.

D.	Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 1996 the Act that provided federal funding for libraries changed, from the Library Services and Construction Act (LSCA) to the Library Services and Technology Act (LSTA). LSTA consolidated federal support for all types of libraries and changed the purposes and goals that LSTA-funded projects must meet.

E.	Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Grant programs – the agency's current grant programs affect all Texas public libraries and their governing entities. To participate in agency programs and services a public library must be accredited. Of the 564 libraries that submitted an annual report for LFY2004, 538 will be accredited. Services offered through the grant programs to public libraries reach approximately 20,278,463 Texans.

Continuing Education and Consulting – All Texas libraries (of any type) and their staff and governing entities may be affected by this program. CEC offered by the agency is open to any to attend, and any library or governing entity may contact us for information and consulting. The focus has been on public and academic libraries. There are currently 558 public library entities, (note: six libraries report to us regularly but do not meet the definition of a public library) and approximately 170 academic libraries. Public and private school libraries contact us (or participate in workshops) in-frequently, since the agency's role with K-12 school libraries is unclear. The agency has not been funded to serve this group, traditionally served by the Texas Education Agency. The total number of school libraries is unclear, but there are approximately 1,100 districts and 8,000 campuses. We do not have any specific programs for special libraries (such as those operated by non-profit organizations) and receive only rare contacts from such libraries. The total number of special libraries is not known.

Statistics and reporting – the agency collects and reports statistics for public and academic libraries.

County librarian certification – 61 percent of the public library directors in the state are required to be certified, representing 342 of the 558 public libraries submitting LFY2004 annual reports. Any person may apply for certification and occasionally some do, but it is not required.

F.	Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Under the direction of the division director there are three focus areas within the division: grants administration, continuing education and consulting, and office services. The division director reports directly to the assistant state librarian.

Reporting directly to the division director is a new position, a Program and Research Analyst. This staff person will coordinate all of the data gathering and reporting done by the division, including serving as the State Data Coordinator (part of the federal public library data program), the state LSTA coordinator, and provide specialized studies and reports in support of division and agency policy development.

Grants – The division currently administers four grant programs: the Texas Library System, the Technical Assistance Negotiated Grants (TANG), the Loan Star Library grants, and the Texas Reads grants. There are currently two grant program managers. Both report directly to the division director. One manages the Texas Library System and the TANG grants (both grants currently awarded to the same entities), and one manages the Loan Star Libraries and Texas Reads

grant programs. These two programs are both awarded directly to local libraries. The Texas Library System is comprised of ten systems dispersed geographically around the state to provide regionally based continuing education, consulting and cooperative services.

Continuing Education and Consulting (CEC) – There are six full-time and one half-time staff. The Continuing Education and Consulting manager oversees the consultants in this area and reports to the division director. The consultants focus on the areas of library technology, children's and youth services, library management, distance learning, services to underserved populations, and library science information.

The Office Services staff has five staff: an office manager, a statistics assistant, a graphics designer, a Web editor, and a clerk. These staff members support the work of the division director, the grants administrators, and the CEC staff.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding is primarily from General Revenue and federal Library Services and Technology Act (LSTA) funds (Grants to State Library Agencies–see http://www.imls.gov/grants/library/lib_gsla.asp). LSTA funds must be used to meet the purposes of the program and the agency's approved five-year plan. LSTA amounts are determined by a population-based formula with a base amount to each state and the rest is allocated on population. Texas receives the second largest grant. Minimal funding is provided by General Revenue-dedicated, (for Texas Reads grants), and the sale of publications. The Bill and Melinda Gates Foundation has provided grants over the last three years to help sustain public access computing.

Sources of Funding - FY 2004:

Federal funds - $6,399,605.42

General Revenue - $5,569,290

General Revenue dedicated (Texas Reads) - $5,610

Appropriated Receipts - $2,055.82

Gates grant - $700,520

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

No other entities provide identical grant programs. Private foundations may provide funding to local libraries to improve services and programs, such as those funded through the Loan Star Libraries and Texas Reads grant programs, but these are not identical in that private foundations do not offer funding to all Texas public libraries on an annual basis.

There are other entities that provide continuing education and consulting for librarians in Texas. The Texas Library Association holds an annual conference and district (regional) meetings each year. These events provide continuing education to librarians. Amigos Library Services (a non-profit covering several southwestern states) also offers continuing education workshops covering primarily very specialized topics. The library systems (see program description above) also have continuing education and consulting staff funded by the agency. Their purpose is to provide more immediate, basic, hands-on consulting and training to the libraries in their geographic areas than that offered by the agency. The American Library Association (ALA) offers workshops and continuing education through its divisions and annual conference. These are on issues and topics of broad, national interest. Generally the larger public and academic libraries belong to and attend ALA events.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The agency actively participates in the Texas Library Association conference and meetings by providing sessions and pre-conferences. Agency staff participates in the association's continuing education groups to help coordinate continuing education efforts in the state.

The agency often contracts with Amigos training staff when their expertise is needed to offer workshops for librarians on topics not typically covered by our staff.

The agency and Texas Library system consultants meet regularly to discuss goals and coordinate efforts. The TANG program personnel also do training. They coordinate with their system staff, and the agency and TANG consultants also regularly meet to coordinate efforts.

The agency reviews the continuing education opportunities offered by national organizations such as ALA. The agency occasionally contracts to bring these workshops to the state, and agency staff has been trained in some areas to offer workshops on a topic in the state. For example, an agency consultant received the Public Library Association's training on "New Planning for Results," a planning model for public libraries. He will offer training to Texas librarians on this topic in FY2006.

J. **If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.**

The library development division is responsible for coordinating the agency's Library Services and Technology Act (LSTA) grant from the Institute of Museum and Library Services (IMLS). A division staff person is the agency's LSTA coordinator, responsible for the annual report and coordinating the required five-year plan and evaluation, as well as any revisions during the five-year period.

Division staff may work closely with local units of government to collect required statistics, to help them understand accreditation or grant rules, and to provide information and training on library practices.

K. **If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.**

All contracts for services include specific deliverables and deadlines, if applicable. A contract manager is assigned to each contract to ensure that the contractor is on schedule and that the deliverables are provided according to the specifications in the contract. Contracts that involve high dollar amounts, tight time frames, or high-profile projects require regular progress reports and conferences with the contractor as appropriate.

All grantees are expected to adhere to UGMS requirements, including regular reporting in the form of financial status reports, statistical and narrative reports. The grant manager performs a risk factor analysis each year to plan monitoring activities. We perform scheduled site visits for high-risk grantees. Grantees that are scored in the upper middle range of risk are scheduled for desk audits to further evaluate if a site visit is needed. Depending on the grant program, meetings are held during the grant year with grantee staff and among the grant program managers. These meetings are both to review current grant activities and to plan for future grant activities.

L. **What statutory changes could be made to assist this program in performing its functions? Explain.**

The program would benefit from consideration of policy issues two, three, six and eight as outlined in Section Nine of this document.

M. **Provide any additional information needed to gain a preliminary understanding of the program or function.**

N/A

N. **Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**
- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

This is not a regulatory program.

VII. Guide to Agency Programs (continued)

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**Talking Book Program**
Location/Division	Talking Book Program/Lorenzo de Zavala State Archives & Library Building, State Records Center
Contact Name	Ava M. Smith
Actual Expenditures, FY 2004	$1,688,945.92
Number of FTEs as of August 31, 2004	46.25

B. What is the objective of this program or function? Describe the major activities performed under this program.

This program is the Texas arm of the National Library Service for the Blind and Physically Handicapped, and as such provides library services for persons who are unable to read standard print because of visual, physical, or reading disabilities. The program distributes reading materials in specialized formats and the equipment needed to access those formats to eligible Texans. Consultants in our call center provide reader's advisory services. Customers can access both our customer service and library materials in Spanish. The audio services department records books and magazines of regional interest (including some in Spanish) to supplement nationally recorded materials, as well as duplicating multiple copies of recorded materials for distribution. The Disability and Information Referral Center provides information to the public about disability services and issues.

C. What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Annually, the program sends out more than 825,000 books in audiocassette, Braille, and large print formats. On a daily basis, staff process between 5,000 and 10,000 items. The program serves approximately 20,000 persons and approximately 1,000 institutions across the state; many of TBP's users are homebound and may not have any other access to reading materials. The program is efficient; average cost to circulate any book is less and $2.00. Reader satisfaction surveys consistently report a majority of users to be satisfied with the services that they receive; staff service especially receives high marks, with approximately 85 percent of respondents ranking staff service as "high quality." Earlier in 2005, a user survey found that 97 percent of users would recommend the program to someone else. The program also receives many letters from users and family members of users expressing appreciation for the program and the kind and efficient service they receive. Many users and family members of users write to say how much the program has helped them, made a difference in their lives, and made having a disability a little more bearable. (Examples of patron letters are available upon request.) The program has many volunteers; annually, volunteers contribute more than 25,000 hours at an approximate value of $300,000.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The mission of the National Library Service (NLS) is summed up in its motto, "That All May Read." In order to provide materials and equipment to persons who would otherwise miss out on reading, the service constantly evolves. The service originally served only blind and visually impaired adults. Not until 1952 were children added to the service; in the intervening years, Congress has twice authorized an expansion of the service to include persons with physical disabilities that prevented a person from holding a book or turning pages (1966) and to include persons with a physical dysfunction resulting in a learning disability (1974).

"Talking books" were first developed in the 1930s and recorded onto phonograph discs. In the late 1960s, NLS began producing recorded books on cassettes, and the specialized recording format using a slower speed and four tracks on each cassette was adopted in 1977; the Talking Book Program (TBP) recording studio was set up at the State Library in 1978. Shortly thereafter, TBP entered into a cooperative agreement with a private, non-profit studio in Midland to record supplemental materials for the program, most notably *Texas Monthly* magazine.

NLS plans to convert to complete digital recording and distribution, and TBP will be undergoing major changes, beginning in 2008. These changes should make possible better products for the patrons, as well as expanding the ways in which those products can be delivered. Hopefully, advances in recording and production software will allow TBP staff and volunteers to increase the scope and quality of materials that are produced in the audio services department. The studio

currently records approximately 125 books and magazines annually. In 2003, NLS authorized the Texas studio to oversee beta-testing of its new digital recording system and installed the system in one of the studio's three recording bays. TBP staff currently is in the process of both converting the remaining two studio bays and in converting the Texas archive of over 6,000 analog recordings to digital files. Meanwhile, NLS is developing a new digital playback machine, which will use flash memory. TBP staff hope to some day offer books on CD, as digital downloads, and via Web streaming over the Internet. NLS considers the Texas studio to be one of the top studios in the country; Texas staff is consulted on a regular basis because of their expertise, and other talking book programs have sent staff to Texas to tour the studio.

Changing the way books and machines are stored and distributed to users also is under discussion, and TBP has played an important role here, too. The TBP Circulation department uses random shelving, a system that allows large collections to be shelved randomly on any available shelving without reference to set classification schemes. Each item has a barcode and is linked to its shelf through the computer system. Materials are retrieved from shelf location rather than classification scheme; the computer system prints retrieval cards in shelf order, allowing staff to move through the collections, pulling books in a precise order. This type of system allows a small staff to easily and efficiently manage a very large collection. TBP has 18 FTEs managing a collection of nearly one million items, with 5,000 to 10,000 items moving in and out of the department every day. NLS staff is very interested in this system and has visited TBP to observe it in action. Random shelving is under serious consideration as one form of new storage and retrieval system for the entire network.

E.	Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The program is open to all Texas residents, with no age or income restrictions. An application process is required, and patrons must be certified as having a qualifying visual, physical, or reading disability, as described in the federal guidelines governing the program. Mental retardation and illiteracy are not covered disabilities. Veterans receive first consideration. Patrons receive materials either at their private residences or through institutions such as schools, nursing homes, veteran centers, etc. Currently, registered patrons can be broken down into the following age categories: under age 20—14 percent; ages 20 to 59—30 percent; ages 60 to 84—39 percent; ages 85 and older—17 percent. At any given time, TBP usually has approximately 50 patrons age 100 or older. Patrons may claim more than one type of disability at registration; patrons report having the following disabilities: blind—49 percent; visually impaired (some sight)—33 percent; physically impaired—four percent; reading/learning disability—13 percent; deaf/blind—less than one percent. Patrons also declare veteran status upon registration; approximately nine percent of TBP patrons are veterans.

F.	Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The program is administered in a hierarchical fashion, with a director and departmental managers/supervisors. The program is divided between two facilities, with the main portion of the program located at the Lorenzo de Zavala State Archives and Library Building and the Circulation department housed in the State Records Center on Shoal Creek Blvd.; a manager and three team leaders oversee this second facility. The program is part of a national network of programs, one in each state and U.S. territories, with oversight by the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress. NLS conducts periodic site visits for auditing the program's functions. Program has a cooperative relationship with a non-profit, volunteer recording studio in Midland. Program also uses volunteers from the telecommunications industry to do minor repairs on equipment; these workshops are located in Austin, San Antonio, Houston, Waco, Ennis, Dallas, and Mabank.

G.	Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The National Library Service (NLS) provides all equipment, a majority of the recorded books and Braille books, printed catalogs, and postal subsidy for mailing materials to patrons' residences and then back to the Talking Book Program (TBP). General revenue from the state pays for staffing, general operations, and the large print books collection. Some public awareness activities are funded via a small amount of federal funds available through the Library Services and Technology Act. TBP accepts monetary donations, which are used to supplement the collections and some operations. Small amounts of grant money from private foundations may also be available for specific projects.

Sources of Funding - FY 2004:

General revenue: $1,662,500.00

Other revenue:

Federal: $1,944.29
Gifts: $24,501.63

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Recording for the Blind and Dyslexic (RFB&D): A private non-profit recording service, the RFB&D records primarily specialized materials such as textbooks and industrial manuals, whereas the National Library Service (NLS) and its regional libraries focus on fiction and popular non-fiction. The RFB&D also has an application process similar to those of NLS libraries but charges members a yearly subscription fee and does not provide free equipment or a postal subsidy.

Libraries with audio collections: Libraries, particularly public libraries, purchase audio books from commercial vendors, and these collections would be available to TBP patrons living in their service areas. Libraries must purchase as many copies as they need because these materials may not be reproduced, whereas NLS programs have copyright exemption to reproduce their recordings in special formats, as needed. Because of budget and space concerns, libraries usually do not have large audio book collections, thereby limiting what is available to their patrons. Libraries may choose not to replace copies lost to their collections through damage, loss, or theft and will weed materials no longer popular. NLS programs permanently retain at least one copy of any book produced for the network and can generate additional copies as needed at little or no cost.

Commercial recording vendors: These are usually publishing houses with an audio book subsidiary. These vendors record materials for sale to the public and to institutions. Recordings are frequently abridged; where a vendor does produce an unabridged recording, these are usually very expensive to purchase and the recording takes up many cassettes/CDs. NLS recordings are all unabridged, and because of the specialized recording format, do not require the large number of cassettes. Commercial recordings may be available for a limited time, whereas NLS tries to retain recordings in perpetuity. The purchaser may not reproduce commercial recordings, while NLS has copyright exemption to reproduce recordings in special format, as needed. Many books will not be produced in an audio format by commercial vendors, whereas NLS programs may record any available book at any time.

Other specialized recording services: Various recording studios and services provide some services that are similar to the NLS programs. Many of these studios/services focus on recording particular types of materials or focus their services toward particular clientele. Some services are free (asking for a donation), while some charge for their services. TBP staff will steer patrons toward these services if patrons are asking for materials that the NLS programs normally do not provide. An example of this type of referral would be a request for a Bible; patrons would be referred to a service that produces only Bibles in various languages.

Other state programs/agencies: Other state agencies/programs serve some patrons in common with TBP. The Department of Assistive and Rehabilitative Services' Division for Blind Services and the Texas School for the Blind and Visually Impaired both serve the blind and the visually impaired. However, they do not provide extensive library services, and they do not serve the broader patron base that the NLS programs do. Texas Education Agency provides classroom services (including library services) to students who are likewise eligible for services from TBP. While there is overlap in this area, TBP works cooperatively with TEA in supplementing and enhancing the school library services, while providing home services when schools are not in session.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

TBP coordinates with other agencies/programs serving similar clientele through information exchange and referrals; however, there is little duplication of services between all these entities. TBP does not have any formal agreements or contracts with these agencies/programs other than with the National Library Service.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

TBP is part of the National Library Service for the Blind and Physically Handicapped, a division of the Library of Congress. As such, TBP is required to follow federal guidelines in operation of the program and in the certification of persons and institutions eligible for service. TBP serves as custodian for NLS property in the form of equipment and recorded and Braille books, as well as distributor of said materials through the U.S. mail. This is a contractual relationship that has been in effect at the State Library since 1931.

TBP also has demonstration sites throughout the state, primarily located in public libraries. Any entity wishing to be a demonstration site must sign an agreement with TBP. Each site receives a machine and a selection of books on cassette. In return, the site agrees to abide by rules governing the use of the equipment and to periodically report statistics on demonstrations given with the equipment.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

Some changes to §§91.081-.084 are needed, as discussed in policy issue eight in Section Nine of this document. The original purpose of this statute was to establish a central media depository (Talking Book Program) to provide materials and equipment for blind and visually impaired readers. The depository always has been a program overseen by the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress, and it originally was divided between the state library and the Commission for the Blind. Spurred by a recommendation of NLS, the two portions of the program were unified within the state library, and this statute was created to enable all entities involved to actively participate in the running of the program.

Since the two parts were merged, the program has evolved into a cohesive whole within the state library's organizational structure. It meets the statute's original purpose of establishing and maintaining a centralized depository, although the clientele base is broader than it was originally when the Commission for the Blind was one of the main entities involved in its operations. Over time, the Commission for the Blind has ceased to have any direct influence on or participation in the operations of the program, and all relationship between the Commission for the Blind and the National Library Service likewise has ceased. The statute should be updated to reflect the reality of the program's current existence as a full library service offered solely under the aegis of the state library and moved to that portion of the Government Code that establishes operations for the state library.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Talking Book Program provides each new patron or prospective patron with user information in a publication entitled, *Getting Started*. We also provide in-depth informational publications for anyone who may be assisting a user, such as parents, teachers, or librarians. These publications, along with the downloadable application and loan policy, are available on our Web site, www.TexasTalkingBooks.org.

The National Library Service also has a Web site at http://www.loc.gov/nls/. NLS has prepared many documents on the service and posted them to this Web site, including FAQ, copies of laws governing the program with explanatory text, fact sheets on various aspects of the service, the business plan for digital conversion, and a link to the national catalog of books. Of major interest to everyone connected with the service is the ongoing conversion to digital service, including the development and introduction of a digital playback machine and new digital formats for books. NLS continually posts updates on new developments; the *Flash* newsletter is archived on the site, allowing anyone to keep abreast of current developments.

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:
- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

This is not a regulatory program.

VII. Guide to Agency Programs (continued)

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**Archives and Information Services**
Location/Division	Archives and Information Services
Contact Name	Chris LaPlante
Actual Expenditures, FY 2004	$1,412,046.54
Number of FTEs as of August 31, 2004	34.375

B.   What is the objective of this program or function? Describe the major activities performed under this program.

The objective of this program is to carry out the agency's statutorily mandated responsibilities (Gov't Code, Chapter 441, Subchapters A, C, G, J, L, and M) to acquire, evaluate, organize, and preserve the permanently valuable records of Texas government agencies, as well as collections of private papers, maps, photographs, books, newspapers, and microforms that are relevant to the history of Texas, and make them available for researchers, citizens, and government officials. Archivists analyze and evaluate records from some 150 state agencies to determine which merit permanent preservation and which may be destroyed. Professional librarians catalog publications produced by state agencies and other library materials and enter the information into an online library catalog. Staff also creates catalog records for archival materials as well as descriptive indexes, inventories, and other access tools to ensure continued public access. Using standard reference procedures, professional, paraprofessional, and clerical staff respond to requests and questions from researchers throughout Texas and the rest of the world who wish to access federal and Texas government information or research Texas' rich history and heritage. Staff produces copies of requested materials and collects fees for providing those copies in accordance with the provisions of the Texas Public Information Act.

C.   What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

In accordance with the program's key performance outcome measure, "Percent of Customers Satisfied with State Library Reference and Information Services," users of the program's services are surveyed eight times throughout the year. In both FY2003 and FY2004, 98 percent of those responding expressed satisfaction with the services provided.

In those same surveys, and in verbal comments to staff, the program's customers have routinely expressed a desire to see more of the archival documents and records be converted to Web-accessible digital formats. In response, we've converted several hundred thousand original documents to digital formats and mounted nine interpretive Web-based exhibits of historical documents. The "Number of Web-based Information Resources Used" increased from 2,647,000 in FY2003 to 3,750,000 in FY2004, and is estimated to total approximately 4,200,000 by the end of FY2005. In addition, the availability of digital copies of the original resources means that staff members are retrieving fewer original archival documents. Consequently, those staff members can devote more time to creating digital images of original documents, as well as descriptive aids and other access tools. The reduced handling of those original—and often fragile—materials by staff and customers is also contributing to the long-term preservation of the unique archival materials in the State Archives. Similarly, increased efforts over the last five years to create and provide hundreds of Web-accessible descriptive finding aids, indexes, and other access tools has enabled researchers to work more independently and remotely.

D.   Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Legislation approved in 1971 created the Regional Historical Resource Depository (RHRD) Program that expanded the commission's responsibilities to include the acquisition, management, and preservation of permanently valuable local government records. The RHRD program allows local government officials to transfer ownership of inactive permanently valuable records to the commission for placement in the designated regional depository closest to the unit of local government. Approximately 15,000 cubic feet of records have been acquired from local governments and are now housed in 23 depositories located in academic, public, and other institutions around the state.

In the mid-1990's budgetary reductions for the program necessitated the virtual elimination of the document preservation section where three full-time technicians had focused on hands-on treatment, repair, and restoration of individual documents. Attempts in later years to restore the funding for trained conservation staff have been unsuccessful. Presently

one staff member is assigned to preservation management activities on a part-time basis. Consequently, we employ a more general preventive or holdings maintenance approach that focuses on preserving large quantities of records by means of storage at specified levels of temperature and relative humidity and in appropriate containers, usually acid-free folders and boxes. Additionally, the program in recent years has increased efforts to produce preservation duplicates using imaging technology. Those copies can be substituted for the fragile original materials, thus helping to reduce the deterioration of the originals that can occur through frequent handling.

In FY2000 the program implemented a significant change concerning its acquisition of certain archival records from state agencies. The program lacks the technology and human resources to accept from agencies electronic record keeping systems that contain archival state records. Consequently, to ensure that agencies properly maintain such records, the Electronic Records Standards and Procedures (13 TAC 6.91 – 6.99) were amended, and the option to substitute paper copies for electronic state records, explicitly stated in the previous version of the rules, was removed. Electronic state records that have archival value must now be maintained by the creating agency, except as otherwise determined by the state archivist. They must be maintained through hardware and software upgrades as authentic evidence of the state's business in an accessible and searchable form. Regrettably, we lack staff with the necessary education and expertise to provide training to other agency staff in the areas of current and developing standards, available software, and other technological assistance in regard to the long-term maintenance and preservation of archival electronic records.

The Cataloging Department was transferred into the program in FY2000 as part of a structural reorganization. The department creates standard bibliographic records for all library materials acquired by the agency for inclusion in the agency's online library catalog, and its addition to the program further expanded and diversified its responsibilities.

E.	Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program affects all branches of state government, citizens of the state, and people anywhere interested in Texas government. The program's primary function is to permanently preserve the history of Texas and the record of Texas government operations as documented in official records and publications, and make that information accessible to a very large and broad customer base including legislators, state officials and employees, federal and local government entities, staff of other libraries seeking support for their own customers, businesses, law firms, organizations, the general public, historians, and genealogists. The agency's required "Report on Customer Services" provides the following inventory of external customers and estimated sizes of the customer group for this program: Genealogists - 4,609,208; Travis County state employees - 56,307; Other researchers - 739,980.

On-site visitors wishing to use materials from the State Archives or Sam Houston Regional Library and Research Center must register and be age 12 or older. Individuals must be 16 or older and have a current photo identification card and proof of Texas residence to check out materials from the other library collections.

F.	Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The program consists of the following departments: Administration, Archival Services, Information Services, Cataloging, Records Management, and the Sam Houston Regional Library and Research Center. The division director and two assistant directors administer the program; the division director reports to the assistant state librarian.

The Information Services department provides information and referrals in response to requests from customers and provides and maintains access to on-site materials and records for use by customers.

The Archival Services department is responsible for acquiring, appraising, preserving, and describing the archival state records and other archival materials, as well as converting certain of those materials to digital formats that can then be made available on the agency's Web site and accessed by anyone, anywhere in the world.

The Cataloging department produces descriptive records for the agency's library materials and makes them available in the online library catalog.

The Sam Houston Regional Library and Research Center is one of 23 Regional Historical Resource Depositories (RHRD) that were established primarily during the 1970's to help preserve and improve access to archival records of local governments. Located in Liberty, Texas, it is the designated RHRD for the inactive, permanently valuable records of ten Southeast Texas counties, and it is the only one of those facilities that is maintained and operated by TSLAC. In addition to acquiring, managing, preserving, and providing access to local government records housed there, staff acquires and preserves collections of private manuscript materials documenting the history of Southeast Texas. Four historic structures, including the Jean and Price Daniel House, the St. Stephen's Episcopal Church, the 1848 Gillard-Duncan House, and the

1883 Norman House, are located on the Center's grounds as well.

The Records Management department works to ensure that the agency's records retention schedule is complete and in compliance with all statutory requirements, and provides records management training and assistance to all TSLAC staff.

The division director, the two assistant directors, and an administrative assistant constitute the Administrative department and provide overall management and administrative support for the other departments.

Detailed procedures manuals for use by staff in each department are the primary tools used to describe and interpret agency policies and procedures.

G. **Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

General Revenue is the primary source of funding for this program. The sale of publications and fees collected for the production of copies of records and library materials produce a minimal amount of revenue as well. The program is also authorized to receive monetary donations. In recent years the program has received small amounts of federal grant funds to assist with the digitization of archival materials and to cover travel expenses for the Texas Historical Records Advisory Board, an advisory board to the commission.

Sources of Funding - FY 2004:

General Revenue - $1,343,687.00

Other Revenue –
Federal	$4,694.00
Fees-Copies	$40,103.00
Coin Ops	$6,274.10
Publication Sales	$29.00
Reimbursements	$247.76
IAC Services	$2,541.29
Gifts	$1,567.34

H. **Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.**

The Archives of the Texas General Land Office, established in 1837, operates a separate program for the management and preservation of the state's original land grant records and other land-related records. The majority of state funded colleges and universities also maintain and operate archival programs that are responsible for their specific institution's official archival records as well as collections of private manuscript materials. Unlike those entities, TSLAC has a statutory responsibility for caring for and providing access to the archival records of all agencies in the executive, legislative, and judicial branches. The commission has Memoranda of Understanding with several universities concerning the management of gubernatorial records located at those institutional archives. In addition, in accordance with Gov't Code, §441.201, the National Archives and Records Administration will manage the gubernatorial records of former governor George W. Bush.

Local government entities are responsible for preserving their permanently valuable records; however, in accordance with TSLAC's RHRD program, local governments may transfer ownership of their inactive archival records to the commission for placement in a designated regional depository (mainly academic and public libraries). The regional depositories manage the records and make them available according to established agreements between the twenty-two institutions and the commission.

State colleges and universities maintain collections of library materials, as do more than 20 state agencies, including the Legislative Reference Library and the State Law Library. The focus of these libraries is usually information related to that agency's function. Often the principal purpose of the library is to serve the staff of the agency. However, only TSLAC is responsible for maintaining a library of all official Texas state agency publications.

Similarly, TSLAC and Texas Tech University have been designated as the only two Federal Regional Depository Libraries for the state. As such, in accordance with Title 44, U.S. Code, they receive for permanent retention copies of all publications in both hard copy and electronic formats produced by the U.S. Government Printing Office. There are also 58 libraries in Texas that are selective depositories for federal documents. Selective depositories do not receive all

government publications nor are they required to maintain the materials permanently, although disposal of these publications must be coordinated with their regional library.

The Government Printing Office and TSLAC work together to provide the citizens of Texas access to information resources from the federal government. TSLAC receives and houses the materials distributed through the Federal Depository Library Program. Currently, TSLAC houses approximately 1.5 million individual federal documents.

The Texas State Data Center and Office of the State Demographer, in cooperation with a network of affiliates, functions as a focal point for the distribution of U.S. Census information for Texas. The center also disseminates population estimates and projections for Texas, as well as other information from the federal government, state government, and other sources. TSLAC serves as a core agency within the center, providing information to requestors and assistance in using many of the electronic materials.

| I. | Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts. |

The Texas General Land Office, as well as all other state agencies and state universities, must prepare a Records Retention Schedule that is then submitted for approval by TSLAC's director and librarian and by the state auditor. That schedule lists all records maintained by an agency and the length of time each record must be retained. The state archivist reviews all such schedules to ensure that archival records have been identified and earmarked for permanent retention.

Any institution that wishes to function as a Regional Historical Resource Depository must sign a formal agreement with the Texas State Library and Archives Commission that outlines the duties and responsibilities of both parties.

In 2002 TSLAC signed a formal Memorandum of Understanding with the National Archives and Records Administration specifying how the records of former governor George W. Bush will be managed and preserved at the George Bush Presidential Library. Similar MOUs for the management of other gubernatorial records exist between the commission, the University of Texas at Austin, and Texas A&M University.

TSLAC also adheres to the Texas State Plan that affirms the commitment of Texas federal depository libraries to promote free access to U.S. Government information. Its goal is to enhance coordination within the depository library system in Texas and to assist those libraries in providing efficient and effective access to federal government information.

| J. | If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency. |

Local government entities may transfer to TSLAC ownership of permanently valuable records no longer needed to conduct daily business. TSLAC then places those records in the custody of the designated regional depository nearest that unit of local government. In the event the designated repository is unable to accept the records, they may be transferred to the State Archives.

| K. | If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance. |

N/A

| L. | What statutory changes could be made to assist this program in performing its functions? Explain. |

The program would benefit from changes to Gov't Code §441.201 regarding the records of the Office of the Governor as described in policy issue eight in Section Nine of this document.

| M. | Provide any additional information needed to gain a preliminary understanding of the program or function. |

N/A

| N. | Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:
● why the regulation is needed;
● the scope of, and procedures for, inspections or audits of regulated entities;
● follow-up activities conducted when non-compliance is identified;
● sanctions available to the agency to ensure compliance; and
● procedures for handling consumer/public complaints against regulated entities. |

This is not a regulatory program.

VII. Guide to Agency Programs (continued)

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**State and Local Records Management Division**
Location/Division	State and Local Records Management Division/State Records Center
Contact Name	Michael Heskett
Actual Expenditures, FY 2004	$1,999,243.29
Number of FTEs as of August 31, 2004	42.25

B. What is the objective of this program or function? Describe the major activities performed under this program.

This program carries out the agency's responsibilities in the management of state and local government records mandated by Gov't Code, Chapter 441, Subchapters A, C, F, J, and L, and Local Gov't Code, Chapter 195 and Chapters 201 to 205. Both state agencies and local governments are required by law to establish records management programs and to meet standards established by the commission regarding the management and retention of government records. In accordance with law, staff in this program has developed rules concerning the creation, management, and disposition of electronic government records, rules regulating the microfilming of records, and standards under which county clerks receive and record real property records electronically. In addition, program staff has developed the Texas State Records Retention Schedule, which establishes minimum retention periods for records commonly found in state agencies, as well as a series of eleven local government records retention schedules, which set minimum retention periods for a broad range of local government records. These latter schedules include court records and records relating to public safety, public works, utilities, schools, elections, and taxation.

State agencies are required by law to prepare and submit records retention schedules to the director and librarian for approval. Local governments are also required to schedule their records, but may do so by pledging to adhere to the retention periods established in the local government records retention schedules adopted by the commission as administrative rules of the agency. Because the intent of both the state and local government records laws is that governments should, in addition to developing records retention schedules, establish and maintain active and continuing programs for the management of government records, program staff provide consultative and training services to Texas state agency and local government staff. Staff assists government personnel by phone, e-mail, or in person. Training classes are held in Austin, at the commission's Sam Houston Regional Library and Research Center in Liberty, and at various other venues throughout the state.

The program is located within and operates the State Records Center (SRC) at 4400 Shoal Creek Boulevard in Austin. The SRC stores inactive and semi-active records of state agencies, including paper records, microfilm and electronic media. We circulate stored records to and from state agencies on request. We provide these storage services on a cost recovery basis through the levy of fees. The program also operates a microfilming and imaging bureau, again on a cost recovery basis. Unlike the agency's records storage services, which are confined to state agency records, the program's microfilming services are also available to local governments.

C. What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The program surveys its customers in the second year of each biennium. The results of the FY2004-2005 biennium are not yet available. In FY2001, local government customers rated the various services received from the program at 6.06 on a 7.00 scale, while state agency personnel rated the services at 6.03. In FY2003, the surveys yielded a score of 6.10 from local government customers and 6.27 from state agency clients. These surveys, along with evaluations from workshops presented by program staff, in which scores of 5-7 are considered indicators of satisfaction with services, showed a satisfaction rate of nearly 98 percent in the FY2000-2001 biennium and 98 percent in FY2002-2003 biennium. The program receives very few formal complaints about its services. The program actively solicits suggestions for improvement from its customers, and about six percent of those responding to surveys or evaluating workshops offer suggestions. The principal and recurring suggestion is that more training opportunities be offered outside Austin.

An examination of LBB-approved performance measures indicates that the program does well in meeting its goals. Only those measures that demonstrate effectiveness or efficiency are noted. Actual performance is shown parenthetically.

Percentage of State Agencies with Approved Records Schedules: FY2003 – 93% (94.87%); FY2004 – 93% (95.04%).

Percentage of Local Governments with Approved Records Schedules: FY2003 – 71 percent (71 percent); FY2004 – 73 percent (69.52 percent). Note: Program staff identified a significant number of new entities to its database of local governments in FY2004 including charter schools, economic improvement districts, and volunteer fire departments that had become rural fire prevention districts.

Number of Officials Trained or Assisted: FY2003 - 9,000 (9,280); FY2004 - 10,000 (10,407)

Cubic Feet of Records Stored/Maintained in State Records Center: FY2003 - 333,000 (349,146); FY2004 - 351,000 (365,376)

Cost Per Cubic Foot for Records Stored/Maintained in State Records Center: FY2003 - $1.70 ($1.71); FY2004 - $1.76 ($1.48)

Cost Avoidance by Records Center Storage Services: FY2003 - $55 million ($65.1 million); FY2004 - $66 million ($68.7 million)

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

In 1992, the agency's Regional Historical Resource Depository and Local Records Division, a program that combined both archival and records management functions, was dissolved. The program's archival responsibilities for local government records were transferred to what was then the Archives Division (now known as the Archives and Information Services Division because of a subsequent agency reorganization). The program's records management functions were transferred to what was then known as the Records Management Division. The new program was rechristened the State and Local Records Management Division. The bulk of the staff and budget of the dissolved Local Records Division was reallocated to the new program.

Beginning in the early 1970s, acting under authority of the Texas County Records Act (enacted in 1971) the agency became very active in working with counties to manage and preserve their records. The agency issued the Texas County Records Manual, which set mandatory retention periods for county records in 1974. This manual was extensively revised and re-issued in a two-volume set in 1987 and 1989. In order to provide guidance to Texas cities, which were clamoring for assistance in managing the ever-growing volume of modern government records, the agency published the Texas Municipal Records Manual in 1985. Because the agency had no statutory authority to regulate the disposition of municipal records, the retention periods in the manual were recommended only. In 1989, the legislature enacted the Local Government Records Act, which expanded the commission's authority to regulate the management and disposition of government records to all political subdivisions of the state.

By contrast, the agency was very slow to implement fully the provisions of the Preservation of Essential Records Act of 1965, principally because of the lack of staff and resources. This act, which applied to state agencies only, gave the agency authority to require state agencies to inventory their records and to submit records retention schedules for approval. It was not until 1988, however, that a program was established in what was then the Records Management Division to implement this requirement. The merger of the Records Management Division and the Local Records Division concentrated staff and resources, enabling the new State and Local Records Management program to delivery more training and consultative services to state agencies. Beginning in the mid-1970s, the Local Records Division began establishing field offices, staffed by records management professionals, in various parts of the state. Because of state budget restraints, the number of such offices had declined from seven to three by the time of the merger. As field staff left the agency, the positions have been pulled back to Austin. All records management assistance services to state agencies and local governments are now delivered from Austin.

Various state laws affecting the management and preservation of state agency records were combined and updated by the legislature in 1997 (Gov't Code, Chapter 441, Subchapter L). The modernized law delineates clearly the responsibilities of state agencies and the Texas State Library and Archives Commission in the preservation, management, and final disposition of state records.

A rider in the 06-07 General Appropriations Act transferred responsibility for compiling the biennial Reports of Reports from the Comptroller of Public Accounts to the agency. The rider instructs the commission to prepare a complete and detailed report indexing all statutorily required reports. The commission is also directed to work with agencies that receive these reports to assess their continued usefulness. This program has been assigned the lead role in preparing the report for the agency.

E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The customers of this program are state agencies and local governments, their records management officers, and other personnel they employ. All state agencies and local governments are required by law to designate records management officers, establish records management programs, and retain government records in accordance with commission standards. The program provides training and technical assistance to the personnel of state agencies and local

governments in establishing effective and efficient records management programs, including training in the management of electronic records — a difficult challenge for all government records custodians.

The program currently extends training opportunities and provides consultative services on request to 9,826 identified local government entities, including counties, cities, school districts, water districts, appraisal districts, regional councils of government, and other special purpose districts and authorities. The Local Government Records Act of 1989 designates each elected county officer a separate local government in terms of the act's requirements. Thus, in addition to 254 counties, the number of elected officers in each county is included in the total number of identified entities. This number grows slightly during the course of each year as new governments are created directly by the legislature or under authority of state statute.

Records management training and assistance is provided to all state agencies and their affiliated boards, departments, and commissions. One hundred thirty-seven agencies are currently required to prepare and submit records retention schedules for approval by the director and librarian and the state auditor. While 137 agencies is fewer than the count of state agencies by the Comptroller of Public Accounts, those agencies that are administratively attached to another agency are included in that agency's schedule.

Currently 112 agencies store paper records, microfilm, or electronic media at the State Records Center. The records center's largest customers in terms of the volume of records stored are the Comptroller of Public Accounts, the Office of the Attorney General, the Department of State Health Services, and the Texas Workforce Commission.

Microfilming services are provided to approximately 25 state agencies and local governments per year in recent years. The program's principal customers in terms of the volume of records filmed are the Comptroller of Public Accounts, the Texas Department of Public Safety, and the Texas Department of Transportation. The number of entities using these services and the volume of records being filmed has declined sharply since the late 1990s, as more and more governments resort to digitization rather than microfilming. As a consequence, revenue has gradually declined from $1,076,000 in FY1999 to $469,605 in FY2004.

In a larger sense, the program's customers are the people of Texas. In the absence of the Local Government Records Act of 1989 and the state agency records law, each governmental entity would be at liberty to decide how long records documenting its actions and activities are retained. Because of these laws, however, and the authority given by them to the commission to determine how long records must be retained, the principles of open government are advanced. The government records management laws that the agency administers strengthen the Public Information Act.

> **F.** **Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.**

The program consists of four units: Records Management Assistance, Records Center Services, Imaging Services, and Office Services. The division director, who reports directly to the assistant state librarian, administers the program. As director of the agency's state records management program, the occupant of the position also carries the statutory title of state records administrator.

The Records Center Services Unit is the largest unit with 19 FTEs under the supervision of the unit's manager, who is assisted by one supervisor. Staff consists of records center clerks, delivery drivers, and records center specialists who schedule pickups and deliveries of records from and to state agencies. The unit uses six of the agency's seven vans and trucks in carrying out its duties. Records in storage and their location are tracked by a database that was developed in-house in the early 1990s, at a time when records center software available commercially was unreliable. That is no longer the case, and the program is in the process of replacing the current system with a new, more sophisticated database that will permit customers of the unit to obtain information about their records in storage through the Internet. In order for a state agency to store records in the records center the records must be on the agency's approved records retention schedule. Those few agencies that do not have approved schedules are not permitted to store records at the facility.

The Imaging Services unit has 9.25 FTEs who are supervised directly by the division director, but whose day-to-day activities are coordinated by a production team leader. Staff consists of microfilm camera operators and darkroom technicians. Staff converts paper records and digitized images to microfilm, process film, and make duplicates of microfilm rolls or microfiche from master negatives in storage in the State Records Center's microfilm vault. The two services that generate the most revenue are digital archive writing, in which digitized images on CDs are microfilmed to provide a long lasting backup for digitized records; and preservation microfilming, a time-consuming and painstaking process that is the preferred method for microfilming records of permanent, historical value.

The Records Management Assistance unit has a unit manager, six government information analysts, a publications specialist, and a training/consulting coordinator for a total of 9 FTE. The unit provides training and technical assistance to state agencies and local governments in records management. The government information analysts work with state

agencies in developing records retention schedules for submission to the director and librarian for approval. They also work closely with records management officers, particularly those in state agencies, to find solutions to complex records management problems, especially those concerning the management and preservation of electronic records. Members of the unit assist the division director in the development of administrative rules governing the management, retention, and disposition of government records.

The Office Services Unit consists of 5 FTEs: an office services coordinator, a data center systems support specialist, an intergovernmental contracts specialist, a secretary/receptionist, and an administrative assistant. The unit provides general support to the other units of the program. The unit develops and oversees the contracts between the agency and other state agencies and local governments for records storage and imaging services. The office services coordinator is responsible for gathering data from the other units in order to compile monthly performance reports. The unit also is responsible for billing customers of the program for services provided.

The division director is responsible for the overall management of the program. He develops or oversees the preparation of administrative rules concerning the management of government records. The director serves as chairman of the Electronic Recording Advisory Committee, which advises the commission on rules concerning the filing and recording of documents submitted electronically with county clerks. The director also coordinates the work of the Local Government Records Committee, which must approve all rules affecting local government records before they may be adopted by the commission. The director serves currently as contract administrator of two contracts sponsored by the State Council on Competitive Government: document destruction services and document imaging services.

A program planning and research specialist, who works under the direct supervision of the division director, assists in the rule development process, undertakes special projects, and frequently serves as the program liaison on interagency workgroups on records and information management issues.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Approximately two-thirds of the funding for this program comes from fees assessed for the use of the program's records storage and imaging services. The remainder is mostly general revenue appropriations. General revenue is principally used to fund the activities of the program's records management assistance unit.

Sources of Funding – FY2004

General Revenue -	$772,519
Other Revenue:	
Fees-Copies -	$2,440.50
Registration Fees -	$19,245.55
Gifts -	$5,621.19
Publication Sales -	$7,173.12
Storage Fees -	$1,090,231.52
Microfilm Fees -	$507,352.85
3rd Party Reimbursements -	$6,549.30

H. Identify any programs, internal or external to your agency, which provide identical or similar services or functions. Describe the similarities and differences.

The Department of Information Resources (DIR) has no programs that are either identical or even similar to this program, but because the bulk of government records are either created or stored electronically, the agency works as closely as possible with DIR on issues of common concern. In addition to the requirement that each state agency must have a records management officer (RMO), each agency must also have an information resources manager (IRM). It is important that the two officers work cooperatively to help ensure the proper management, retention, and disposition of electronic records. DIR has considerable authority over the electronic infrastructure of state government. This agency is concerned with the management and preservation of the informational content of electronic records and, unlike DIR, has authority to determine how long records (in all media) and the information they contain must be retained. In enacting the Uniform Electronic Transactions Act in 2001, which concerns both the means and mechanics of the creation, transmission, and security of electronic records and the management of their informational content, the legislature gave DIR and the commission joint rulemaking authority. The two agencies formed a taskforce to assist them in the development of standards and guidelines. Both agencies have adopted the resulting rules. In recognition of the existence of the need for both RMOs and IRMs to understand the duties and responsibilities of the other, the legislature in 1999 required the two agencies to offer joint training to RMOs and IRMs. Starting in FY2000, the agencies have organized and sponsored

annual E-Records Conferences for state agency IRMS, RMOs, and other staff. The conferences have been well attended (a low of 175 and a high of 305) and well received.

Program staff frequently serve on panels or workgroups organized by DIR. The executive director of DIR or the director's designee serves on this agency's Electronic Recording Advisory Committee. The executive directors of both agencies are members of the Records Management Interagency Coordinating Council (RMICC). The council was created as a result of the agency's last sunset review in 1995 and replaced the Records Management and Preservation Advisory Committee. Although the section of law that created RMICC is part of the agency's enabling legislation, RMICC is an independent council with rulemaking authority. It is charged by law with studying and recommending improvements in the state's management of records. Although its mandate covers records in all media, in practice it has confined its activities largely to electronic records management issues.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Local governments are among the principal clients of the program's services. See the other sections of this program description for a discussion of the division's relationship with local governments.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

The program would benefit from changes in Policy Issue 8.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

http://www.tsl.state.tx.us/agency/contact/contactslrm.html

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:
- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

This is not a regulatory program.

A. Provide the following information at the beginning of each program description.	
Name of Program or Function	**Indirect Administration**
Location/Division	Administrative Services, Information Resources Technologies, Executive
Contact Name	Donna Osborne, Manuel Alvarez, Peggy D. Rudd
Actual Expenditures, FY 2004	$1,959,385.20
Number of FTEs as of August 31, 2004	36.75

B.   What is the objective of this program or function? Describe the major activities performed under this program.

Our Indirect Administration includes three separate divisions: Executive Offices, Administrative Services and Information Resources Technologies (IRT). The objective of all divisions is to support the work of the other five programs and to provide for the general administration of the agency. Functions include facilities maintenance, inventory control, mail services, human resources, quick copy services, purchasing and accounting functions, agency communications, technology support (including server maintenance, desktop installation and support, and programming functions), and the functions of the executive office.

C.   What evidence can you provide that shows the effectiveness & efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

The Administrative Services division is responsible for agency procurement, including the Historically Underutilized Business (HUB) Program. The agency has far exceeded the statewide goal in the Commodities category for the past two years, and implemented a mentor-protégé program. In addition, the Administrative Services division is responsible for processing all accounts payable items for the agency. Due to process improvements in this section, the agency reduced the number of late payments processed by more than 63 percent between fiscal years 2003 and 2004, resulting in a 73 percent decrease in interest payments to vendors. A post-payment audit conducted by the Texas Comptroller of Public Accounts in the fall of 2003 resulted in no significant monetary findings. The management letter submitted to the agency in December 2003 stated, "We attribute the commission's performance to your staff's attention to detail and knowledge of the rules and laws governing expenditures. We commend you for implementing internal controls that have attributed to your success." This division also administers the agency's Risk Management Program. The success of this program is evidenced by the agency being awarded the Gold Safety Award from the State Office of Risk Management for the past three years.

The effectiveness of the IRT Division is evident in the high reliability and availability of the library's information technology resources and the library's ability to successfully avoid Internet intrusions, which have plagued other organizations.

D.   Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The functions of Indirect Administration have not changed, although the manner in which they are executed has changed to incorporate new technology and various changes in state and federal law that have required procedure changes internally. A reorganization in FY2000 removed the Cataloguing function from Indirect Administration into the Archives and Information Services division. In fiscal year 2002, the agency was awarded funding to administer the Loan Star Libraries grant program, which increased the number of grants administered by the agency by more than 500, with no increase in staff in the Administrative Services division. As the library has expanded its use of technology to deliver services, the IRT Division has steadily increased its support of these services, adding to the number of servers as well as the bandwidth used to access these services.

E.   Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

The Indirect Administration functions support the work of our entire staff. Through our purchasing office, staff works closely with vendors to procure services and goods for the agency, with an emphasis on increasing opportunities with

small and historically underutilized businesses. The accounting office administers state and local funds through four separate grant programs, resulting in grant awards to 540 public libraries, ten regional library systems, and nine interlibrary loan TexNet centers. In the past two years, the agency has also administered technology replacement grants from the Bill and Melinda Gates Foundation to more than 150 small and disadvantaged libraries throughout the state. The technical staff of the IRT Division ensures that the library staff has reliable and adequate information technology resources to accomplish their mission, thus indirectly impacting the services delivered to all of our customers and business partners.

F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The director and librarian leads the agency, and the assistant state librarian manages daily operations. A director of administration and a director of the Information Resources Technologies division manage those two divisions and report to the assistant state librarian. Cross divisional teams help to keep staff informed of policies and procedures relating to safety, internal communication, the agency's Web site, and purchasing functions.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

For FY 2004, Indirect Administration was funded primarily through General Revenue funds ($1.8 million) appropriated by the legislature. The agency also received an appropriation of $110,630 in earned federal funds, which was used to support these functions. In addition, the agency was appropriated fees ($16,500), which were derived from the IRT Division's coordination of a cooperative online catalog program for libraries in other state agencies. Two agencies dropped out of the program, so revenue in FY 2004 was about $12,700.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

All state agencies have similar indirect administration functions. Two unique services include the TRAIL search capability that is offered to the public through the "Statewide Search" links on each state agency's home page, and the Library of Texas search engine that allows library users to search numerous different library catalogs at once.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

The library, through the IRT Division, has interagency agreements with several state agencies for their use of our online library catalog to maintain their library holdings. The library participates in the enterprise efforts led by the Texas Department of Information Resources (DIR) to optimize the state agencies' use of information technology, and otherwise follows the IT guidelines for state agencies as outlined by DIR.

J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The agency receives over $10 million in federal grant funds from the Institute of Museums and Library Services (IMLS). The funds are used to administer the Library Systems Act for Texas, and is based on a five-year plan submitted to IMLS prior to funding awards. The Administrative Services division is responsible for coordinating with IMLS for the transfer of funds from the federal government to the Texas Treasury, and subsequently processing the expenditure of the funds according to program guidelines. In addition, the division works closely with local governments in the administration of state and local grant programs.

K. If this program or function is contracted out, provide a description of how you ensure accountability for funding and performance.

N/A

L. What statutory changes could be made to assist this program in performing its functions? Explain.

None at this time.

M. Provide any additional information needed to gain a preliminary understanding of the program or function.

N/A

N. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:
- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

This is not a regulatory program.

VIII. Statutory Authority and Recent Legislation

> **A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, Open Meetings Act, or Administrative Procedure Act. Provide information on Attorney General opinions from FY 2001 - 2005, or earlier significant Attorney General opinions, that affect your agency's operations.**

Texas State Library and Archives Commission: Exhibit 13: Statutes/Attorney General Opinions	
Statutes	
Citation/Title	**Authority/Impact on Agency**
Government Code, Chapter 441, Subchapter A	General powers and duties of the commission; statutes relating to the certification of county librarians, adoption of state plan, grant programs, reading program grants, an electronically searchable central grant database, and cost recovery for records storage services.
Government Code, Chapter 441, Subchapter C, Section 441.031	Obsolete and unneeded statute concerning the management of state agency records. The agency's authority over the management and disposition of state agency records is now in the Gov't Code, Chapter 441, Subchapter L. Other sections of this subchapter were repealed in 1997.
Government Code, Chapter 441, Subchapter E	Creates the public library endowment and grant fund.
Government Code, Chapter 441, Subchapter F, Sections 441.091, 441.094, 441.0945, and 441.095	Obsolete and unneeded statutes concerning the maintenance and disposition of county records. The agency's authority over county records is now part of Government Code, Chapter 441, Subchapter J. The other sections in this subchapter were repealed in 1989.
Government Code, Chapter 441, Subchapter G	Creates the state publications depository program.
Government Code, Chapter 441, Subchapter H	Permits agency to provide print access aids for persons with visual disabilities to public libraries from gift or grant funds.
Government Code, Chapter 441, Subchapter I	Library Systems Act. Provides the agency authority to establish regional library systems, to accredit public libraries, and establish a program of state grants.
Government Code, Chapter 441, Subchapter J	Provides the commission with authority to adopt rules concerning the management and disposition of local government records and establishes the Local Government Records Committee. Also contains statutes concerning the agency's regional historical resource depositories and its regional research center in Liberty.
Government Code, Chapter 441, Subchapter L	Provides agency with authority to adopt rules relating to the preservation and management of state records and other historical resources, and the source of the agency's authority to require state agencies to prepare and submit records retention schedules. Includes statutes relating to the management of the agency's state archives and state records management programs.
Government Code, Chapter 441, Subchapter M	Establishes the TexShare consortium as a library resource sharing program administered by the agency.
Government Code, Chapter 441, Subchapter N	Established the Texas Historical Records Advisory Board.
Local Government Code, Chapter 195	Provides the commission with authority to adopt rules concerning the electronic filing of records with and recording by county clerks. Establishes the Electronic Recording Advisory Committee.
Local Government Code, Chapters 201-205	Local Government Records Act. Establishes requirements to be followed by local governments in the management and disposition of government records. Administered by the commission.
Business and Commerce Code, Chapter 43	Uniform Electronic Transactions Act. Section 43.017 authorizes the agency and Department of Information Resources to promulgate rules relating to electronic records and electronic signatures accepted by state agencies.
Property Code, Chapter 15	Uniform Real Property Electronic Recording Act. Directs agency to adopt standards for the electronic recording of real property records by county clerks.
44 U.S. Code, Chapter 19	Establishes the Federal Depository Library Program and sets forth provisions regarding the establishment of regional depositories and the distribution of

	federal government publications.
P.L. 108-81, as amended	Museum and Library Services Act of 2003, subchapter B, Library Services and Technology Act. The sole source of federal support for libraries intended to stimulate excellence in library service and broad access to learning and information resources; to promote resource sharing and networking among all types of libraries; to promote library services to disadvantaged populations.
P.L. 89-522, as amended	Act of March 3, 1931. Established the Talking Book Program and allows for a federal appropriation to states for its operation.
P.L. 106-554	Children's Internet Protection Act, Title XVII, Subtitle C. Places restrictions on use of funding from Library Services and Technology Act, Elementary & Secondary Education Act, and Universal Service discount program (E-rate).
P.L. 104-104	Telecommunications Act of 1996. "E-rate" is popular name for this extension of Universal Service authorized in the Telecommunications Act of 1996. Provides discounts (20% to 90%) to public libraries, and public and private K-12 schools on telecommunications, Internet access & related costs.

Attorney General Opinions	
AG Opinion No.	**Impact on Agency**
JC-0498	Gubernatorial records transferred to a repository other than the Texas State Library and Archives Commission in accordance with Texas Government Code 444.201 remain the property of the State of Texas and, as such, TSLAC has a responsibility to see that they are properly managed, preserved, and made accessible to the public in accordance with the Texas Public Information Act. TSLAC must work with the alternative depository to develop requirements acceptable to both entities regarding the management, preservation, and accessibility of the records that are to be set forth in a memorandum of understanding.
ORD-674	Specified that the commission's director and librarian is the public information officer with respect to archival state records transferred to the commission's custody, and that the commission must make appropriate inquiries of those agencies that have transferred archival records to the commission for placement in the State Archives to determine if information in those records was treated as confidential when the records were in the custody of the originating agency.

B.	**Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation).**

Texas State Library and Archives Commission: Exhibit 14: 79th Legislative Session Chart		
Legislation Enacted - 79th Legislative Session		
Bill Number	**Author**	**Summary of Key Provisions**
SB 335	Carona	Uniform Real Property Electronic Recording Act. Permits county clerks to receive and record real property documents electronically. Reaffirms agency's authority to adopt rules concerning electronic recording. TSLAC already had such authority in Local Government Code, Chapter 195.
HB 423	Delisi	Directs state agencies to place on their web sites any publications that are distributed in a physical format
SB 483	Staples	Allows designated public school libraries to participate in group purchasing agreements provided to the TexShare consortium by TSLAC.
SB 1205	Madla	Allows the creation of multi-jurisdictional library districts to be supported by an ad valorem tax rate not to exceed 15¢ per $100 valuation of property.
HB 2473	Delisi	Cleans up language related to the state depository library program and the availability of state publications in print and electronic formats.
Legislation Not Passed - 79th Legislative Session		
Bill Number	**Author**	**Summary of Key Provisions/Reason the Bill Did Not Pass**
HB 2697	Phillips	Proposed legislation called for creation of a Texas Historical Government Records Preservation Account to be used by TSLAC to provide grants to governmental entities to preserve, repair, manage, and improve access to historical government records; to provide emergency disaster recovery grants to local governments; and, to provide records management, archival, and preservation training to local governments. Funding for proposed grant program would have been generated by assessing a new fee of $1.00 as an additional charge for the first page of each instrument filed for record in the Real Property Records of county clerks. Legislation did not pass due to opposition to the implementation of the additional fee.

IX. Policy Issues

Policy Issue 1: Organization of Cultural Agencies in State Government

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A. Brief Description of Issue

Should the state's interest in preserving, protecting, and promoting its cultural resources continue to be administered by separate agencies, or should there be some reorganization or consolidation of these agencies?

B. Discussion

Since the creation of the State Library and Archives Commission in 1909, the duties of the Director and Librarian have included collecting and preserving historically valuable state records and other materials relating to the history of Texas. Managing other state records became a responsibility of the State Library in 1947. During the 1970s and 1980s, the duties of the agency were broadened to promote the establishment of effective local government records management programs and to help ensure that the historically valuable records of local governments are properly preserved.

As mentioned in the agency's previous Sunset Self Evaluation, discussions of merging or separating the agency have been conducted a number of times over the last 20 years.

After the 78th Legislature, both the Senate and the House gave Interim Study Charges to committees.

The Senate Government Organization Committee was charged to: "Study consolidation of those agencies related to the arts, cultural, and library services; consolidation of certain agricultural-related agencies; and consolidation of certain licensing agencies or their administrative functions." The committee recommended "that the state's arts, cultural and library agencies remain independent."

The House Committee on State Cultural and Recreational Resources (now the Committee on Culture, Recreation, & Tourism), was charged to: "review the missions and goals of the Texas Commission on the Arts, the Texas Historical Commission and the Texas State Library and Archives Commission and consider possible consolidation." No findings were reported by the committee that recommended a legislative change.

No legislation was introduced in the 79th Legislature that would have changed the organization of the Library and Archives Commission.

C. Possible Solutions and Impact

Due to the diverse mandates of the cultural resource agencies in the state, the members of the State Library and Archives Commission are concerned that consolidation of the agency with other state offices for promoting or regulating arts, edifices, historical research, archeology, and recreational lands would undermine the importance of managing and preserving historical records, fostering library service programs designed for specific patron groups, and leveraging cooperative purchasing power in negotiating for electronic information resources.

The common theme among the mission statements of the cultural resource agencies in Texas is that of preserving or conserving and protecting cultural elements of our society—i.e., art, the built environment, and archival, library and information resources. The Texas State Library and Archives Commission, for its part, has an additional and equally important mission to make resources in its care as accessible as possible.

Six states have consolidated arts, history, and libraries into various configurations. (State libraries in Louisiana, New Hampshire, New Mexico, and North Carolina are in departments of cultural resources. The state library in Nevada is in the Department of Cultural Affairs. The state library in Michigan is in the Department of History, Arts and Libraries.) However, no national studies have been performed that would document whether or not the public has been better served by having the promotion and preservation of art, history, and libraries and archives managed by one governmental entity rather than several.

As noted during the House committee hearings on possible consolidation, the commission sees no apparent economic benefit to consolidating the agencies in question. Typically, consolidation of governmental entities offers the possibility of eliminating certain staff positions because of an overlap of similar functions. However, aside from the overlap of certain administrative support activities—e.g., human resources, information technology, and accounting—within each of the agencies, there is no functional overlap for the remaining professional level positions. Actually, legislation approved during the 78th and 79th Legislatures has already addressed the consolidation or elimination of human resource staff and information technology staff in much of state government. In terms of other professional staff within the three agencies in question, the archeologists and architects at the Texas Historical Commission are not trained to perform library, archival, or records management tasks and vice-versa, and none of those professionals have background or expertise in how to interpret or promote works of art. In short, there is no indication that the people of Texas would be better served by a sharing or combining of the professional staff in the three agencies.

Because the agencies in question maintain a variety of historical and cultural resources, to some extent they undoubtedly have a shared customer base of researchers and enthusiasts. Consequently, efforts can be increased to streamline access to each agency's resources and to the information about those resources in order to improve customer access. Each agency could use technology effectively to draw the attention of their primary customer base to relevant programs, services, and resources being offered by the other agencies. Posting that information to the agency's own Web site or establishing linkages to the other agencies' Web sites, would be an economical and efficient way of simplifying and easing the task of citizens who attempt to locate cultural and historical resource information. The creation of a standing workgroup composed of staff from each of the agencies that would meet regularly to identify and initiate ways to share resources and build interagency cooperation and interaction has been recommended. Such an approach would provide a structure to enable the "virtual" consolidation of agency efforts.

IX. Policy Issues

Policy Issue 2: Licensing of the Library Profession

A. Brief Description of Issue

How effective are the current requirements for county librarian certification? Should these requirements be expanded to all public library directors? Should these requirements be expanded to include all public librarians? Should these requirements be expanded to library directors in school and academic libraries? Should these requirements be repealed?

B. Discussion

The County Library Law (Local Gov't Code, §323.005(b)), which dates to 1919, requires that any library that is supported in whole or in part by county funds must employ a librarian who meets certification requirements set by the Commission (Gov't Code §441.007). These requirements, which fall into three grades of certification, vary according to the size of the population served by the library. For county libraries which serve a population greater than 25,000, a master's degree from a library education program accredited by the American Library Association is required. When the population is fewer than 25,000, the educational requirements and/or experience required are of a general nature (e.g., "x" number of credit hours of college, or "x" number of hours of library experience), and no formal training in library science or related subjects is specified. While 61% of the library directors in the state must be certified, only 20% of this group is required to have any formal library science education. Therefore, library directors who are not required to have any content-specific training in the management and operation of libraries serve 2.1 million Texans, who are served by 274 county supported libraries. (Based on data of 558 public libraries submitting local fiscal year 2004 annual reports.)

In the Library Systems Act rules (13 TAC 1.81), the agency establishes minimum criteria for libraries to be accredited as members of the Texas Library System. For libraries serving populations fewer than 25,000, there is no educational requirement, only a requirement that the library employ a director to work at least 20 or, in some cases, 30 hours per week. For libraries serving over 25,000 people, the rules require the library have one or more professional librarians on the staff (persons who have graduated from an ALA-accredited school with a master's degree). These librarians are generally library directors, but there are no specific requirements for the director's position. 13 TAC 1.83 now requires all library directors to receive 10 hours of continuing education credit annually. This includes the continuing education requirement for county librarian certification at grades 2 and 3 (those without master's degrees), and extends it to all library directors. This was an initiative of the library community, recognizing that the efficient and effective management of modern library enterprises was sufficiently complex that all public library directors, even those with advanced degrees, needed to continually update their knowledge and skills. A Joint Task Force on Public Library Standards and Accreditation, broadly representative of the public library community, developed revised Texas Public Library Standards in 2004. This collaborative effort was jointly supported by TSLAC and the Texas Library Association. These standards state: "The most important component of quality library service is a knowledgeable and experienced library staff committed to providing the highest possible level of service to their community." The standards for directors somewhat mirror the agency's rules at the basic certification level, but in most cases, and for the higher levels of the standards, the standards are much more stringent.

TSLAC is directed to adopt voluntary school library standards by Education Code §33.021. Those standards state that for a school library to meet the acceptable level of standards, the library must have a certified librarian.

The agency's current administrative rules for accreditation of a library operated by an institution of higher education in the Texas Library System (13 TAC 1.86(B)(i) states that the institution must be accredited by an accrediting agency recognized by the Texas Higher Education Coordinating Board. The Southern Association of Colleges and Schools (SACS), a regional accrediting organization, in its standards simply states: "The institution provides a sufficient number of qualified staff—with appropriate education or experience in library and/or other learning/information resources—to accomplish the mission of the institution." The Association of College and Research Libraries (ACRL), a division of the American Library Association, in their Statement on the Certification & Licensing of Academic Librarians, states: "The Association of College and Research Libraries has affirmed that the master's degree from a program accredited by the American Library Association is the appropriate terminal professional degree for academic librarians. Therefore, it opposes certification or licensing in lieu of that degree for academic librarians, either by state agencies or by state or local professional associations." The statement, prepared by ACRL's Academic Status Committee, does not oppose

licensing or certification of librarians as an addition to an already obtained Master's degree in Library Science (MLS), but only opposes it when licensing or certification is substituted for earning an MLS. (Approved by the ACRL Board of Directors in July 1989 and reaffirmed in June 2001.)

The State of Texas has determined that it is in the public interest to license a wide variety of professions, e.g., including auctioneers, court reporters, cosmetologists, perfusionists, school teachers, dietitians, social workers, and property tax consultants.

C. Possible Solutions and Impact

Option 1: Retain the current law and rules

This option would support the status quo, but would not address any of the questions or concerns raised by the library community regarding the level of knowledge and skills needed to ensure competently managed public libraries that are responsive to community needs and dedicated to service excellence.

Option 2: Repeal the requirement

This option would not address the questions and concerns raised by the library community regarding the need to ensure competent public library management. Those public libraries that must have a certified librarian would no longer need one. It is possible that those libraries may save money by hiring less qualified staff. The agency may then be affected by having to consult with and train less qualified library directors more frequently. The agency would save staff time and other resources by not carrying out this function. The agency does not charge for the certification because many library directors and staff are paid poorly. It is anticipated that the repeal of the requirement would lead to a degradation in the quality of library services and library management.

Option 3: Extend the requirement to all public library directors

This option would address the questions and concerns of the library community, and ensure that all public libraries follow the same rules, which would result in similar outcomes, i.e., better managed libraries that better meet local community needs. Those public libraries that must currently have a certified director would not be affected. Those public libraries that currently are not required to have a certified director would be affected. The director would have to seek certification. In some cases, the library may potentially have to offer higher salaries in order to attract a certified director. The agency would have to take on the responsibility of administering a certification program that would affect approximately twice as many library directors as the current program . This would require additional staff time and other resources. An alternative approach would be to change the administrative rules governing the minimum criteria for system membership to require all library directors to have these qualifications, but to allow them to verify their certification status through the annual statistical report rather than through a more cumbersome certification process. This approach has the same potential impact as outlined above, except that the agency would collect and verify information through an existing reporting process, and would not issue certificates. This would save time staff time and resources.

Option 4: Extend the requirement to all public librarians

According to LFY2004 public library annual reports submitted to TSLAC, there are 2,084 staff who either hold the MLS degree, or who have the title of librarian. This number is approximately 10 times the number of directors the agency currently certifies. This option would require a substantial amount of additional agency resources to implement. It would have a significant impact on the staff of many libraries around the state, requiring many more to seek certification, and potentially increasing the staff costs at those libraries. This option also goes beyond what is required by current standards for public library staffing.

Option 5: Expand the requirement to school and academic library directors

The expansion of certification to these two groups would have an additional impact on the agency. There are approximately 170 academic institutions, and thousands of school libraries. Many more people would be required to apply for certification. While we estimate that most academic library directors have an MLS degree, many schools do not have a certified librarian. In addition, the State Board for Educator Certification currently sets standards for school library media personnel. This option would potentially increase the staffing costs for those school districts. The school library standards were developed through an extensive, participative process with the school library community. While there is support from that community for a standard for a school librarian, the issue of a standard or certification in the academic library community is not as clear.

IX.   Policy Issues

Policy Issue 3: Assisting Texas Public Libraries

A.   Brief Description of Issue

How should the Texas Library Systems Act be amended to enable it to continue to assist the agency in improving and developing libraries to best meet the needs of the people of Texas?

B.   Discussion

The agency is directed in Government Code §441.006. General Powers and Duties.
    (a) The commission shall:
      (2) adopt policies and rules to aid and encourage the development of and cooperation among all types of libraries, including public, academic, special, and other types of libraries.

During the 1960s, many states established structures to foster library cooperation and development. These structures were variously called systems, cooperatives, or consortia. The Library Systems Act (LSA), passed in 1969, was the culmination of years of work by the library community in Texas. It is now one of the oldest programs administered by the agency to support public library development. These membership based organizations were originally intended to include all types of libraries; however, the bill that passed restricted membership to public libraries only. The act envisioned public libraries, categorized by size, functioning together through cooperative service agreements.

Although state appropriations were not forthcoming, the infusion of federal Library Services and Construction Act (LSCA) funds in the 1970s enabled the systems to develop an active program of service. In the mid-1970s, the agency commissioned a consultant to study the program. The study found that while most librarians stated that the system had helped improve services, many librarians, especially those from larger libraries, stated that direct grants-in-aid would be more effective in helping them improve their libraries. The study's major findings were that the concept of cooperation was not adequately understood, that the agency had not firmly established an understanding of the goals of the Act, that there were not adequate program guidelines, and that the common interests of all types of libraries and the exclusion from system membership of libraries other than public weakened the cooperative development of library services. Other parts of the study found that system funds focused too much on programs traditionally and primarily the responsibility of individual libraries (e.g., collection development), and identified other gaps in system contributions and benefits between smaller and larger libraries. Beginning in the late 1970s, an effort was made to amend the LSA to reflect some of the findings of this study. From 1990–1993, TSLAC undertook an extensive planning process with the library community regarding the future of library services, culminating in the Access Texas report. The report included recommendations that were incorporated in the agency's Sunset process in 1993, including a recommendation to allow for multi-type systems. Legislation in 1993 amended the act to allow systems to open their membership to other types of libraries (academic, public school, certain special libraries).

In 1996, LSCA expired and Congress enacted a new law, the Library Services and Technology Act (LSTA), with significant differences from LSCA. LSTA consolidated federal support for all types of libraries, and the purposes of the act focused on expanding access to information and educational resources, developing access to information through electronic networks, providing linkages among/between all types of libraries, developing public and private partnerships, and targeting services to disadvantaged persons. In 2001 direct state aid to public libraries, another long-standing goal of the library community, finally was achieved with the funding of the Loan Star Libraries program. This program provides direct grants to public libraries and allows them to use the funds for library operating expenditures in support of the library's long-range plan. An evaluation of the agency's first five-year plan under LSTA (2003) found again that while most public librarians supported the system program, there was a gap in perceived benefit between larger and smaller libraries. The system core services (consulting and continuing education) were the most valued services, especially by smaller libraries.

The Study of Public Library Development in Texas (2003) also found support for systems, especially given the geographic size of the state, but stated that more progress in library development would be made with other approaches. In 2003 the agency began a process of discussing with systems many of these points that have been made over the years. Changes in program grant guidelines have started to help steer system services away from those focused on individual libraries and towards meeting LSTA purposes more directly, since most system funding is now federal funding. Despite these years of studies and findings, today no system has opened its membership to libraries other than public and few have many of their services focused on cooperative projects.

The needs and conditions in the state have changed in the last 20 years. Among the changes are:

➢ The agency has initiated a grants-in-aid program to assist public libraries directly.

➢ The agency has assumed responsibility for important programs that serve libraries other than public libraries.

➢ There is a new initiative in 2006-2007 that may increase the agency's involvement with public school libraries.

➢ The population size, distribution, and other demographic characteristics in Texas have continued to change. The needs of urban and suburban libraries have increased, as their populations have grown much faster than those in rural areas.

➢ The pace of technological change has increased. Living in a rural community no longer means that information resources are limited. With an increasing number of alternative information delivery sources, the role of libraries in the community and in society is quickly changing. While libraries still fulfill many of their traditional roles, the public expectations for the provision of information and services via the Web and other electronic means has increased the pressure on library budgets. Many of these services are most efficiently and effectively provided through cooperation and regional or statewide licensing agreements.

➢ The federal funding that is used to operate over 70 percent of the system program changed substantially in 1996 with the passage of the Library Services and Technology Act, and TSLAC is obligated to ensure that new Congressional priorities are addressed.

➢ State appropriations for the Library Systems Act have not increased in many years, and the likelihood of this trend reversing seems low.

C. Possible Solutions and Impact

Any changes to the Library Systems Act should be made carefully. The systems are membership-based organizations that have a strong sense of identity. Many system staff, advisory councils (made up of citizen library supporters), and members have generally indicated that maintaining the status quo is more appropriate than making changes to refocus the program, add new types of libraries to the membership, revise the funding formula, or otherwise alter the program. There are, however, a number of system members who have been very vocal in calling for changes in this program.

Option 1: Make minor revisions to the Act. Focus on obtaining a significantly larger state appropriation to enable all of the ten systems to have a viable and vigorous program.

While this may be a possible course of action, experience suggests that it has a rather low chance of success and could simply delay making more fundamental and necessary changes.

Option 2: Make more significant revisions to the Act. Focus on changing the funding formula to enable all of the ten systems to have a viable and vigorous program.

At minimum, the statutory formula for awarding system operation grants should be changed. With a total current funding level for all systems of $7.5 million, and using the 2003 Census population estimates for each region, the allocation for the Texas Panhandle Library System (headquartered in Amarillo) for FY06 will be $290,000. Three other systems will have budgets of well under $400,000. At the other end of the spectrum, the largest two systems will have budgets of $1.7 million and $1.3 million, respectively.

This gap in resource allocation is most evident in the number of staff and the funding available to assist and develop local libraries in the six largest systems versus that available in the four smaller systems.

The funding formula is written in statute. Since the funding is allocated on a zero-sum formula, any changes that provide more money to smaller systems will mean larger systems will lose funding. Rather than codify the funding formula in statute, it might be better to enable the agency to establish the formula through its administrative rule process. In this way, necessary adjustments could be made more quickly to address changes in demographics, local needs, or other factors. While a revised formula in administrative rule could still require a re-allocation of available program funding among the systems, the formula could be more responsive to the program purpose.

Option 3: Make more significant revisions to the Act. Concentrate on developing a clear focus for the program, re-engineering the funding formula, and expanding the scope of membership to enable all types of Texas libraries to benefit from a viable and vigorous program.

Cooperation among all types of libraries to provide the best possible library service for Texans is a vision that has been shared by many in the Texas library community for a very long time. It was part of the original vision for the systems, it is the vision for the TexShare program, and it is the vision of other cooperative agreements both large and small around the state. It is the vision of most systems in the nation, and it is an integral part of the vision of the federal Institute of Museum and Library Services, which administers LSTA.

Cooperation enables existing resources to be used most efficiently to achieve this goal. Existing system members may feel that funding once dedicated only to public libraries is being used for all types of libraries, and they may experience a change in the services they have received from the systems. The services consistently ranked highest among members, continuing education and consulting, could still be a primary focus of the program. The grants-in-aid program can more efficiently direct funds to local libraries. However, cooperation also introduces new opportunities for services and programs for the existing members. Expanding cooperation among all types of libraries in the state through the systems program would enable the agency to better meet its mandate and the provisions of the federal law.

IX. Policy Issues

Policy Issue 4: Location of the Talking Book Program (TBP)

A. Brief Description of Issue

Should the Talking Book Program remain at the Texas State Library and Archives Commission or be moved to another agency, such as to a division of the Health and Human Services Commission?

B. Discussion

The Talking Book Program (TBP) is a library program for people with disabilities. To be enrolled in the program, a person must have a visual, physical, or learning/reading disability that prevents the person from reading standard print, even with glasses. Once enrolled, the client receives books, equipment, catalogs, and reader's advisory help so that the client may read. TBP essentially is a library in which the books are in different formats and the readers have special needs. Operationally, TBP has many of the same components as any other library. Besides the reader's advisory assistance, TBP also houses a reference collection, a circulation department, collection development and maintenance functions, cataloging functions, and a staff of professional librarians and paraprofessional library assistants to handle readers' requests and answer readers' questions.

While TBP is a division of the Library and Archives Commission, it also is the regional library for Texas within the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress. TBP has been a part of the NLS network since its founding in 1931, and as such, the program has always resided within the State Library. Before TSLAC became affiliated with NLS, services for blind and visually impaired readers were made available with state funds through the State Library. As early as 1918, the State Legislature authorized funds for the agency to provide specialized reading materials to these readers. As a Regional Library in the NLS network, TBP distributes books, equipment, and catalogs to approximately 20,000 Texans across the state. NLS provides a large portion of the books, all of the equipment and catalogs, as well as a postal subsidy to mail items as free matter. State funding supports staffing, general operations, and a small book budget to purchase large print materials, which are not provided by NLS.

The primary argument in favor of relocating TBP is that the program serves clients who have disabilities, and that the emphasis should be on the nature of the clientele, rather than on the nature of the services provided. By having the program located in an agency serving all clients with disabilities, the ability of TBP to reach a broader audience of eligible clients may be enhanced. Some operations within the program could be consolidated with operations already in place within a larger agency structure, such as call center operations and public awareness/ public education.

The primary argument against relocating TBP to another agency is that the orientation of TBP is as a library serving readers and therefore should remain with the agency that oversees library and information services in the state. The sole purpose of the program is to provide the means for its clients to be able to continue to enjoy and benefit from books and magazines though their ability to read has been compromised by visual or physical disabilities. TBP does not provide counseling, financial, or other social services, although librarians are available to help clients with questions about disabilities issues and to provide referral to other service providers. The enrollment process is through application and is strictly controlled by directives laid down by NLS and the U.S. Congress. While the long association of TBP with the agency is not the most important factor, most regional libraries within the NLS network are located within their respective state library agencies. NLS has long held the opinion that this is the best and most effective working relationship for the network and its clients. Finally, although the program serves a specialized target population, all of the divisions and programs within the agency also serve their own distinct groups of clientele, but taken together, these various groups represent all the citizens of Texas.

C. Possible Solutions and Impact

State statutes charge the agency with maintaining a centralized library collection for the visually disabled (Human Resources Code, Chapter 91, Subchapter E, §081-84). The contractual agreement between the agency and NLS fulfills this obligation. Wherever TBP is located, the program should be left intact in its current configuration. In the past, the Machine Lending Agency (MLA), the part of the NLS network that handles distribution of playback machines, was part of the Texas Commission for the Blind (TCB). At the time of TCB's sunset review in 1985, the review committee

determined that the best interests of the program would be served by having these two pieces of the service brought together under one agency's control in a centralized location. NLS had strongly recommended that consolidation so that all the NLS services would be located within one agency. Since the main portion of the NLS service was located within TSLAC, the smaller portion was transferred from TCB during their subsequent move to newer facilities. This unification of these program components greatly increased the efficiency of the program's overall operations. It also has made using the service much easier for TBP's clientele. Instead of dealing with two separate agencies, clients make all their calls to the program's call center where staff are trained in the NLS regulations and guidelines and can handle any call, whether it is related to a book or a machine .

Separating TBP from its current agency should not affect general operating procedures, if NLS guidelines continue to be adhered to and if the program is not physically uprooted and fragmented further. Failure to follow the operational guidelines could void the agreement with NLS, resulting in the recall of all federal property under the control of the program. This would gut the program to the point of its practical non-existence without subsequent and substantial infusions of funds from the state.

Uprooting TBP and moving its operational oversight to another agency outside the library field, however, would disrupt its long-established ties within the larger library community—a community that provides important referrals of clientele who are transitioning from being active community library users to becoming users of TBP.

Policy Issue 5: Preservation of Historical Government Records

A.   Brief Description of Issue

Should a records filing fee be levied to fund the grant program established in the Government Code, §441.157, in order for the commission to carry out its statutory obligations, both explicit and implicit, to protect and preserve the historical government records of Texas?

B.   Discussion

While this issue may appear to be merely a resource issue, it actually raises a question that goes to the heart of the agency's mission to preserve the historically valuable records of Texas government. Government Code §441.157, provides that the agency will administer a grant-in-aid program "for the purpose of aiding local governments in the establishment of records management programs or for the purposes of preserving historically valuable local government records." The legislature has never appropriated funds for the program.

Many local governments have made significant improvement in establishing efficient and cost-effective records management programs since the passage of the 1989 Local Government Records Act. Agency staff, through training and consultation, has assisted local officials in achieving this progress.

Local governments are poorly equipped, however – in both funds and expertise – to care for their historically valuable records, a task that goes well beyond the day-to-day management of government records. In 2004, the Texas Historical Records Advisory Board completed numerous focus groups throughout the state. They found that the historically valuable records of local governments are at serious risk, and that funding and training are needed to help ensure that these records are not lost to future generations. The board's findings reinforce the results of earlier studies and surveys in the 1970s and 1980s.

Many states (for example, Kentucky, New York, and Missouri) are assessing a fee to be paid by those filing documents for record with county clerks. The fees are then used to provide grants to local governments for records preservation and management purposes.

Texas currently has three records management and preservation fees, but none provides the means for the commission to administer a grant program. The commission also has no authority over how these funds are spent. Each of the current fees can only be used to fund records management and preservation activities in the counties in which the fees are collected and, in some cases, only for the management of the records of the offices of county clerk and district clerk. Even these fees do not go far enough to aid some counties. For example, in the smaller rural counties in West Texas, real estate transactions are far fewer than in larger urban counties, so the fees collected are disproportionately smaller. Yet, the records of these counties– the land of cotton, cattle, and oil– are no less important in documenting the history of Texas and Texans than are the records of larger counties.

Commissioners courts throughout the state, faced with budget challenges that mirror those faced by the Legislature, have too often either expended money from these records management and preservation funds inappropriately or, more commonly, used the available money in these funds to offset general county fund appropriations to the offices that collect the fees. In short, it is the belief of the commission that the legislative intent and purpose for authorizing the collection and expenditure of these fees — the management and preservation of government records — is not being realized.

In addition, as a result of years of limited resources, agency staff has not been able to prepare finding aids and other access tools to facilitate locating information in many historical records in the State Archives that document the history of Texas as a colony, nation, and state. Many historical records are in need of conservation and restoration, but funds have not been appropriated for that purpose. In addition, funds have not been available to care adequately for thousands of cubic feet of local government records transferred to the state for preservation in the commission's Regional Historical Resource Depository system.

C.Possible Solutions and Impact

A portion of the fees currently being collected by counties for records management and preservation purposes could be allocated to the agency to be used to award grants to counties, cities, and other governments for the preservation of their historical government records, to provide emergency funds to local governments to recover records damaged by fire, flood, and other disasters, and to provide resources to the commission so that it could provide training to those local government officials, especially in regard to the management and preservation of electronic records of historical value. However, a proposed amendment to legislation dealing with the "Records Archive Fee" currently being collected by county clerks introduced during the 79th legislative session that called for $2.00 of that $5.00 fee to be reallocated for a preservation grant program to be administered by the commission was opposed by individual county clerks and representatives of the County and District Clerks Association. Consequently, the proposed amendment failed.

Other legislation was introduced for consideration by the 79th Legislature that entailed assessing a new fee of $1.00 as an additional charge for the first page of each instrument filed for record in the Real Property Records of county clerks. After deducting the 10% the county clerks could have retained for collection administration, this fee would have generated estimated revenue of $4-$4.5 million per year for use by TSLAC for records preservation, depending on the volume of real estate filings. Initially the associations representing land and title companies voiced strong opposition to the legislation, but those groups, realizing the long-term impact of a preservation grant program, ultimately agreed to withdraw their opposition. However, due to strong opposition to the imposition of the fee on the part of several legislators serving on the committee considering the bill, it was amended to remove that section of the legislation that would have authorized the collection of the fee. The amended legislation, which would have authorized the grants program but no funding to support it, was approved by the House but died in committee in the Senate.

County and district clerks, county commissioners, and county records management officers might oppose a future effort to allocate to TSLAC any portion of the Records Management and Preservation Fees they are authorized to collect. The opposition registered by the several legislators to the imposition of a $1.00 fee on real property filings may have been due to the fact that an inordinately large number of bills had been introduced during the session that entailed imposing new fees. Whether there would be similar opposition on the part of the legislators--and the extent of any such opposition--to a future attempt to pass identical or similar legislation is unknown. However, such opposition must be balanced against the greater purpose of the state of Texas to ensure that the record of state and local governments is available for public scrutiny by present and future generations.

Policy Issue 6: Assisting Libraries in Public Schools

A.   Brief Description of Issue

What should be the role of TSLAC in supporting K-12 public school libraries?

B.   Discussion

The agency is directed in Government Code §441.006. GENERAL POWERS AND DUTIES.

> (a) The commission shall:
> > (2) adopt policies and rules to aid and encourage the development of and cooperation among all types of libraries, including public, academic, special, and other types of libraries.

The public school library community in Texas is very large. There are approximately 1,200 school districts and 8,517 K-12 school campuses.

Public school libraries are already authorized to participate in several agency programs and do so in varying degrees. The Library Systems Act was amended in 1995 to allow library systems to open their membership to public school libraries. To date none of the ten systems has opened its membership to public school libraries, although public school librarians may, and sometimes do, attend workshops offered by systems. School librarians may also, and some do, attend agency workshops, and occasionally TSLAC consultants provide workshops on demand for school librarians, particularly as part of in-service training. School libraries participate in the Texas Reading Club (a statewide summer reading program) administered by TSLAC, either in partnership with a local public library or as a separate reading promotion during the school year. TSLAC's library science collection, a collection of professional resources for librarians, includes many books and other materials relevant to school libraries. School librarians use this collection, either in-person or by consultation with agency staff. Texas currently has 23 joint school/public libraries. The agency is directed by Education Code §33.021 to develop school library standards. School libraries are also eligible to be partners in competitive grants funded by the federal Library Services and Technology Act (LSTA), administered by the agency. School libraries qualify for interlibrary loan service from the nine TexNet centers and receive service to a limited degree. Public school libraries are currently excluded from the TexShare program.

In 2001 TSLAC contracted for a consultant study of school library impact on student achievement. The study, *Texas School Libraries: Standards, Resources, Services, and Students' Performance*, identified a clear and significant link between the quality of school libraries and student performance on standardized tests. The data gathered for this study were used to revise the school library standards and to relate standards to the Texas Essential Knowledge and Skills (TEKS) learning objectives.

Traditionally school librarians have been part of their institutions' overall education mission. School libraries received support in the past from the Texas Education Agency (TEA). This is no longer the case. TEA does not define school libraries as part of its core mission, and staff and other resources once devoted to services for school libraries no longer exist at the agency. The Texas Education Agency administered a resource sharing program, the Texas Library Connection (TLC), to support K-12 school libraries. TLC was eliminated in 2003. There continue to be 20 Education Service Centers in the state that provide support services for school districts, including school libraries. These services currently include training and cooperative purchasing, including licensing online databases.

The TexShare Library Consortium is established as a statewide library resource sharing program in Government Code §441.221 et al. The statute specifies that the program will be run for the benefit of libraries at institutions of higher education, public libraries, and libraries of clinical medicine. A strategic planning conference to explore the future of TexShare resource sharing held in 2000 resulted in plans to expand resource sharing among Texas libraries. The conference developed a vision statement that was endorsed by the TexShare Advisory Board: "All Texans will be served by a partnership of libraries that empowers them to access and use information confidently and effectively."

Recent significant cuts in funding for statewide resource sharing programs contributed to the need to reassess current programs and to identify priorities for TexShare. In January 2004, the agency convened a follow-up resource sharing strategic planning session. The purpose of the session was to bring representatives of all stakeholder groups together to discuss future plans that would ensure the continuity and growth of TexShare and its services. One of the top four recommendations was to bring K-12 libraries into TexShare, giving K-12 libraries access to all TexShare programs. This would require changes in legislation and funding. The group recommended that until legislation is changed and funding is available, the consortium should hold current members harmless (i.e., not dilute services to current members in order to expand services to a new target group) and work to offer databases to K-12 libraries in other ways. SB 483, passed by the 79th Legislature, authorizes the agency to negotiate for K-12 libraries under the TexShare group purchasing agreements. No funding was associated with this legislation.

The school library community is currently assessing its relationship with state agency oversight. Many see the value of being part of the TexShare consortium, especially with regard to equal and continuous access to electronic resources. At the same time, the community recognizes the school librarian's role as an educator and the need to be identified as a part of the K-12 education community. A certified school librarian must have teaching experience and recommended school librarian practices are closely integrated with the curriculum and the teaching staff.

C. Possible Solutions and Impact

Collaboration among school and other types of libraries is already taking place, and collaboration generally allows for more efficient and expanded resources for all. Goals to expand collaboration in library services among all types of libraries and to have an acknowledged role for school libraries in education are not mutually exclusive. Discussion of possible solutions and impacts on key areas of library development and resource sharing recognizes and addresses several important factors: 1) TEA, the natural "home" for all segments of the public education infrastructure, does not include school libraries in its mission; 2) While TSLAC has specific limited responsibilities related to school libraries, the current extent of those responsibilities by no means secures this agency as the "home" for school libraries; and 3) TSLAC's view of statewide resource sharing is expansive and crosses all political and institutional divisions. The school library community would need to be fully involved in selecting an option.

Option 1: TSLAC is given the authority and responsibility for K-12 school libraries at the same level as it has for public and academic libraries. This option would impact the following TSLAC programs:

- Continuing Education and Consulting. Continuing education and consulting on a wide range of topics and issues in library service is integral to the development of any library and its staff. Public school librarians already receive some continuing education and consulting support through the systems, TSLAC, and the education service centers. Some school districts provide their own staff training. The support from TSLAC and systems is very limited and has not been expanded because of the large number of school libraries and the lack of funding. The education service centers provide a wide range of training (some of which is library specific) and operate on a cost recovery basis. The systems could explore expanded training and consulting; however, this level of service would most likely be made available on a cost recovery basis. TSLAC's continuing education and consulting services currently are targeted to public libraries and in support of specific programs administered by the agency. If TSLAC was given the responsibility for providing continuing education and consulting services to public school libraries, we anticipate the need for significant additional staff and resources.

- Local and Regional Collaboration. The framework exists for public school libraries to collaborate with other types of libraries in a local or regional setting through the systems program. Examples of such collaboration are shared automation systems, local reciprocal borrowing agreements, shared programming, Internet access, and collections. Systems could serve to bring libraries together to discuss areas of local/regional collaboration, to offer models of such collaboration, and to administer cooperative services for which member libraries would pay. To offer a more active program of assistance in these areas, systems would need to re-focus their priorities.

- Statewide collaboration. With the recent passage of legislation, the TexShare program will begin to work with school libraries to re-establish statewide licensing of online resources for public school libraries. However, this is only a first step toward integrating the K-12 library community into statewide resource sharing services. K-12 libraries could benefit from participation in TSLAC's statewide reciprocal borrowing agreements, allowing library users expanded access to resources beyond the holdings of their home libraries; a library-to-library courier service for expedited delivery of library materials; the Library of Texas searching utility, which simplifies search and retrieval of informational resources; and programs to support digitization of library resources.

There is precedent in the academic library community for a structure that charges TSLAC to provide services to support academic library programs while assigning overall responsibility for higher education to the Texas Higher Education Coordinating Board. Such a model could be successful with K-12 libraries. However, any solution that assigns a primary responsibility for school libraries to TSLAC would have a significant effect on the agency. The agency's funding would need to be significantly increased in order to serve the very large and diverse school library community. Additionally, the agency would need to develop the administrative infrastructure to serve this community, either through expansion of the agency staff or through outsourcing.

Option 2: The Texas Education Agency is given specific authority for K-12 libraries. Under this option, K-12 school libraries would become part of the core mission of the agency. TEA would need to re-establish programs for school libraries that were discontinued in FY03. It would also need to review the need for expanded programming, including matters such as (1) gathering annual statistics on school libraries, providing data for planning and evaluation; (2) developing and providing continuing education programs specifically for school librarians; and (3) supporting library cooperative functions as described above. These activities would require TEA to establish an administrative structure to support school libraries. Given current programs for K-12 libraries at the Education Service Centers and the history of partnership between TEA and the centers, one could expect that such a structure would be easily accomplished. The proportionate funding within TEA that would be dedicated to support K-12 library programs would need to be reassessed.

IX. Policy Issues

Policy Issue 7: Digitizing Cultural Heritage Resources

A. Brief Description of Issue

What should be the agency role in supporting statewide digitization of Texas cultural heritage materials?

B. Discussion

Government Code §441.181(c)(5) instructs the state archivist, under the direction of the Director and Librarian to "cooperate with and, when practicable, provide training and consultative assistance to state agencies, libraries, organizations, and individuals on projects designed to preserve original source materials relating to Texas history, government, and culture…"

Under Government Code §441.227, the TexShare consortium is charged with engaging in "activities designed to facilitate library resource sharing. These activities must include providing electronic networks, shared databases, and other infrastructure necessary to enable the libraries in the consortium to share resources, negotiating and executing statewide contracts for information products and services, coordinating library planning, research and development, and training library personnel."

To fulfill the responsibilities assigned to it, the agency has supported enhanced access to Texas cultural heritage materials held in libraries and other archival repositories statewide. In 1999 the agency joined five Texas research institutions in a project to digitize finding aids, using Encoded Archival Description, and make them available through the Texas Archival Resources Online project. This group has now grown to include 15 participating institutions. Individual institutions also have digitized historical records, maps, photographs, private papers, and other objects with the dual purposes of preserving the original materials while broadening public access to them.

Also in this time period, the TexShare Library Consortium supported a grant program (TexTreasures) to fund digitization and access to Texas cultural heritage resources. Funding for these grants was eliminated in 2004 due to state budget reductions.

The Telecommunications Infrastructure Fund, a by-product of the 1995 state telecommunications deregulation with a sunset date of August 31, 2005, has funded most local, regional, and statewide efforts. Without a statewide plan or guidance, projects have moved ahead unilaterally, with project staff drawing on their own devices to determine the best practices related to digitization, the most appropriate metadata schema to use, the nature of the search interface, and the most effective means of promoting collections of digital assets once created.

The importance of collections of digital assets in support of education cannot be overstated. In the recently published report, *Improving the Teaching of Texas History: A Report to the Summerlee Foundation of Dallas*, the principle investigators with the University of Texas at Arlington found that when "students use original documents – diaries, journals, and historical maps – teachers observed that the students' level of mastery increases and their retention of the materials improves." In talking with students, the researchers found that "there is no substitute for experiencing primary sources in the history classroom." Though students may be able to visit libraries, archives, and museums that hold treasures of Texas history and culture on occasional school-sponsored field trips or informal family outings, access to digitized collections of cultural heritage materials on the Web brings Texas history to life at the desktop for students on an equitable basis.

In an effort to bring stakeholders together to discuss and reach consensus on many of the issues related to the digitization of special collections, the agency, in partnership with the University of North Texas, convened a meeting in May 2004 and invited participants to share an assessment of their needs and to engage in discussion of concerns and issues related to digital projects. The outgrowth of this seminal meeting was the creation of the Texas Heritage Digitization Initiative.

The Texas Heritage Digitization Initiative (TDHI) was established to:

➢ Enhance access to distributed special collections of cultural heritage materials
➢ Increase collaboration among interested institutions
➢ Assist smaller institutions and organizations with digital projects
➢ Collaborate on grant seeking efforts
➢ Create resources to support digitization efforts of participating institutions and organizations (e.g., regional digitization laboratories, digital archives for long-term preservation of digital master copies, and training for participants related to standards and best practices).

At the May 2004 meeting at which the Texas Heritage Digitization Initiative was formed, participants were asked: "What do our institutions need in order to be successful in our digitization efforts?" Responses were far ranging, but centered around several central operating themes:

➢ Funding
➢ Dissemination of information on best practices and technical solutions
➢ Expert staff and staff training
➢ Statewide vision and plan

In the strategic plan adopted at the February 2005, meeting of THDI, the group identified the Texas State Library and Archives Commission as the institution best suited to serve as the organizational home for this initiative.

The agency recognizes the importance of digitizing resources as part of its mandate to preserve historically significant records and welcomes the opportunity to contribute to and coordinate such efforts statewide. To accept these roles and perform them competently, the agency will need additional funding for staffing, facilities, and technology. There may also be a need for statutory changes.

C. Possible Solutions and Impact

A study sponsored by the federal Institute of Museum and Library Services (IMLS) recommends that development in the area of infrastructure is critical to meeting the needs for digital collection development. ("Digital Resources for Cultural Heritage: A Strategic Assessment Workshop on Current Status and Future Needs," June 8, 2004) The members of the Texas Heritage Digitization Initiative, drawing on the results of this study and the reported experiences of other statewide efforts, such as the Colorado Digitization Program, specified the need for infrastructure in the strategic plan endorsed at its February 2005, meeting. Objective 1.2 of the plan is to associate the THDI with an organizational host (with the Texas State Library and Archives Commission named as the preferred host), and Objective 1.3 is to hire or contract staff to coordinate the initiative.

Option 1: Establish a Texas heritage digitization program as part of the TexShare Library Consortium. At their April 2005 meeting, the TexShare Advisory Board generally viewed THDI as a logical next iteration of TexShare's TexTreasures program. Board members see TSLAC as an appropriate host for the activities of the initiative, with its organizational "home" in TexShare. The group recognized that the initiative involves entities, such as museums, that are not authorized for TexShare membership and indicated interest in exploring the concept of TexShare "affiliate" participation for these groups in order to advance access to special collections of informational materials through digitization. The TexShare consortium has a proven, established structure for member participation and governance from which the initiative could benefit. This structure, however, is based on the interactions of the library community and does not currently address the museum, association, and government agency components of the initiative. Some negotiation and compromise would be necessary to bring these two programs together.

Government Code §441.226 (f) allows the TexShare Advisory Board to recommend to the commission that the consortium enter into cooperative projects with entities other than those defined by statute. While a change in the statute governing TexShare membership would not be required, formalizing a charge to coordinate statewide digitization efforts through statute and associated funding would provide the agency with a clear directive from the Legislature that this is an activity it deems necessary and worthy.

Option 2: Establish TSLAC as the central agency responsible for statewide coordination of Texas heritage digitization efforts without reference to the TexShare Library Consortium. This option would provide greater flexibility in determining organizational placement of the program and for accommodating the diversity of members currently committed to the THDI. However, because a large portion of the THDI constituency are also TexShare members, it

would take additional effort and energy on the part of TSLAC and the member organizations to coordinate efforts and avoid duplicative activities. As in the previous option, a formal statutory charge with associated funding would provide important and necessary guidance to the agency in its activities relating to digital Texas heritage resources.

Option 3: Cooperate with Texas libraries and museums under the existing structure, or one similar to it. TSLAC could continue to be a participating member of the initiative without assuming an administrative role. Under this option, the agency would sit as an equal partner with other members of the initiative. However, lacking another agency positioned to take on statewide coordination of this effort, the initiative is not likely to progress quickly toward its goals. The IMLS study previously cited states, "It takes more than the enthusiasm of a cadre of colleagues to build a community around the existing digital resources."

IX.   Policy Issues

Policy Issue 8: Review and modernize statutory language

A.   Brief Description of Issue

The enabling statutes of the Library and Archives Commission need to be revised.

B.   Discussion

The language of the statutes related to the Library and Archives Commission and many of its programs is outdated and in need of revision. There has not been a comprehensive review of the statutes in the past 30 years. As a result, many sections of the code contain provisions that are obsolete or archaic, reflecting programs or concepts that are no longer relevant.

Among the statutes that should be recommended for modernization are:

> - Human Resources Code, §§91.081-084. CENTRAL MEDIA DEPOSITORY
> - Local Gov't Code, Chapters 201-205. RECORDS PROVISIONS APPLYING TO MORE THAN ONE TYPE OF LOCAL GOVERNMENT (LOCAL GOVERMENT RECORDS ACT)
> - Local Gov't Code, §323.001. COUNTY LIBRARY LAW
> - Gov't Code, §441.006. GENERAL POWERS AND DUTIES
> - Gov't Code, §441.009. STATE PLAN FOR LIBRARY SERVICES AND CONSTRUCTION.
> - Gov't Code, §441.0092. NEW MILLENNIUM READING PROGRAM GRANTS
> - Gov't Code, §441.010. ELECTRONICALLY SEARCHABLE CENTRAL GRANT DATABASE
> - Gov't Code, §441.031 RECORDS MANAGEMENT DIVISION OF TEXAS STATE LIBRARY
> - Gov't Code, §441.091-095 MAINTENANCE AND DISPOSITION OF CERTAIN COUNTY RECORDS
> - Gov't Code, §441.121. LIBRARY SYSTEMS ACT
> - Gov't Code, §441.151-168 PRESERVATION AND MANAGEMENT OF LOCAL GOVERNMENT RECORDS
> - Gov't Code, §441.180-204 PRESERVATION AND MANAGEMENT OF STATE RECORDS AND OTHER HISTORICAL RESOURCES
> - Gov't Code, §441.201. RECORDS OF THE OFFICE OF THE GOVERNOR
> - Gov't Code, §441.224. MEMBERSHIP; FEES (TEXSHARE)
> - Gov't Code, §441.230. GRANTS TO MEMBERSHIP INSTITUTIONS

C.   Possible Solutions and Impact

Human Resources Code §§91.081-084 Central Media Depository
The original purpose of this statute was to establish a central media depository (Talking Book Program) to provide materials and equipment for blind and visually impaired readers. The depository always has been a program overseen by the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress, and it originally was divided between TSLAC and the Texas Commission for the Blind (TCB). Spurred by a recommendation of NLS, the two portions of the program (books and machines) were unified within TSLAC, and this statute was created to enable all entities involved to actively participate in the running of the program.

Since the two parts were merged, the program has evolved into a cohesive whole within TSLAC's organizational structure. It meets the statute's original purpose of establishing and maintaining a centralized depository, although the clientele base is broader than it was originally when TCB was one of the main entities involved in its operations. Over time, TCB has ceased to have any direct influence on or participation in the operations of the program, and the relationship between TCB and NLS likewise has ceased. The statute should be updated to reflect the reality of the program's current existence as a full library service offered solely under the aegis of TSLAC and moved to that portion of the Government Code that establishes operations for this agency. TSLAC has assumed total responsibility for funding and staffing the program.

NLS guidelines dictate the means by which both individual and institutional customers can provide feedback on the Talking Book Program, thus influencing policy and practice. Therefore, similar language in state statute can be repealed.

Suggested Revisions:

1. 91.081(a) and (b) should be completely deleted; the wording in 91.082(a) suffices to cover the current status of the program.

2. 91.082(a) could have wording added to acknowledge possible contributions of other agencies mentioned in 91.081(a). As currently written, this clause will not need updating in terms of the new technologies being developed by the National Library Service for distribution through the Talking Book Program.

3. 91.082(b) should be completely deleted, as what is described has not been acted upon for a number of years. NLS already has set contractual arrangements with TSLAC for NLS's oversight role.

4. 91.083 and 91.084 need no revisions.

Local Gov't Code, §323.001-052 County Library Law

There are many county libraries in Texas, and this type of public library legal establishment is the most practical and viable for many parts of the state. The County Library Law dates to 1919. While it has been revised over time to reflect more current policy and practice, it requires a thorough evaluation for currency and relevancy.

Suggested Revisions:

323.002 Maintenance Funds

This allows the commissioner's court to set aside from the general revenue or permanent improvement funds an amount to be used to maintain, make a permanent improvement, or acquire land for the county library, not to exceed 12 cents on $100 valuation of all property. The number of counties that use this provision may be few or none. This limit has been in existence for many years and should be evaluated to see if it still provides for adequate funding for the county library.

323.004 Farmers' County Library

This directs a county with a farmers' county library to continue to operate the farmers' library, or to incorporate a farmers' county library into a county library, if the latter is established. This section can be repealed as there are no longer farmers' county libraries.

323.005 Librarian

The issue of county librarian certification is discussed in policy issue two. Part (d) of this section directs the county librarian to report to the commissioners court and the state librarian on the operation of the county library on or before October 1 of each year. 13 TAC 1.85 states: "A public library shall file a current and complete annual report with the Texas State Library and Archives Commission by April 30." The statutory language should be changed to comport with current public library reporting requirements.

323.006 Supervision

This section states that the county library is under the general supervision of the commissioners court and also under the supervision of the state librarian, with specific duties for the state librarian (or assistant) listed. The duties to visit, inquire about conditions, and give advice and assistance, are also reflected in §441.002: "(5) ascertain the condition of all public libraries in this state and report the results to the commission; (6) give to any person contemplating the establishment of a public library advice regarding matters such as maintaining a public library, selecting books, cataloging, and managing a library; (7) conduct library institutes and encourage library associations." It may be more appropriate to incorporate the duties prescribed in §323.006 into §441.002.

Subchapter B deals with county law libraries. Although TSLAC does not oversee county law libraries, this section will be reviewed.

Subchapter C deals with additional library authority. No changes appear to be needed.

Gov't Code, §441.009 State Plan for Library Services and Construction

In 1996 Congress replaced the Library Services and Construction Act (LSCA) with the Library Services and Technology Act (LSTA). This Act, now administered by the Institute of Museum and Library Services (IMLS), is the agency's source of federal funds for library programs. The state statute needs updating to reflect this and other changes in federal law. LSTA has specific purposes and goals. This is the program overview from IMLS' website:

"The LSTA promotes access to information resources provided by all types of libraries. … State libraries may use the appropriation to support statewide initiatives and services; … may distribute the funds through subgrant competitions or cooperative agreements to public, academic, research, school, and special libraries in their state."

Each state creates a five-year plan for its programs to strengthen the efficiency, reach, and effectiveness of library services. State programs support the following LSTA goals:

> Expand services for learning and access to information and educational resources in a variety of formats, in all types of libraries, for individuals of all ages.
> Develop library services that provide all users with access to information through local, state, regional, national, and international electronic networks.
> Provide electronic and other linkages between and among all types of libraries.
> Develop public and private partnerships with other agencies and community-based organizations.
> Target library services to help increase access and ability to use information resources for individuals of diverse geographic, cultural, and socioeconomic backgrounds, individuals with disabilities, and individuals with limited functional literacy or information skills.
> Target library and information services to help increase access and ability to use information resources for persons having difficulty using a library and for underserved urban and rural communities, including children, from birth to age 17, from families with incomes below the poverty line.

Suggested revisions:
Revise title to "State Plan for Federal Funding."
Revise (a) to: "The commission may adopt a state plan for improving services of ~~and constructing county, municipal, and other public~~ all types of libraries."
Revise (c) to: "The plan must include a procedure by which a ~~county or municipal~~ library may apply for money under the plan and a procedure for a fair hearing for a library whose application for money is refused. Money from local, state, or federal sources may be used. The money shall be administered according to local, state, and federal requirements."

Gov't Code, §441.0092 New Millennium Reading Program grants
The name of this specialty license plate was changed in the 78th Legislature to "Texas Reads," and this is how it is referenced in Transportation Code §504.616. This statute also needs to be updated to match the new name. The only change that is needed is to replace "New Millennium" with "Texas Reads" wherever it appears.

Gov't Code, §441.010 Electronically Searchable Central Grant Database
The statute establishes a searchable database of state grant opportunities as part of the Texas Records and Information Locator (TRAIL), a responsibility that is not closely related to the TSLAC mission. It has been difficult to comply with this statute regarding the two advisory groups for the TRAIL grant search functionality. The governor's office has not appointed members to the Agency Advisory Committee, as its appointment procedures are not suited to appointments of this nature. The process for appointing persons to the Public Advisory Committee, member travel reimbursement, and open meetings requirements are not clear from the statute. Additionally, SB 1002 (79th Legislature) sets up a statewide grant searching and submission service in Texas Online that duplicates the grant-searching feature of TRAIL as established in §441.010. Repeal of §441.010 would eliminate the redundancy created by SB 1002 and allow TSLAC to focus its resources on the activities that are more central to its mission.

Gov't Code, §441.031 Records Management Division of the Texas State Library
Gov't Code §441.091-095 Maintenance and Disposition of Certain County Records
These contain obsolete and unneeded statutes concerning the management of county and state agency records. These statutes should be repealed, as they tend to confuse anyone seeking information about laws governing the management of state agency and local government records.

Gov't Code, §441.121-138 Library Systems Act
Policy Issue 3 deals with some broad issues regarding how well the Library Systems Act enables the agency to improve and develop Texas libraries. There are many provisions of the Library Systems Act that reflect conceptions of how libraries may cooperate and systems may be operated that no longer reflect current conditions or best practices of libraries or systems. In some cases changes to ensure consistency (especially in referring to both major resource and regional systems) across the act are needed.

Suggested revisions:

441.122 Definitions
The definitions need to be updated. Some could be deleted; others need amending for consistency. Definitions for libraries other than public libraries should be added. Careful consideration of the types of organizations that could be considered a

system (any changes or additions would need to be reflected in all relevant subsequent sections) should be made to ensure that the state is using its resources most effectively and efficiently.

441.123 Establishment of State Library System
Recommend changing "shall" to "may" to allow the commission to incorporate future changes in library services in its organization of services to libraries.

441.126 Authority to Establish Major Resource Systems
Recommend changing to authority to establish systems, to allow for future developments in systems.

441.127 Membership in system
Recommend (b) be simplified to allow for re-organization of any type of system with the approval of the majority of the governing bodies of the libraries comprising the system; this gives member libraries a direct voice in the organization of their system. Part (c) needs language added that mirrors the language for regional library systems.

441.1271 Extending System Membership of Major Resource Systems To Certain Nonpublic Libraries
Recommend simplification to allow for system membership for the nonpublic libraries listed on approval by the commission for any type of system. This would allow the commission to align the services it offers across the state equitably. Recommend deletion of (c)(2) "execution of interlibrary contracts for service" as this is not required of public libraries, and of (d)(2), and (e) as these are also not required of public libraries.

441.129 Withdrawal From System
Recommend revising (a) "governing body of a political subdivision of the state" to "governing body of a member library" to allow for all types of libraries as members.

441.130 Advisory Council
Recommend changes to facilitate other types of libraries becoming system members. Consider the role of system member librarians, as well as lay people, in setting the direction of the system services. The duties of the advisory council in (g) are appropriate. Part (h) would need the phrase "or other governing authority" added to reflect the structure of other types of libraries.

441.131 Regional Library System
Recommend revision to (b) "Bylaws adopted or a contract executed under this section ~~may~~ shall permit other libraries … to become members …" to bring the operation of regional systems into alignment with changes made in other sections.

441.132 Major Resource Centers: Recommend wording changes to reflect participation by other types of libraries.

441.133 Area Libraries: Recommend deleting this, as this size designation is no longer used or needed.

441.134 Community Libraries: Recommend deleting this, as this size designation is no longer used or needed.

441.135 Grants
Recommend revision to (a) "The commission may ~~shall~~ establish …" to allow flexibility as funding amounts vary to best meet library needs. Delete the phrase that begins "except that any municipal library which lends more than 21,000 items per year…" as this is now outdated. Recommend revision to (b) "The program of state grants may ~~shall~~ include one or more of the following…" to allow flexibility to respond to changing conditions. Recommend that part (c)(1) simply allow for "operation grants" (no other additional wording needed) and that the types of grants and the wording in (2) - (5) be carefully considered in the context of any policy changes to the program.

441.138 Funding
Recommend revision to (b) "Libraries and library systems may use state grants for programs and services to improve library services to Texans as specified in grant guidelines. State grants may not be used for site acquisition, construction, acquisition of buildings, or payment of past debts. Where federal funds are used, federal purposes must be addressed." Recommend deleting (d) to permit operation grants to be determined by rules adopted by the commission.

Gov't Code, §441.151-168 Preservation and Management of Local Government Records
Gov't Code, §441.180-204 Preservation and Management of State Records and Other Historical Resources
Local Gov't Code, Chapters 201-205 Records Provisions Applying to More than One Type of Local Government
The Local Government Records Act was originally enacted in 1989 and substantively amended in 1995 after the agency's last sunset review. A new and modernized law relating to the management of state agency records was enacted in 1997. The two laws are very similar in structure. Both local governments and state agencies must establish records management programs and submit records retention schedules or their equivalent to the director and librarian for approval. Both laws require the commission to adopt rules concerning records retention periods and the microfilming and electronic storage of government records.

There are differences between the laws, however, and many of these differences are not warranted. For example, the definition of a state record includes not only records created or received by a state agency but also records created or received on behalf of a state agency. There is no such provision in the definition of a local government record, leading to problems for local governments in requiring entities under contract with a local government to keep local government records in accordance with state law. As another example, statutes concerning the electronic storage of local government records are more restrictive than those for state agencies, limiting the ability of local governments to manage electronic records efficiently and the commission to adopt rules to assist local governments in that management.

As a result of these differences, the commission's training of state and local government staff in records management, a core function, is made unduly complicated. For example, the commission has chosen to offer two classes in the management of electronic records, one for state agencies and another for local governments. A single class for both proved to be unwieldy and confusing to participants because of unnecessary differences in the laws.

A harmonization, to the extent practicable, of the state and local government records laws, would clarify and add coherence to the government records laws of the state. Laws more parallel in terms and requirements would be more understandable to state and local government staff and would enable the commission to provide more efficient and effective training.

Gov't Code, §441.201 Records of the Office of the Governor
This statute allows a governor, in consultation with the commission, to designate an institution of higher education or alternate archival institution in the state, in lieu of the Texas State Library and Archives, as the repository for the records of the executive office of the governor created or received during that governor's term of office. In negotiating a memorandum of understanding to fulfill the terms of the first use of §441.201 by former Governor George W. Bush, a number of conflicting interpretations and misunderstandings regarding the statute arose that could be eliminated in the future by adding definitions and provisions to the statute.

Additional Definitions
1) The statute requires the designated alternative depository to "administer the records in accordance with accepted archival practices." That phrase should be revised to mean the following: The records are kept in a secure and proper storage environment including temperature and humidity controls and a fire suppression system, with staff-only access; accessible by the public in a staff-monitored reading room; prepared for research use to the satisfaction of the commission; and administered by professional archival staff with qualifications equivalent to an Archivist III in the State Classification System.

2) The statute requires that the alternative repository "shall ensure that the records are available to the public." That phrase should be revised to mean the following: All provisions of the Texas Public Information Act apply to the records. As part of its duties to administer the records, the alternative repository may inspect records without such inspection constituting a public disclosure under the Texas Public Information Act.

3) The statute provides that "The terms of any such alternative repository arrangement shall be recorded by the commission through a memorandum of understanding, deposit agreement, or other appropriate documentation." The section should be revised to include: (a) parties to the agreement are the alternative repository and the commission, and 9b) the terms of any such MOU, agreement, or documentation shall include the name of the alternative depository, the responsibilities of the alternative depository to prepare the records for research in a timely manner, the responsibilities of the commission to assist the repository, and the term of the agreement.

Other Revisions
1) The wording of §441.201 caused widely different interpretations of its meaning. The major questions were settled in Attorney General Opinion JC-0498. However, future readers and interpreters of the section would benefit from clarifications to incorporate the attorney general's opinion without changing the original intent.

For example, JC-0498 noted that one provision of Government Code Chapter 441 is limited by §441.201, specifically, "441.191. Alienation of State Records Prohibited (a) A state record may not be sold or donated, loaned, transferred, or otherwise passed out of the custody of the state by a state agency without the consent of the director and librarian." To prevent future misunderstandings, the statute should state it is a limitation on §441.191.

A major misinterpretation of §441.201 held that it overrode other provisions of Chapter 441. An explicit referral to the following sections of Chapter 441 would clear up the intention and scope of §441.201: §441.006 – General Powers and Duties, and §441.180 (2) and (11) – Definitions ("state record" and "archival state record").

2) Change "records of the executive office of the governor" to "records of the Governor's Office."

3) Add the following provision: "If the commission determines the personal papers have been inadvertently filed and maintained with the records, the commission will consult with the former governor regarding their disposition. Personal papers are defined as materials of a private or non-public character that do not relate to, have an effect upon, or arise out of the carrying out of the constitutional, statutory, ceremonial, or other official duties of the Governor's Office and for which no public resources or funds were expended in their creation or maintenance."

Gov't Code, §441.224 Membership; Fees (TexShare)

Section 441.224 opens TexShare membership to "all institutions of higher education, all public libraries that are members of the state library system, and all libraries of nonprofit corporations." The statute was written under the assumption that each member institution would be served by an affiliated library, unique to that institution. However, in recent years, libraries have adopted administrative models in which multiple institutions share a single library. This brings into question whether the basis of membership should be the institution, the library, or some combination. Section 441.224 does not provide flexibility to redefine the basis of membership. To date, TSLAC has been able to address the needs of the member institutions that share libraries by adapting the operating policies and procedures for the consortium. However, the TexShare Board has requested that TSLAC use the sunset process to work with constituents in identifying other solutions to appropriately define the basis for TexShare membership.

Gov't Code, §441.230. Grants To Membership Institutions

This statute allows TSLAC to make grants to TexShare institutions of higher education. Therefore, the agency established a grant program to assist libraries in their efforts to make special library collections widely accessible. At the time the statute was adopted, the TexShare consortium was comprised solely of institutions of higher education. Since that time, amendments have expanded the consortium to include public libraries and libraries of nonprofit corporations. Section 441.230 needs to be updated to include all membership categories.

X. Other Contacts

> **A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.**

Texas State Library and Archives Commission
Exhibit 15: Contacts

INTEREST GROUPS
(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name / Contact Person	Address	Telephone	E-mail Address
Library Systems Act Advisory Board Lucile Dade, chair	Carrollton Public Library 4220 N. Josey Lane Carrollton, TX 75010	512-936-2236	lucile.dade@cityofcarrollton.com
Friends of Libraries and Archives of Texas Darryl Tocker, president	3814 Medical Parkway Austin, TX 78756	512-452-1044	friends@tsl.state.tx.us
Texas Historical Records Advisory Board Chris LaPlante, coordinator	Box 12927 Austin, TX 78711	512-463-5467	claplante@tsl.state.tx.us
TexShare Advisory Board Doug Ferrier, chair	80 Fort Brown Brownsville, TX 78520	956-983-7042	doug@utb.edu
Electronic Recording Advisory Committee Tim Nolan, coordinator	Box 12927 Austin, TX 78711	512-454-2705	tnolan@tsl.state.tx.us
Local Government Records Committee Tim Nolan, coordinator	Box 12927 Austin, TX 78711	512-454-2705	tnolan@tsl.state.tx.us

INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS
(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name / Contact Person	Address	Telephone	E-mail Address
American Library Association	50 E. Huron Chicago, IL 60611	800-545-2433	library@ala.org
Texas Library Association Pat Smith, Executive Director Gloria Meraz, Director of Communications	3355 Bee Cave Rd #401 Austin, TX78746	800-580-2852	tla@txla.org
Library of Congress, National Library Service for the Blind & Physically Handicapped Deborah Toomey	1291 Taylor St. NW Washington, DC 20011	202-707-9301	dtoo@loc.gov
Chief Officers of State Library Agencies Gary Nichols, President Tracy Tucker, Association Director, AMR Management Services	201 East Main St, #1405 Lexington, KY 40507	859-514-9151	ttucker@AMRms.com
Records Management Interagency Coordinating Council Eva Dechene, Chair	1711 San Jacinto St. Austin, TX 78711	512- 463-8551	eva.dechene@tbpc.state.tx.us
Texas State Historical Association J.C. Martin, Director	1 University Station D0901 Austin, TX 78712	512-471-1525	jcmartin@austin.utexas.edu
National Association of Government Archives and Records Administrators	90 State St. #1009 Albany NY 12207	518-463-8644	nagara@caphill.com
Association of Records Managers and Administrators International	13725 W. 109th St. #101 Lenexa, KS 66215	913-341-3808	hq@arma.org
American Council of the Blind Dr. Ed Bradley, President Robert Bartlett: c/o Houston Council	635 West 21st St. Houston, TX 77008	713-645-6370	Brad243@sbcglobal.net
National Federation of the Blind Texas Tommy Craig, President	6909 Rufus Drive Austin, TX 78752-3123	512-323-5444	tommy.craig@nfb-texas.org
Amigos Library Services Bonnie Juergens, Executive Director	14400 Midway Road Dallas, TX 75244	972-851-8000 800-843-8482	juergens@amigos.org

Independent Colleges & Universities of Texas Carol McDonald, President	Box 13105 Austin, TX 78711	512-472-9522	carol.mcdonald@icut.org
Texas Heritage Digitization Initiative Ft Bend Museum: Michael Moore	Box 460 Richmond, TX 77406	281-342-1256	mmoore@ fortbendmuseum.org
Texas Association of Developing Colleges Barbara Hawkins, Interim Exec. Director	1140 Empire Central #550 Dallas, TX 75247	214-630-2511	barbara.hawkins@txadc.org
International Coalition of Library Consortia Tom Sanville, *OhioLINK*		614-728-3600 x322	tom@ohiolink.edu
Texas Municipal League Frank Sturzl, Executive Director	1821 Rutherford, #400 Austin, TX 78754	512-231-7400	exec@tml.org
National Archives and Records Administration	8601 Adelphi Rd. College Park, MD 20740	866-272-6272	
George Bush Presidential Library Warren Finch, Director	1000 George Bush Dr West College Station, TX 77845	979-691-4050	warren.finch@nara.gov
Society of Southwest Archivists Brenda Gunn, President	Center for American History 1 University Station, D1100 Austin, TX 78712	512-495-4385	bgunn@mail.utexas.edu
Texas Assn of School Administrators Johnny Veselka, Executive Director	406 East 11th St Austin, TX 78701	512-477-6361	tasa@tasanet.org
Texas Association of Counties Sam D. Seale, Executive Director	Box 2131 Austin, TX 78768	512-478-8753	
County & District Clerks Assn of Texas Beth A. Rothermel, President	100 E. Main, #102 Brenham, TX 77833	979-277-6216	brothermel@wacounty.com
Texas Association of School Boards James B. Crow, Executive Director	Box 400 Austin, TX 78767	512-467-0222	
Tax Assessor-Collectors' Assn of Texas Luanne Caraway, President	111 E. San Antonio St. San Marcos, TX 78666	512-393-5545	luanne@co.hays.tx.us
Higher Education Coordinating Board David Linkletter	Box 12788 Austin, TX 78711	512-427-6101	david.linkletter@thecb. state.tx.us
Western Council of State Libraries Lesley Boughton, President	14394 E. Evans Ave Aurora, CO 80014	303-751-6277	lbough@state.wy.us

LIAISONS AT OTHER STATE AGENCIES (with which your agency maintains an ongoing relationship)			
Agency Name/Relationship/Contact Person	**Address**	**Telephone**	**E-mail Address**
Legislative Budget Board Budget Analyst: Natasha Rosofsky	Box 12666 Austin, TX 78711	512-463-1200	natasha.rosofsky@lbb.state.tx.us
Office of the Attorney General Assistant Attorney General: Joe Thrash	Box 12548 Austin, TX 78711	512-475-4300	joe.thrash@oag.state.tx.us
Office of the Governor Budget Analyst: Jerry Tucker	Box 12428 Austin, TX 78711	512-463-1778	jtucker@governor.state.tx.us
Comptroller of Public Accounts Accounts Control Officer: Michelle Roland	Box 13528 Austin, TX 78711	512-463-3601	mroland@cpa.state.tx.us
State Auditor's Office Audit Manager: Michael Apperley	Box 12067 Austin, TX 78711	512-936-9450	mapperley@sao.state.tx.us
State Auditor's Office SCO Liaison: Sharon Schneider	Box 12067 Austin, TX 78711	512-936-9400	sschneider@sao.state.tx.us
House Committee on Culture, Recreation, and Tourism Chair: The Honorable Harvey Hilderbran	Box 2910 Austin, TX 78768	512-463-0536	harvey.hilderbran@house.state.tx.us
House Committee on Culture, Recreation, and Tourism Committee Clerk: Todd Kercheval	Box 2910 Austin, TX 78768	512-463-1974	todd.kercheval_HC@house. state.tx.us

State Office of Risk Management Risk Management Specialist: Sam Arant	Box 13777 Austin, TX 78711	512-936-2926	samuel.arant@sorm.state.tx.us
Department of Information Resources Systems Analyst: Martha Richardson	Box 13564 Austin 78711	512-475-4728	martha.richardson@dir.state.tx.us
Department of Information Resources Statewide Technology Operations: Kim Weatherford	Box 13564 Austin, TX 78711	512-463-7688	kim.weatherford@dir.state.tx.us
Health and Human Services Commission Department of Aging & Disability Services Area Agencies on Aging: Gary Jesse	701 W. 51st St. Austin, TX 78714	512-438-4245	gary.jesse@dads.state.tx.us
Health and Human Services Commission Division of Blind Services Dep't of Assistive & Rehabilitative Services: Bill Agnell	4900 North Lamar Austin, TX 78751	512-377-0586	bill.agnell@dars.state.tx.us
University of Texas at Austin Fred Heath, Vice Provost, UT Libraries	1 University Station Stop S5400 Austin, TX 78712	512-495-4350	fheath@austin.utexas.edu
Association of Records Managers and Administrators Austin Chapter President: Scott Willrich	Box 27435 Austin, TX 78731	512-225-3721	Swillrich@tmls.org
Association of Records Managers and Administrators Dallas Chapter President: Patrick Reinhart	Box 630442 Irving, TX 75063	972-574-1387	PReinhart@dfwairport.com
Association of Records Managers and Administrators Fort Worth Chapter President: Nancy King	Box 17148 Fort Worth, TX 76102	817-335-2491	nking@trwd.com
Association of Records Managers and Administrators Houston Chapter President: Gayle Page	Box 1794 Houston, TX 77251	713-688-0404	gaylepage@pacotech.com
Association of Records Managers and Administrators Midland/Permian Basin Chapter President: Peggy Brown	OXY Permian 6 Desta Dr, #6000 Midland, TX 79705	432-685-5788	Peggy.brown@oxy.com
Association of Records Managers and Administrators San Antonio Chapter President; Dora Martinez	Box 830660 San Antonio TX 78283	210-283-2806	dsmartinez@tsocorp.com
Association of Records Managers and Administrators South Texas Chapter President: Sylvia Cantu	Nueces County 901 Leopard Corpus Christi, TX 78401	361-888-0480	scantu2@nueces.esc2.net

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

<table>
<tr><td colspan="3">Texas State Library and Archives Commission
Exhibit 16: Complaints <u>Against the Agency</u> - Fiscal Years 2003 and 2004</td></tr>
<tr><td></td><td>FY 2003</td><td>FY 2004</td></tr>
<tr><td>Number of complaints received</td><td>6</td><td>22</td></tr>
<tr><td>Number of complaints resolved</td><td>4</td><td>13</td></tr>
<tr><td>Number of complaints dropped/found to be without merit</td><td>1</td><td>8</td></tr>
<tr><td>Number of complaints pending from prior years</td><td>1</td><td>1</td></tr>
<tr><td>Average time period for resolution of a complaint</td><td>10-30 business days</td><td>10-30 business days</td></tr>
</table>

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases.

<table>
<tr><td colspan="5">Texas State Library and Archives Commission
Exhibit 17: Purchases from HUBs</td></tr>
<tr><td colspan="5">FISCAL YEAR 2002</td></tr>
<tr><td>Category</td><td>Total $ Spent</td><td>Total HUB $ Spent</td><td>Percent</td><td>Statewide Goal</td></tr>
<tr><td>Heavy Construction</td><td>0</td><td>0</td><td>N/A</td><td>11.9%</td></tr>
<tr><td>Building Construction</td><td>0</td><td>0</td><td>N/A</td><td>26.1%</td></tr>
<tr><td>Special Trade</td><td>$53,143</td><td>$17,049</td><td>32.1%</td><td>57.2%</td></tr>
<tr><td>Professional Services</td><td>$21,670</td><td>$810</td><td>3.74%</td><td>20.0%</td></tr>
<tr><td>Other Services</td><td>$9,300,072</td><td>$147,548</td><td>1.59%</td><td>33.0%</td></tr>
<tr><td>Commodities</td><td>$1,880,945</td><td>$209,871</td><td>11.16%</td><td>12.6%</td></tr>
<tr><td>TOTAL</td><td>$11,255,830</td><td>$375,278</td><td>3.33%</td><td></td></tr>
<tr><td colspan="5">FISCAL YEAR 2003</td></tr>
<tr><td>Category</td><td>Total $ Spent</td><td>Total HUB $ Spent</td><td>Percent</td><td>Statewide Goal</td></tr>
<tr><td>Heavy Construction</td><td>0</td><td>0</td><td>N/A</td><td>11.9%</td></tr>
<tr><td>Building Construction</td><td>0</td><td>0</td><td>N/A</td><td>26.1%</td></tr>
<tr><td>Special Trade</td><td>$62,028</td><td>$44,518</td><td>71.77%</td><td>57.2%</td></tr>
<tr><td>Professional Services</td><td>$13,297</td><td>0</td><td>0.00%</td><td>20.0%</td></tr>
<tr><td>Other Services</td><td>$8,997,453</td><td>$141,172</td><td>1.57%</td><td>33.0%</td></tr>
<tr><td>Commodities</td><td>$608,685</td><td>$378,870</td><td>62.24%</td><td>12.6%</td></tr>
<tr><td>TOTAL</td><td>$9,681,463</td><td>$564,560</td><td>5.83%</td><td></td></tr>
<tr><td colspan="5">FISCAL YEAR 2004</td></tr>
<tr><td>Category</td><td>Total $ Spent</td><td>Total HUB $ Spent</td><td>Percent</td><td>Statewide Goal</td></tr>
<tr><td>Heavy Construction</td><td>0</td><td>0</td><td>N/A</td><td>11.9%</td></tr>
<tr><td>Building Construction</td><td>0</td><td>0</td><td>N/A</td><td>26.1%</td></tr>
<tr><td>Special Trade</td><td>$5,960</td><td>$574</td><td>9.63%</td><td>57.2%</td></tr>
<tr><td>Professional Services</td><td>$55,506</td><td>0</td><td>0.00</td><td>20.0%</td></tr>
<tr><td>Other Services</td><td>$8,145,244</td><td>$15,627</td><td>0.19%</td><td>33.0%</td></tr>
<tr><td>Commodities</td><td>$275,076</td><td>$115,646</td><td>42.04%</td><td>12.6%</td></tr>
<tr><td>TOTAL</td><td>$8,481,786</td><td>$131,847</td><td>1.55%</td><td></td></tr>
</table>

Yes, the agency has a HUB policy, and requires HUB bids be obtained on all procurements for which HUB vendors are available, regardless of contract amount. As a result, the agency has far exceeded the statewide goal in the Commodities category for the past two fiscal years.

The agency procures statewide licenses for electronic database subscriptions for libraries throughout Texas. These databases contain proprietary information, and there are currently no HUB vendors available in these markets. This accounts for the agency's inability to attain statewide goals in the Other Services category, and significantly reduces the agency's overall HUB performance. The Comptroller object code for these database subscriptions is 7276 (electronic services) rather than 7303 (subscriptions), which are exempted from HUB reporting. In addition, the agency must procure library-specific services from a sole-source vendor, Amigos, which also accounts for a significant portion of the expenditures in the Other Services category.

The databases alone ($7,285,306) accounted for 86% of the total expenditures in FY04; when coupled with the Amigos services, they total more than 90% of the total agency expenditures. If these two types of procurements were exempted from HUB reporting, the overall agency performance would be at least 13.55%.

D. For agencies with contracts valued at $100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of $100,000 or more? (Tex. Gov't Code, §2161.252; TAC 111.14)

Yes, the agency follows a HUB subcontracting plan for all procurements over $100,000. The agency includes the subcontracting information and forms in all bid and proposal documents for procurements that exceed $100,000. We work with potential vendors to identify HUB vendors that may be available to subcontract in the area of procurement advertised. In addition, we post all contracts exceeding $100,000 on our agency Web site.

E. For agencies with biennial appropriations exceeding $10 million, answer the following HUB questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Tex. Gov't Code,.§2161.062; TAC 111.126)	Yes. Donna Osborne, Director of Administrative Services, is the HUB coordinator.
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Tex. Gov't Code, §2161.066; TAC 111.127)	Yes, the agency participates in all relevant HUB forums in the Austin metropolitan area, and forums in other locations, as resources allow. We provide procurement opportunity information to forum sponsors for those events we are unable to attend.
3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors & HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Tex. Gov't Code, §2161.065; TAC 111.128)	Yes, a written program was implemented in FY04. Staff has worked with both prime contractors and HUB vendors to encourage partnerships that will benefit the agency and other state agencies.

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.

Texas State Library and Archives Commission Exhibit 18: Equal Employment Opportunity Statistics							
FISCAL YEAR 2002 (includes full-time positions only)							
Job Category	**Total Positions**	**Minority Workforce Percentages**					
		Black		**Hispanic**		**Female**	
		Agency	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**	**Agency**	**Civilian Labor Force %**
Officials/Administration	9	0%	7%	11.11%	11%	55.55%	31%
Professional	92	1.09% (1)	9%	18.48%	10%	65.22%	47%
Technical	9	11.11%	14%	0.00%	18%	11.11%	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	42	14.29%	18%	26.19%	31%	59.52%	56%
Administrative Support	42	9.52%	19%	26.19%	27%	33.33%	80%
Skilled Craft	18	22.22%	10%	16.66%	28%	66.66%	10%
Service/Maintenance	1	0.00%	18%	0.00%	44%	0.00%	26%

FISCAL YEAR 2003 (includes full-time positions only)							
		Minority Workforce Percentages					
Job Category	Total Positions	Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	9	0.00%	7%	11.11%	11%	55.55%	31%
Professional	97	1.03%	9%	18.56%	10%	63.92%	47%
Technical	9	11.11%	14%	0.00%	18%	11.11%	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	47	12.77%	18%	21.28%	31%	59.57%	56%
Administrative Support	30	0.10%	19%	33.33%	27%	23.33%	80%
Skilled Craft	14	28.57%	10%	21.43%	28%	57.14%	10%
Service/Maintenance	0	N/A	18%	N/A	44%	N/A	26%
FISCAL YEAR 2004 (includes full-time and part-time positions)							
		Minority Workforce Percentages					
Job Category	Total Positions	Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	9	0.00%	7%	11.11%	11%	55.55%	31%
Professional	91	2.2 %	9%	18.68%	10%	65.93%	47%
Technical	8	12.5 %	14%	0.00%	18%	0.00%	39%
Protective Services	0	N/A	18%	N/A	21%	N/A	21%
Para-Professionals	47	10.64%	18%	23.4%	31%	53.19%	56%
Administrative Support	63	14.29%	19%	23.8%	27%	31.75%	80%
Skilled Craft	11	27.27%	10%	27.27%	28%	63.63%	10%
Service/Maintenance	1	0.00%	18%	0.00%	44%	0.00%	26%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

The agency has an equal employment opportunity policy. We work closely with recruitment offices at local colleges and universities, and we post all of our employment opportunities on our agency Web site and on the Work-In-Texas site. Since many of our positions are in the library field, we also post our vacancy notices to numerous library-related publications and electronic mailing lists.

XII.   Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

The Texas State Library and Archives Commission received support from the 79th Legislature for $15.3 million in general obligation bond authority to renovate and modernize the Lorenzo de Zavala State Archives and Library Building. The Texas Building and Procurement Commission estimates that design and construction activities will extend 36-42 months, and that renovation will take place without the need to relocate personnel and collections and with minimal disruption of services.

The State Records Center on Shoal Creek Boulevard in Austin is plagued by ongoing mechanical and electrical problems. An engineering study completed in October 2003 revealed major problems with the Center's mechanical/electrical infrastructure, some due to aging of the systems, others as a result of poor construction and design. Utility costs are far higher than they should be. The consulting engineers estimate the replacement or retrofitting of current systems would cost approximately $4.5 million, depending on the extent of the needed repairs at the time they are actually made. . Continued delay in carrying out these needed repairs will only lead to costlier repairs in the future. Significant repairs are also needed at the Circulation Department of the Talking Book Program, which is co-located at the State Records Center. Restroom facilities need to be upgraded, major foundation problems require attention, and the elevator/lift needs to be replaced. Estimates exceed $1 million. In addition, the Sam Houston Regional Library and Research Center in Liberty requires infrastructure repairs/replacements and the installation of movable shelving, which would extend the life of the existing facility by allowing better utilization of existing space. Estimates are approximately $350,000. The commission requested funding for these repairs/improvements in its legislative appropriations request for the FY06-07 biennium, but the funds were not appropriated.

We anticipate the renovation of the Zavala Building to be complete in time for the celebration of the Texas State Library and Archives Commission's 100th year of service to the people of Texas in 2009. Plans for centennial celebration activities are already being sketched out. We plan to work through our Friends of Libraries and Archives of Texas and other partners to mount special exhibits, showcase our unique collections, offer informative lectures, seminars, and other continuing education events, etc. to mark a century of service.

Over the past several years, the Texas State Library and Archives Commission has placed increasing emphasis on measuring program outcomes. The impetus for this and the source for much staff training on outcome-based evaluation is the Institute of Museum and Library Services (IMLS), the federal agency that administers the Library Services and Technology Act. As a condition of receiving federal funds for support of libraries, all state library agencies have been encouraged to adopt outcome-based evaluation as the means of determining service and program impacts. Though phased in as a requirement from IMLS, TSLAC has embraced the use of outcomes readily and staff has integrated this method into workshop evaluations, project evaluations, and grant program evaluations.