



**Self Evaluation Report**  
*to the*  
**Sunset Advisory Commission**

September 1, 2017

# Texas State Library and Archives Commission Self-Evaluation Report

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# Texas State Library and Archives Commission Self-Evaluation Report

## I. Agency Contact Information

A.

Texas State Library and Archives Commission

Exhibit 1: Agency Contacts

	<b>Name</b>	<b>Address</b>	<b>Telephone</b>	<b>E-mail</b>
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*Table 1 Exhibit 1 Agency Contacts*

## 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 is to “provide Texans with the information they need to be informed, productive citizens.” The agency accomplishes that mission through four statutorily mandated programs:

- *Preserving the archival record of Texas (Archives and Information Services)*
- *Enhancing the service capacity of Texas public, academic, and school libraries (Library Development and Networking)*
- *Assisting public agencies in the maintenance of their records (State and Local Records Management Division)*
- *Meeting the reading needs of Texans with disabilities (Talking Book Program)*

### B. Do 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, our mission, mandates, and objectives are straightforward and simple, even as the processes required for their execution are complex. Nearly two decades into the 21<sup>st</sup> century, citizens need the services offered by this agency more than ever. TSLAC is uniquely situated, mandated, staffed, and positioned to provide an array of well-defined services to provide Texans with access to information resources that they need to be informed, productive citizens. We provide those information resources directly from our historical archives and via our Talking Book Program, and indirectly through public, academic, and school libraries and in working with state and local governments to preserve and make available their public records. No other state agency has this unique set of responsibilities, which TSLAC has ably and competently fulfilled for decades.

We offer the following explanation of need by broad program area, and what would be lost if those services were no longer provided.

#### **Archives and Information Services**

TSLAC is tasked by the state to preserve, protect, and make available the permanent historical record of archival materials stretching from prior to the Republic Era to the present, including not only the iconic materials such as the Travis letter from the Alamo and the Texas Declaration of Independence, but vast amounts of primary source materials, including the papers of legislators and governors, Supreme Court records, agency files, maps, photographs, flags, and artifacts. The collection also includes several million federal and state government publications, genealogy materials, and a substantial collection of books related to Texas. In the 2016-2017 biennium, with a special appropriation from the Legislature, TSLAC introduced the Texas Digital Archive, a central repository of state government archives in electronic format, a resource that will grow to be a crucial resource for Texans and state government. No other state agency is mandated to preserve this broad historical record, and the agency has met this responsibility since its inception.

**The harm from no longer performing these functions:** Texans would lose access to their historical record, priceless and irreplaceable archival resources would be jeopardized and potentially lost to

Texans, or at least become less accessible. Researchers from a range of backgrounds from government to commerce to academics would lack a profoundly valuable resource. Additionally, one of the most essential elements of preserving the records of government and maintaining the integrity of government information is the protection of the chain-of-custody of the archives. The longstanding and consistent guardianship of the state's archival materials at TSLAC cannot be replicated or reinstated elsewhere.

### **Library Development and Networking**

TSLAC provides development services to over 500 public, 200 college and university, and hundreds of K-12 libraries across the state, including access to shared online resources through the signature TexShare and TexQuest programs (for sharing digital content) that receive over 100 million uses each year, continuing education programs, competitive grants for innovation, resource sharing through interlibrary lending, and the accreditation of public libraries. These services are vital to helping libraries fulfill their community role as community anchors, technology hubs, and learning centers in support of lifelong education, economic and workforce development, and community sustainability. No other state agency provides development support to libraries or facilitates access to shared online information for the public, and no other agency is designated to receive and disburse federal funds for libraries.

***The harm from no longer performing these functions:*** Millions of Texans of all ages in all parts of the state would be left without access to information materials that are crucial to their education, professional development, and personal enrichment. Community libraries would lose a crucial source of training and guidance in how to provide to their clientele responsive information services and programs. Libraries would lose access to competitive grant funding necessary to provide a margin of excellence for projects that serve as proof of concept for innovative services. And libraries of all types would lose a voice at the state level to communicate to state decision makers the important role of libraries in delivering 21<sup>st</sup> century information in a highly information-driven economy.

### **State and Local Records Management**

TSLAC serves an ongoing and critical role in ensuring transparency and accountability of government through services that assist in the management and storage of the public records of state and local government. We provide storage and imaging services for dozens of state and local agencies on a cost-recovery basis and provide the services in an efficient manner that allows us to be competitive in cost and responsiveness with private-sector companies. We also provide training and guidance to state and local agencies in the management of their records, including the creation of retention schedules for the maintenance of public records. No other agency is mandated to provide records management guidance to state and local governments.

***The harm from no longer performing these functions:*** A critical component of the public's open access to government would be threatened. Through the loss of guidance through training and retention schedules, state and local agencies would face confusion about the retention of their public records, increased risk for lost records, and competition in the area of storage services to state and local government would be compromised. The state would lose a focused, flagship operation geared toward ensuring professional management of state and local records.

### **Talking Book Program**

Since 1919, the Talking Book Program has provided reading materials in recorded or Braille formats free of charge to persons who cannot read standard print due to a visual impairment or other physical disability. The program provides nearly 900,000 items each year to approximately 15,000 persons

statewide. The program is a lifeline for the blind, visually impaired, and disabled, and no other state or non-profit service offers a comparable level of access. Further, commercially available materials are not a substitute and often cannot be accessed by persons with disabilities. Need for the service is great: we estimate that the program serves approximately 5% of Texans who would be eligible. This figure would be much higher if we were able to advertise our services. The lack of authority to advertise services is a substantial factor affecting the program.

The Talking Book Program also maintains a recording studio where volunteers record books and periodical material by Texans and about Texas which are also circulated via the program. The program is an affiliate of the National Library Service for the Blind and Physically Handicapped (NLS) of the Library of Congress. The NLS provides all the materials for the program, including the reading machines, at no cost to the agency or patrons while the state provides the staffing and infrastructure to manage the program.

*The harm from no longer performing these functions:* Thousands of Texans in virtually every county of the state would be without the reading materials that they depend on to be a lifeline to information, personal enrichment, job opportunities and training, and a better quality of life.

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

In addition to our key measures as reported to the Legislature, and which are monitored and adjusted on an ongoing basis, we watch a variety of other indicators of our effectiveness. For example, we note that TexShare and TexQuest databases are provided to communities at a rate conservatively measured at one-tenth of the cost if they were purchased locally. Our records storage project constantly monitors cost of that service to state agencies and often lowers the costs to reflect cost-savings in our operations.

The agency's reach encompasses a vast scope of people, institutions, government operations, and needs (e.g., education, economic vitality, open government, historic preservation, etc.). The concrete metrics applied to these service areas (as noted above) show efficiency and use. However, the agency's effectiveness is also equally demonstrated by the assessment of those we serve. TSLAC's biennial Customer Service Report (link provided in Attachments section) finds an overall customer satisfaction of 95.5%.

Additionally, staff gathers feedback from stakeholders in relation to particular services, resources, or planning processes. These input channels also provide a means for stakeholders to offer general comments about the agency. Overwhelmingly, stakeholders respond positively about the agency, its services and programs, staff, and the overall value of the agency. For example, during the most recent evaluation of the agency's Library and Services Technology Act Plan, 2013-2017 (link provided in Attachments section), researchers documented the broad support for agency-provided programs: "The TexShare Databases and Interlibrary Loan are crucial for our daily operations. We use these services daily to expand what we can offer to our patrons in our small, rural community." Included in the agency's biennial Customer Service Report, state and local government representatives offered their feedback.

*I have a high level of confidence in the expertise provided by the RMA [records management analysts] unit. The staff and the resources provided, especially the Texas Record, are top notch. I have noticed a steady improvement in response time and quality of support over the last few years and it seems that the RMA service is getting better and better. I rely heavily on this unit to provide support for my institution.*

The Talking Book Program frequently receives letters from patrons (or their family) thanking the agency for the service: “This is a partial thank you for the years of comfort, education, and enjoyment given.” The Archives and Information Services Division, whose work of identifying, acquiring, preserving, and cataloging a wealth of primary materials goes essentially “unknown,” received the following comment from a researcher working on her book:

*You won't believe it. You know my search for a needle in a haystack? I found it! I thought I'd be spending hundreds of hours of there and am still in disbelief that I found my newspaper article so quickly! The staff was so helpful and short of popping a bottle of champagne, celebrated with me (in our appropriate library voices) during my big find!*

These few examples are just a small glimpse into the magnitude and depth of service provided by the agency everyday to stakeholders near and far. The agency’s survey (attachment included), conducted as part of its own outreach effort for Sunset, shows that almost every one of the over 400 respondents stated categorically that the agency is of value, should be continued, and performs essential functions. One respondent offered an assessment of how the agency ultimately affects their community.

*You are an important part of the success of public libraries all over Texas and we need you for another 12 years and longer. For those of us that are new to this field you are a priceless asset that we cannot do without. All of us are struggling with finances, but you make us feel like it is not so bad because you help us to achieve things we could not on our own. With you in our corner we feel we have strength to keep fighting for our right to be here. The people that access us in our communities are on fixed or no income and we are here to provide a free service to them. You are here to provide support to us for that purpose, and I don't know what I would do without you.*

D. Does your agency’s enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?

For the most part, our statutes correctly reflect our agency’s mission. We will recommend in this document that some statutes be revisited to reflect the evolution of new service models and to allow the agency to achieve greater effectiveness. We will recommend, for example, that the Library Systems Act (*Gov’t Code* 441.121) be revised to reflect that this program is no longer operated, but that new models of encouraging interlibrary cooperation are needed. We also recommend that the agency be allowed to advertise some services such as the Talking Book Program, to ensure greater utilization of the program by eligible Texans. We also believe changes can be made in statutes regarding records retention practices to allow more streamlined practices by state and local agencies.

E. Have you recommended changes to the Legislature in the past to improve your agency’s operations? If so, explain. Were the changes adopted?

Yes. Through the 2007 Sunset process, the agency made recommendations.

- *Modernize and increase flexibility of the Library Systems Act - The outcomes of this effort were targeted changes to the Library Systems Act to allow the agency flexibility in determining how best to use limited funds for statewide benefit.*
- *Authority to work with stakeholders to develop a discovery tool for digitized resources statewide - Given the growing demand for cohesion and access to diverse statewide digital resources, this recommendation was enacted through the Sunset process. In fact, the 2007 Sunset Commission*

*Staff Report noted the importance of the TSLAC role in working stakeholders on digitization efforts.*

- *Review and modernize other portions of statute*
  - *County Library Law administration and general review of potential licensing procedures for librarians – The recommendations were not acted upon. The Legislature has since removed and changed various requirements for county law libraries and librarians.*
  - *Modernization and Clarification of Statue Regarding the Maintenance and Disposition of Certain County Records – No action was taken.*
  - *Elimination of Obsolete or Duplicative Service regarding central grant database – The recommendation was not acted upon.*
  - *Clarification of Statute Related to the Records of the Office of the Governor – The recommendations were not acted upon.*

### **Statutory Updates**

During the 81<sup>st</sup> Legislature, the agency made further recommendations to update other portions of its enabling statute which were enacted by HB 3756. The changes included insuring TexShare grant programs were open to all TexShare members, allowing the agency to accept other types of libraries as TexShare members or affiliated members, codifying the provision of reading services for individuals with disabilities as an agency function within Gov't Code 441, updating some statutory provisions related to the Library Systems Act, clarifying the state archival records the agency may seek to return to state ownership (when such records have been unlawfully removed), and deleting obsolete language related to the County Library Law.

### **School Libraries**

The agency has consistently sought strategies to support the school library community, including providing professional guidelines for the role of the school library program in fostering student achievement (e.g., School Library Standards), delivering high-quality digital educational resources across the state (e.g., TexQuest), and supporting school library and media professionals in their role preparing tomorrow's workforce (e.g., professional resources and training). Through the agency's budget requests for school library digital content, work to address the statutory requirements for school library standards, and prioritization of educational attainment, the agency has offered tangible recommended actions, many of which have been implemented. The area of support for school library programs is a worthy one for continued action from all agencies charged with some role in K-12 education. In addition to contracting with ESC 20 for operational support of TexQuest and participating campuses, TSLAC continues to look for ways of supporting school library programs and the educational process fostered by school libraries. State funding and the establishment of formal channels for action (such as statutory charges, inclusion in legislatively-created taskforces, and assignment for key state interim reports) are needed to further equip TSLAC to support school library programs.

### **Records Management**

The agency has worked with stakeholder groups and legislative offices to identify a means to gain additional state support to protect and manage the government records of Texas. Specifically, through the 2007 Sunset process and subsequent legislative proposals, the possibility of levying a records filing fee that would be used exclusively by the agency to support such preservation activities has been discussed. However, the initiative has not been adopted.

In 2011, the agency received authorization to store local government records at the State and Local Records Center facility and to establish fees to cover the cost of the program. This service was added as means for the agency to further serve state and local government officials.



## Public Accessibility and Preservation of State Archival Records

The agency has recommended, by working with various legislative offices on bill drafts, to minimize the closure of public records, ensure that all state records (including those of elected state officials) are transferred appropriately to the State Archives, and protect state archival resources in perpetuity while facilitating public access now and for future generations.

### Facilities

In 2009, the agency received funds to renovate the Lorenzo de Zavala building. While the needed refurbishment did not provide additional needed storage space, the renovation did update critically-needed building infrastructure. The agency continues to have ongoing needs for additional storage which will become more acute with each passing year.

F. 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?

As noted above, no other agency has the responsibilities that are mandated to TSLAC in state statute. We are uniquely responsible for the development of libraries statewide and TSLAC is also the agency responsible for receiving federal funding for library services. The Higher Education Coordinating Board does not provide any distinct services to college and university libraries and similarly, the Texas Education Agency has not provided staffing or support dedicated to K-12 libraries.

We are the only agency tasked in statute to maintain and make available the entire archival record of the state. The General Land Office (GLO) is tasked to collect certain archival materials, especially maps and other records pertaining to land use in Texas. The GLO mandate is narrowly defined and our two agencies work closely together to coordinate services.

TSLAC is the only agency tasked in statute to serve the reading needs of the visually impaired. There is currently no other agency that provides any services directly for the blind and visually impaired. Services previously provided by the Division for Blind Services of the Department of Assistive and Rehabilitative Services have been distributed to independent living centers across the state. We also work closely with the Governor's Committee on People with Disabilities; however, that office does not provide any direct services.

TSLAC is the only agency of state government mandated to set records retention schedules for state and local agencies and to assist agencies with the storage of their records.

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

Every state has a state library agency and for all states, the state library is responsible for at least library development and is the cognizant agency to administer federal funds for library services. Many state library agencies often perform one or more of the other functions of archives, records management and the talking book program. In some states, one or more of these services may be performed by a different agency. Texas is one of a few states with mandates in all four of our major service areas. Because Texas is the second-highest recipient of federal funds for libraries (after California), the amount of funding allows the agency more latitude for programming and services than is the case for most other state library agencies.

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

We would group these obstacles into four categories as follows:

- *Funding constraints – The agency continues to recover from a 65% reduction in General Revenue funding in the 2012-2013 biennium. While some funds were restored in subsequent appropriations, the agency lags roughly 26% behind our 2010-11 GR appropriation, which negatively impacts our ability to fully perform key functions and to recruit and retain a workforce with the education and experience to discharge core agency functions. Our staff remains underpaid in comparison to other state agencies, so the issue of the agency's workforce is significant. Additionally, the agency is understaffed, particularly in the areas of archives and records management.*
- *Space constraints – The de Zavala building is at nearly maximum capacity, forcing the agency to store approximately 40,000 cubic feet of archival materials in non-climate controlled space at the State Records Center. Meanwhile, the agency acquires approximately 2000 - 4,000 cubic feet of archives per year. The State Records Center is estimated to reach capacity in as few as six years. While there is a migration of some material to digital formats, state government continues to generate significant amounts of paper and that trend is not expected to change in the near future.*
- *Statutory and regulatory constraints – The agency is constrained by some procedural challenges that could only be addressed through statutory changes, such as the prohibition on advertising services and the increasing requirements for records retention.*
- *Cybersecurity – In 2015 TSLAC underwent a security assessment conducted by Gartner Consulting as part of a statewide assessment under contract with the Department of Information Resources. Gartner developed a set of recommendations designed to elevate the agency's security posture to a new State of Texas standard. Recommendations included upgrades for the areas of information resources management of network configuration management, end-user computing, remote access and mobile data protection, security staffing, and applications development. The implementation of the recommendations was set to a four-year roadmap which the agency started in 2016. Gartner's cost estimate for this technology security upgrade was \$2.34M. Although the agency was able to undertake some of these recommendations with existing resources, TSLAC did not receive requested funding for staff or upgrades as requested in the 2017 session. Fully funding and providing effective cybersecurity, which includes technological infrastructure and staffing, are significant needs for the agency.*

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

We remain concerned at the potential for loss of federal funding for libraries. These funds comprise approximately 30% of the expenditures of the agency and are the only source of funding for statewide library programs other than TexShare and TexQuest.

## J. What are your agency's biggest opportunities for improvement in the future?

Opportunities exist in each of our four main program areas. For Library Development and Networking, potential exists to leverage partnerships with organizations and agencies such as the Texas Workforce

Commission, literacy organizations, and small business-support organizations to provide more opportunities for local library services. Also, the increasing availability of online information allows even the most remote library to offer Texans a wealth of resources. TSLAC’s forthcoming initiative “Libraries Connect Communities” will foster broadband connectivity through public libraries. This project can significantly help communities across the state maintain a sustainable digital infrastructure, thus positioning the community for effective access to educational opportunities (e.g., distance learning, online resources), as well as the growing need for robust online access for banking, commerce, and many other life functions.

For Archives and Information Services, the Texas Digital Archive project is establishing a vitally important central repository for state government information in electronic format. The shift to digital format also creates opportunities for the Talking Book Program to deliver materials quickly and directly to customers. And the ongoing needs for storage and imaging by state and local governments continue to create opportunities for growth of the State Records Center. These efforts would be greatly facilitated by being able to promote these resources and services, so that the public can benefit from these important state programs.

In addition, the agency could play a larger role in helping to coordinate access to digital information by Texans both directly from the state and via libraries, archives, and other organizations across the state. TSLAC is positioned with the expertise to support efforts to merge and facilitate access to the ever-increasing range of digital resources available to the public. For example, TSLAC could play a leadership role in partnership with other agencies in projects such as the Open Education Resources effort made possible by SB 810 in the last session, and the efforts to introduce the Uniform Electronic Legal Materials Act to Texas.

K. 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. Please provide information regarding methodology used.

**Texas State Library and Archives Commission**  
**Exhibit 2: Key Performance Measures – Fiscal year 2016**

<b>Key Performance Measures</b>	<b>FY 2016 Target</b>	<b>FY 2016 Actual performance</b>	<b>FY 2016 % of Annual Target</b>
Percent of eligible population registered for Talking Book Services	4.80%	4.38%	91.25%
Percent of customers satisfied with TSLAC reference and information services	98%	95.75%	97.7%

Number of resources provided to persons via TexShare and TexQuest online services	108,000,000	120,868,405	111.92%
Number of services provided to persons via TSLAC-supported library programs	640,000	912,496	142.58%
Number of persons assisted with Talking Book Services	15,750	15,413	97.86%
Number of assists with information resources	7,000,000	7,865,347	112.36%

*Table 2 Exhibit 2 Key Performance Measures*

- L. Please discuss any “high-value data” your agency possesses, as defined by Section 2054.1265 of the Gov’t Code. In addition, please note whether your agency has posted those data sets on publically available websites as required by statute.

The following data sets are available on the TSLAC website.

**Library Statistics and Accreditation:** <https://www.tsl.texas.gov/landing/statistics.html>

Brief description: Library statistics by year, city, library, or county, includes information on the budget, resources, and operations libraries.

**TRAIL List of Texas State Agencies:** <https://www.tsl.texas.gov/apps/lrs/agencies/index.html>

Brief description: Listing of current state agencies and link to agency website.

### III. History and Major Events

- 1895** – U.S. and Texas governments agreed to exchange government documents.
- 1909** – Texas Library and Historical Commission created; in 1979, renamed Texas State Library and Archives Commission (TSLAC).
- 1919** – Legislation enacted regarding county public libraries.
- 1931** – National Library Service for the Blind and Physically Handicapped established, and TSLAC began providing Talking Book services.
- 1947** – State records management function established.
- 1956** – Federal Library Services Act passed and funded to establish and improve local public library service.
- 1962** – Lorenzo de Zavala State Archives and Library Building opened.
- 1963** – State legislation enacted authorizing TSLAC to collect, organize and distribute Texas documents and to establish the depository library system for state publications.
- 1969** – Legislative Reference Library separated from the agency. Library Systems Act passed.
- 1971** – Local government records function was enacted.
- 1972** – State Records Center opened.
- 1977** – Sam Houston Regional Library and Research Center opened in Liberty.
- 1988** – State Records Center expansion was completed. Talking Book Program circulation facility opened adjacent to the State Records Center.
- 1989** – Local Government Records Act was passed.
- 1995** – Electronic publications and school library standards added to TSLAC responsibility.
- 1996** – Federal Library Services and Technology Act replaced the Library Services and Construction Act. Texas Book Festival created to raise funds for public libraries and to encourage reading in Texas.
- 1997** – Library tax districts authorized to establish and fund public libraries. New state records preservation and management law enacted.
- 1997** – Responsibility for TexShare academic library resource-sharing consortium transferred to TSLAC.
- 1999** – Public libraries added to the TexShare Library Consortium.
- 2001** – Loan Star Libraries Program of direct aid to Texas public libraries funded. Libraries of clinical medicine added to TexShare Library Consortium.
- 2003** – Number of agency commissioners increased to seven. Federal Library Services and Technology Act reauthorized.
- 2005** – Second library district law permitting funding by sales or property tax authorized. Legislature authorized \$15.5 million for the Lorenzo de Zavala State Archives and Library Building renovation.

- 2007** – Sunset bill reauthorized agency for 12 years. Legislature authorized TSLAC to support collaborative efforts to provide Internet access to digitized cultural resources.
- 2008** – Renovation of the Lorenzo de Zavala State Archives and Library Building began.
- 2009** – Legislature allowed the agency to use rule-making authority to expand membership in the TexShare consortium. TSLAC centennial anniversary. Talking Book Program began distributing digital talking book machine and offering digital download services to patrons.
- 2010** – Renovation of the Lorenzo de Zavala State Archives and Library Building completed.
- 2011** – Agency budget reduced by 64 percent; 23.6 FTE positions lost; library systems and direct aid programs eliminated.
- 2013** – TSLAC authorized to provide electronic information databases to K-12 public schools (TexQuest).
- 2014** – TSLAC initiates an electronic archives program to begin process of taking responsibility for the digital and paper records of Governor Rick Perry.
- 2015** – Legislature adds \$7.6 million to agency budget, including funding to create the Texas Digital Archive and an additional \$6 million for TexShare and TexQuest shared digital access programs. Texas Center for the Book moved to TSLAC from Dallas Public Library.
- 2016** – TSLAC launches the public access portal to the Texas Digital Archive. Collections available include the records of Governor Rick Perry’s administration as well as over 20,000 digitized prints and photographs.
- 2017** – TSLAC receives one-time appropriation of \$1 million to support broadband access in communities throughout the State via Texas public libraries. Start of Sunset Review.

## IV. Policymaking Structure

A.

### Texas State Library and Archives Commission Exhibit 3: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by	Qualification	City
Michael C. Waters, Chair	6 yr. / September 30, 2013 Expires September 28, 2019 Governor	Public member	Dallas
Sharon T. Carr, Vice-chair	6 yr. / May 9, 2012 Expires September 28, 2017 Governor	Public member	Katy
F. Lynwood Givens, Ph.D.	6 yr. / May 9, 2012 Expires September 28, 2017 Governor	Public member	Plano
Larry G. Holt	6 yr. / November 3, 2015 Expires September 28, 2021 Governor	Public member	Bryan
Martha Wong	6 yr. / November 3, 2015 Expires September 28, 2021 Governor	Public member	Houston

*Table 3 Exhibit 3 Policymaking Body*

Note: There are currently two vacancies on the Commission due to resignation of members in 2016 and 2017.

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

The commission is responsible for appointing the agency director (the Director and Librarian) and monitoring and reviewing the work of the agency. According to statute, the commission reviews and approves all contracts of \$100,000 and more, all contract renewals, all gifts and donations, and contract modifications of greater than 10%. The commission approves submissions of key agency documents such as the Agency Strategic Plan and the Legislative Appropriations Request. The commission approves the proposal and adoption of any agency rule in the *Texas Administrative Code*. The commission approves appointments to the Library Systems Act Advisory Board and the TexShare Advisory Board. The Director and Librarian and other senior staff report to the commission regularly on agency activities and programs.

C. How is the chair selected?

The chair is appointed and designated chair by the Governor.

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

n/a

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2016? In FY 2017?

The commission meets five times each year, typically in February, April, June, August and either late October or early November. The commission met five times in FY 2016, however, the April meeting, that was to have occurred in Houston, was cancelled due to severe weather. The commission did, however, conduct an emergency meeting by phone for the sole purpose of approving contracts.

During FY 2017, the Commission has met five times.

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

Commission members receive an extensive evaluation conducted at the agency's offices by the Director and Librarian, the Chief Operations and Financial Officer, and the Assistant Attorney General assigned to the agency. Commission members are also required to take online ethics training and occasional other mandatory trainings as required of all state agency boards and commissions.

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.

Yes, the agency has an agency-wide Employee Guide that is presented to all employees at on-boarding and updates are circulated to all staff. The Guide includes the following component parts:

- *Standards of Conduct (which are reviewed and approved by the agency's governing board every two years)*
- *Policy on criminal history checks*
- *Data Use Agreement*
- *Ethics Policy*
- *Employment of Relatives Policy*
- *Fraud Reporting Policy*
- *Open Carry Policy*
- *Printing and Producing Publications Policy*
- *Sick Leave Donation Policy*
- *Telecommuting Policy*

The agency also maintains policies governing all aspects of Human Resources management, including



for recruitment, hiring, performance review, and termination. All policies and related forms are posted and kept current on the agency's Intranet, Angelina.

The commission is also governed by state statutes and regulations. Specifically, the duties and responsibilities of the commission are set out in the *Texas Gov't Code*, Chapter 441, and in the *Texas Administrative Code*, Chapter 13, Section 2.2 and 2.3. At the April 2017 meeting of the commission, the agency's counsel appointed by the Office of the Attorney General, conducted a review with the commission of all statutes relative to public boards in Texas. That document was given to each member of the commission for ongoing referral.

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

For each meeting of the commission, the commission receives the following information:

- *Reports from the Director and Librarian as well as each of the four service units of the agency, the Administrative division (including reports on human resources, purchasing, and accounting), and the Information Resources Technologies unit*
- *A complete report on agency finances*
- *Regular audit reports from the agency's contracted internal auditors, as well as reports and audits conducted by the State Auditor's Office, the State Office of Risk Management, and monitoring visits by federal partners*
- *Reports as needed on special projects and units of the agency, such as the Sam Houston Regional Library and Research Center in Liberty*
- *Updates on mission critical projects such as recommended IT projects, legacy system upgrades, and the status of implementation of key legislative initiatives and mandates*
- *Contracts over \$100,000, contract renewals, and contract amendments greater than 10 percent, for approval.*

Between meetings, the Director and Librarian provides regular bi-weekly updates to the commission on project status and other developments.

#### 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?

The commission welcomes public comment at all meetings and written comments at any time. The commission not only posts all regulatory changes for comment as required by law, but often posts requests for comments to stakeholder groups before posting in the *Texas Register*. The commission also holds one of its annual meetings in conjunction with the conference of the Texas Library Association to facilitate participation and discussion. The commission also tries to hold at least one other meeting annually at a library in Texas. This past year, the commission met in San Angelo for its fall meeting. The agency conducts regular meetings of key stakeholder groups, often attended by commission members, to seek feedback and comment on agency direction and policy. Prior to submitting the biennial agency strategic plan, the agency conducts extensive information gathering with key constituent groups and that information is shared with commission members. The commission also receives the results of most surveys (please note the agency's various division conduct regular surveys and program evaluations with their stakeholders) and other client feedback.

The agency uses an informal continuous quality improvement model in which all feedback data is reviewed by the agency’s senior administrators with their staffs and in meetings of the administrative team, and improvements are made from there. This is true of internal as well as external customer feedback. We have recently convened a quality team to examine how to better measure customer feedback and incorporate those findings in the operations of the agency. That process resulted in several modifications in the way data is collected, reviewed, and applied to quality improvement.

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

At present, the commission does not use subcommittees. With two vacancies on the commission (at the time of completion of this SER), the commission is reviewing all activities as a whole.

**Texas State Library and Archives Commission**

**Exhibit 4: Subcommittees and Advisory Committees**

<b>Name of Subcommittee or Advisory Committee</b>	<b>Size/Composition/How are members appointed?</b>	<b>Purpose/Duties</b>	<b>Legal Basis for Committee</b>
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
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 (not in operation)	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
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 commission on all matters concerning management & preservation of local government records.	Gov't Code 441.161- 167
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

*Table 4 Exhibit 4 Subcommittees and Advisory Committees*

## V. Funding

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

The agency was appropriated a total of \$32,537,054 for Fiscal Year 2016, plus another \$250,000 to cover costs of implementing the CAPPs system, for a total appropriation of \$32,787,054. Funding includes General Revenue (48.0%), Federal Funds (31.6%), Appropriated Receipts (10.9%), Interagency Receipts (9.4%), Texas Reads license plate revenue (<0.1%), and other grant funds (<0.1%).

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

Rider 3. Appropriation of Receipts and Unexpended Balances: Imaging and Storage Fees – provides UB authority for fees collected by the State Records Center for cost-recovery services provided to other state and local governments. The State Records Center provides imaging and digitization services, along with short-term storage services for governmental records. This rider authorizes the agency to carry forward available funds from the previous biennium, and between the first and second year of the current biennium, to ensure sufficient cash flow for operations during the first few months of a fiscal year.

Rider 5. Appropriation of Receipts and Unexpended Balances of TexShare Membership Fees and Reimbursements – authorizes the agency to collect fees from TexShare member libraries and TexQuest participating libraries to recover partial costs associated with the TexShare and TexQuest programs. This rider authorizes the agency to carry forward available funds from the previous biennium, and between the first and second year of the current biennium, to be used for TexShare and TexQuest services in a subsequent fiscal year and/or biennium.

Rider 7. Unexpended Balances of Sam Houston Regional Library and Research Center – Safety & Security Repairs and Improvements – provides UB authority for capital project funds designated for repairs and improvements for the agency's multiple facilities located in Liberty, Texas. This rider authorizes the agency to carry forward available funds from the previous biennium, and between the first and second year of the current biennium, to be used for the same purposes in a subsequent fiscal year and/or biennium. The work funded under this capital project is complicated due to the age of the structures and the nature of the facility uses. Therefore, the procurement process is often lengthy and work contracted in one fiscal year may not be completed until the following. As a result, it is critical that the agency have the ability to move unspent funds forward between fiscal years, and biennia.

C. Show your agency's expenditures by strategy.

Texas State Library and Archives Commission  
Exhibit 5: Expenditures by Strategy – 2016 (Actual)

Goal/Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
1.1.1 Library Resource Sharing Services	\$17,584,239.77	60.52	\$16,272,926.79
1.1.2 Aid to Local Libraries	2,605,521.89	8.97	210,900.68
1.2.1 Disabled Services	2,383,387.91	8.20	161,119.90
2.1.1 Provide Access to Information and Archives	2,540,717.66	8.74	265,837.34
3.1.1 Manage State/ Local Records	1,658,562.24	5.71	526,187.56
4.1.1 Indirect Administration	2,282,264.02	7.86	429,627.21

Table 5 Exhibit 5 Expenditures by Strategy

D. 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 6: Sources of Revenue – Fiscal Year 2016 (Actual)

Source	Amount
Motor Vehicle Registration Fees	\$2,883.79
Federal Receipts Matched – Other Programs	11,065,951.58
Fees – Copies/Filing of Records	10,411.56
Conference/Seminar/Training Registration Fees	34,728.19
Federal Receipts – Indirect Cost Recoveries	110,630.00
Administrative Services Fees	4,770,994.04
Gift/Grant/Donation – Non-operating	144,867.33
Rental Fees – Other	401.30
Sales of Supplies/Equipment/Services	1,474,666.23
Supplies, Equipment, Services – Local Funds	43,466.71
Supplies, Equipment, Services – Federal/Other	110,042.66

Interest on State Deposits, General, Non-program	3,483.27
Federal Pass-Thru Revenue Inter Agency, Non-operating	200,000.00
Operating Account Transfers In (sale of surplus property)	230.00
General Revenue	16,028,848.22
<b>TOTAL</b>	<b>34,001,604.88</b>

*Table 6 Exhibit 6 Sources of Revenue*

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

**Texas State Library and Archives Commission**

**Exhibit 7: Federal Funds – Fiscal Year 2016 (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)	35% S / 66% F Required 37% S / 63% F Actual	\$5,494,100.18 Required \$6,217,643.79 Actual	\$10,561,014.52	\$16,778,658.31
National Historical Publications and Records Commission	25% S / 75% F 51% / 49% Actual	\$31,032.00	\$11,296.19	\$61,986.00
Dept. of Education – Adult Education State Grant Program  (grant funds received from TWC in FY 2016; no expenditures until FY 2017)	0% S/ 100% F	N/A	\$200,000.00	\$200,000.00

*Table 7 Exhibit 7 Federal Funds*

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

Texas State Library and Archives Commission

Exhibit 8: Fee Revenue – Fiscal Year 2016

Fee Description / Program/ Statutory Citation	Current Fee/ Statutory Maximum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue Is Deposited
Administrative Service Fees GAA, HB 1, 84 <sup>th</sup> Leg RS, Article I, Rider 5 Appropriation of Receipts and Unexpended Balances of TexShare Membership Fees and Reimbursements	Formula based on cost of resources and number of entities participating	631	\$4,770,994.04	State Treasury
Supplies/Equipment/ Services – Federal or Other Funds (includes records storage and imaging fees) <i>Gov't Code §441.168</i>	Varies, but in accordance with current year fee schedule adopted by commission	unknown	\$110,042.66	State Treasury
Supplies/Equipment/ Services Pd by Local Funds (includes records storage and imaging fees) <i>Gov't Code §441.168</i>	Varies, but in accordance with current year fee schedule adopted by commission	7 entities	\$43,466.71	State Treasury
Records Storage and Imaging Fees Pd by State Agencies Gov't Code §441.182 - Operation of State Records Center	Varies, but in accordance with current year fee schedule adopted by commission	82 agencies	\$1,474,666.23	State Treasury

Federal Receipts – Indirect Cost Recoveries Article IX, §13.11 – Definition, Appropriation, Reporting and Audit of Earned Federal Funds	Amount set in GAA	N/A	\$110,630.00	State Treasury
Interest Earned State Deposits, General Non-program GAA, HB 1, 84 <sup>th</sup> Leg RS, Article IX, §6.22- Appropriation of Earned Federal Funds AND GAA, HB 1, 84 <sup>th</sup> Leg RS, Article I, Rider 6 Texas Reads License Plates	Varies; determined by CPA	N/A	\$3,483.27	State Treasury
Proceeds from Sale of Surplus Property GAA, HB 1, 84 <sup>th</sup> Leg RS, Article IX, §8.04 – Surplus Property	Varies, depending on price at auction	3	\$230.00	State Treasury
Motor Vehicle Registration Fees GAA, HB 1, 84 <sup>th</sup> Leg RS, Article I, Rider 6 Texas Reads License Plates AND Transportation Code §504.616	\$22 per plate	131	\$2,883.79	State Treasury
Rental – Other Gov't Code §441.196- Sale of Archival Copies	10 cents per copy	4,013	\$401.30	State Treasury
Fees for Copies or Filing of Records Gov't Code §441.196- Sale of Archival Copies AND TAC, Title 13, §2.51	Varies according to media provided; all in accordance with TAC	unknown	\$10,411.56	State Treasury

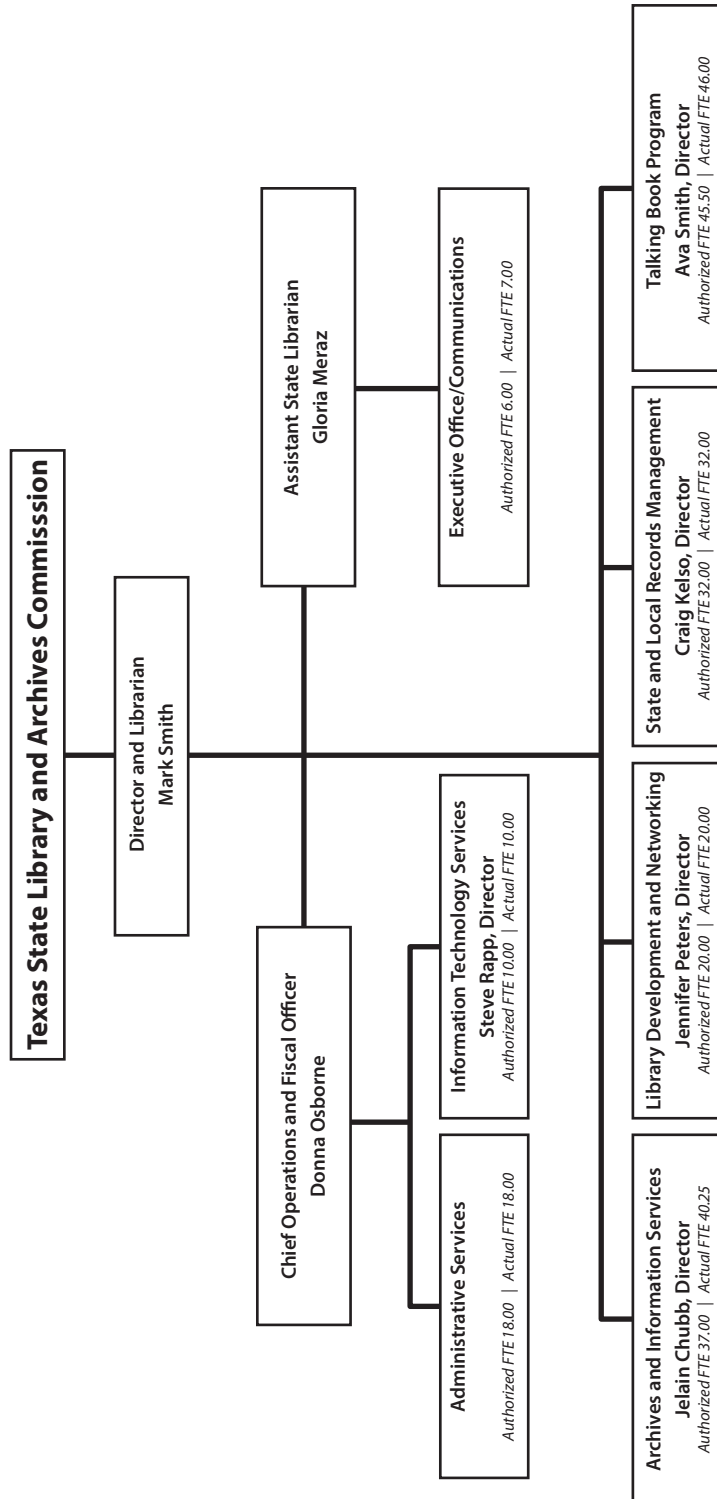


Conference, Seminar, and Training Registration Fees GAA, HB 1, 84 <sup>th</sup> Leg RS, Article IX, §8.07 – Appropriation of Collections for Seminars and Conferences	Ranges from \$15-\$90 per workshop, seminar, or conference	659 individuals	\$34,728.19	State Treasury
Gifts/Grants/Donations, Non-operating GAA, HB 1, 84 <sup>th</sup> Leg RS, Article IX, §8.01 – Acceptance of Gifts of Money	N/A; based on amount determined by donor	Multiple	\$144,867.33	State Treasury

*Table 8 Exhibit 8 Fee Revenue*

## **VI. Organization**

- A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, Department Heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



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

Texas State Library and Archives Commission  
Exhibit 9: FTEs by Location – Fiscal Year 2016

Headquarters, Region, or Field Office	Location	Co-Location?	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
Headquarters – Lorenzo de Zavala State Archives and Library Building	1201 Brazos Street, Austin	No	127.5	120.25
State Records Center and Talking Book Circulation Department	4400 Shoal Creek, Austin	No	35.5	31.0
Sam Houston Regional Library and Research Center	650 FM 1011, Liberty	No	5.5	5.5
<b>TOTALS</b>			168.5	156.75

Table 9 Exhibit 9 FTEs by Location

C. What are your agency's FTE caps for the years 2016-2019?

FY 2016 = 168.5 FTEs    FY 2017 = 168.5 FTEs    FY 2018 = 169.5    FY 2019 = 169.5

D. How many temporary or contract employees did your agency have as of August 31, 2016? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

The agency employed three contract workers as of August 31, 2016. All positions were procured through the State contract with TIBH Industries.

Experienced Data Entry Operator (16-8454) to perform data entry work for the ARIS division including verification of data files and transcribing source documents to machine-acceptable formats. Paid \$5,689.08 for this contract.

Accounting Technician I (16-8664) to perform entry level accounting work so agency Subject Matter Experts can participate in CAPPs implementation. Work includes processing agency invoices, receiving reports, encumbrances, payment vouchers, and other documents relating to accounts payable functions. Paid \$2,383.13 for this contract.

Security Officer III (16-8348) to perform journey-level security enforcement work including monitoring building lobby activities, processing agency visitors, inspecting and safeguarding agency property and equipment. Paid \$23,466.75 for this contract.

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

Texas State Library and Archives Commission

Exhibit 10: List of Program FTEs and Expenditures – Fiscal Year 2016

<b>Program</b>	<b>Number of Budgeted FTEs FY 2016</b>	<b>Actual FTEs as of August 31, 2016</b>	<b>Actual Expenditures</b>
Resource Sharing	10.0	9.0	\$17,584,240
Library Development	10.0	9.0	\$2,605,522
Talking Book Program	45.5	43.5	\$2,383,388
Archives & Information Svcs	37.0	36.25	\$2,540,718
State & Local Records Mgmt	32.0	28.0	\$1,752,808
Indirect Administration	34.0	31.0	\$2,282,264
<b>TOTALS</b>	<b>168.5</b>	<b>156.75</b>	<b>\$29,148,940</b>

*Table 10 Exhibit 10 List of Program FTEs and Expenditures*

## VII. Guide to Agency Programs

- 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:** Jelain Chubb

**Actual Expenditures, FY2016:** \$2,540,799.96

**Number of Actual FTEs as of June 1, 2017:** 38.25

**Statutory Citation for Program:** Gov't Code, Chapter 441, Subchapters A, C, G, J, L, and M)

- 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. Publications produced by state agencies and other library materials are cataloged by professional librarians and that summary information is entered into an online Internet accessible public access 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 responds to requests from researchers throughout Texas and around the world who wish to access 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.

*It is imperative for the public to have continued access to historical and public records; family historians, government officials, students of all levels, and writers. TSLAC provides a secure and proper interface for these resources.*

*[T]he Texas State Library and Archives Commission are the most qualified custodians of state historical records. All Texans benefit from the service of this agency.*

*Two comments from the agency stakeholder survey (attached).*

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Output Measure: Number of assists with information resources – For fiscal year 2016, projected performance: 7,000,000; actual: 7,865,347

Definition: The number of times program staff assistance is provided to customers seeking information; the staff will provide customers with information resources or informational responses.

Methodology: The monthly total of customers assisted without the use of onsite information resources is combined with the monthly total of information resources used onsite to assist customers and with the number of web-based document viewed of this program's information.

Additionally, 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. In FY15 99% and in FY16, 95% of those responding expressed satisfaction with the services provided.

Methodology: Quarterly surveys are used to measure the level of customer satisfaction. The agency surveys persons who contact any of the four reference units of the Archives and Information Services (ARIS) Division for reference or research services on one day each quarter. Survey days vary, but are held during the third week of each quarter. All individuals surveyed are given an opportunity to provide additional comments including complaints or suggestions for improvement at both the Lorenzo de Zavala building and the Sam Houston Research Center in Liberty.

The "Number of Web-based Information Resources Used" increased from 2,002,511 in FY15 to 7,863,753 in FY16, and is estimated to total approximately 7,251,159 by the end of FY17. The measure is calculated by totaling views of the resources via the website and includes measures from the Texas Digital Archive

The availability of digital copies of the original resources means that staff members are retrieving fewer original archival documents. Consequently, those staff members have more time to devote to other archival preservation and access efforts, including digitization of materials and the provision on online descriptive tools. The reduced handling of those original—and often fragile—materials also helps extend the life of unique archival materials. This increased access to online descriptive finding aids, indexes, and other access tools enables researchers to work more independently and remotely.

- D. Describe any important history regarding this program not included in the 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.

In the mid-1990's budgetary reductions for the program necessitated the virtual elimination of the document conservation 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 were initially unsuccessful. Consequently, a more general preventive or holdings maintenance approach was employed that focused 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.

The archives conservation funding requests were answered in 2008. Supported by a \$500,000 Summerlee Foundation grant in 2008, the Summerlee Conservation Lab was organized in 2009 and became operational in 2010. A professional conservator was hired to ensure that conservation treatment and documentation conform to the standards of the American Institute for Conservation. The lab features equipment ranging from traditional bindery presses to modern-day scientific instrumentation in order to preserve, repair, and prolong the lifetime of unique book and paper collections. Conservation treatment focuses on leather-bound books, brittle paper, degrading iron gall ink, and other challenges typical of materials from the 19<sup>th</sup> and early 20<sup>th</sup> centuries.

In FY 2004, the program began using federal funding (LSTA) to provide the digitization of over 4,000 Civilian Conservation Corps drawings, followed by over 4,000 Fire Insurance Maps, through outsourcing to local vendors. The program also began in-house digitization of thousands of photographs from TSLAC holdings. By 2013, the program embarked on an unprecedented digitization project of over 25,000 Texas Senate audio cassettes, which was outsourced and paid using federal funds (LSTA). Since the audio cassette project, the program hired in-house digitization staff and acquired additional equipment for digitization of oversized paper-based items, video, motion picture, and audio recordings. Federal funding (LSTA) was used to build in-house digitization capabilities.

Following the renovation of the TSLAC building in downtown Austin in 2010, seven new, state of the art, exhibit cases were installed in the lobby and the lobby exhibit program was launched. An Exhibit Committee prepares the exhibits, with items on display coming from the archival holdings. Most years have featured two exhibits. In furtherance of the agency outreach initiative, an education outreach coordinator was hired in 2015 to oversee the outreach program, which led to the creation of an Outreach Master Plan. Key programming areas are exhibits, events (community and special), education, and social media. Between 2016 and 2017, the outreach program has successfully created programming in partnerships with the following institutions and organizations Texas State Historical Association, General Land Office, Austin History Center, Carver Genealogy Center, Austin ISD, and Austin Museum Partnership.

In FY 2000 the program implemented a significant change concerning its acquisition of certain archival records from state agencies. The program lacked the technology and human resources to accept electronic 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. Until 2015, electronic state records that had archival value had to be maintained by the creating agency. Fortunately, in 2012 and 2013, staff archivists received professional training in preserving and making available for research electronic records. They, in turn, have been providing guidance to state agencies on the long-term preservation of electronic records.



In FY 2015 TSLAC received the records of Governor Rick Perry, including approximately 7 TB of born-digital electronic records. With the support of the Governor's Office and the Department of Information Resources, TSLAC created the Texas Digital Archives, a data repository providing for the long-term management, preservation, and access to archival electronic records. The 84th Legislature provided over \$700,000 for the continued development and operation of the TDA during the current biennium, including funding for high level electronic records staff. Since its inception the TDA has ingested over 25 terabytes of electronic records from the Office of the Governor, the Texas State Legislature and from individual legislators. The TDA is now receiving transfers of electronic records from Texas state agencies.

- 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 history and 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, genealogists, and school students. 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. Circulation of materials from the other library collections is limited to those individuals, age 16 and older, with current photo identification and proof of Texas address.

- F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The program consists of the following departments: Administration, Archival Services, Information Services, Bibliographic Information and Metadata, and the Sam Houston Regional Library and Research Center (SHRC). The division director, who reports to the state librarian, administers the program along with an assistant director for archives and supervisors for its information services department and the SHRC.

- *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 archival state records, paper and electronic, 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 website or through the Texas Digital Archive and accessed by anyone, anywhere in the world.*

- *The bibliographic and metadata unit produce and enter descriptive records for online public access.*
- *The Sam Houston Regional Library and Research Center is one of the Regional Historical Resource Depositories 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. In addition to the Jean and Price Daniel Home and Archive built in 1984, four historic structures are located on the 127 acre property: the St. Stephen's Episcopal Church, the 1848 Gillard-Duncan House, the 1883 Norman House, and the Hull Rotary Building, circa 1928. The Commission also owns the antebellum Cleveland-Partlow house located on Grand Street in Liberty.*

The division director 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 division also receives an allocation of federal Library Services and Technology Act funds. 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 and grants. In recent years the program has received federal grant funds (LSTA) to assist with the digitization of archival materials. Several grants have been received from private foundations and individuals for the preservation and processing of selected archival records. Federal funding (NHPRC) received covers the activities (such as conducting workshops and webinars for archival facilities and local records offices) and travel expenses for the Texas Historical Records Advisory Board, an advisory board to the commission.

	<b>FY 2016</b>
<b>Funding Sources</b>	<b>Expended</b>
General Revenue	\$2,177,728
Federal- LSTA Grants	\$332,092
NHPRC- Other Federal	\$11,306
Gifts	\$13,203
Appropriated Receipts	\$2,066
Interagency Funds	\$4,322
<b>TOTALS</b>	<b>\$2,540,718</b>

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

The Texas State Library and Archives Commission holds a unique role in state government, as the official repository for the majority of state archival records. While the General Land Office oversees land records, the commission is charged with collecting and preserving the vast preponderance of documentary materials.

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, the State Library and Archives Commission 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 or Agreements with several universities concerning the management of gubernatorial and legislative records located at those institutional archives. In addition, in accordance with Gov't Code 441.201, the National Archives and Records Administration stores 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 Regional Historical Resource Depository (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) where the records are managed and made available according to established agreements between these 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 Texas. 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 53 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.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with 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. All such schedules are reviewed by TSLAC's archival staff to ensure that all 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 2013 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 Bush Presidential Library. Similar MOUs or agreements for the management of other gubernatorial records and legislative records exist between the commission, the office holder and the receiving institution.

TSLAC also adheres to the Texas State Plan that affirms the commitment of Texas federal depository libraries to promote no-fee 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.

See also questions H and I. 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 physical custody of the designated regional depository nearest that unit of local government. In the event the designated repository is unable to accept or continue management of the records, the records are transferred to another regional repository or the State Archives.

K. If contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall**

The Archives and Information Services Division contracts for Software as a Solution (SAAS) services for preservation and management of long-term/archival electronic records (including encryption and 25TB of AWS Glacier Storage) and for library cataloging software, data, and maintenance.

The division also has several contracts in place for the Sam Houston Regional Library & Research Center in Liberty, Texas. We have contracted with the Texas Facilities Commission to manage building repairs at the Center and structural repairs to several historical buildings owned by the TSLAC. We are also renovating the Center's museum space and have a contract in place with an exhibit company for design, fabrication and installation of a new exhibit, as well contracts for the accompanying carpentry and building upgrades. There is a contract for annual mowing services as well.

We periodically contract for specialized archival training workshops on behalf of the Texas Historical Records Advisory Board. These workshops are paid for with federal funds and offered free of charge to employees of archival repositories in Texas.

- **The amount of those expenditures in fiscal year 2016**

\$265,837.34

- **The number of contracts accounting for those expenditures**

9

- **The method used to procure contracts**

Contracts are competitively bid.

- **Top five contracts by dollar amount, including contractor and purpose**

Quimby McCoy Preservation: Assessment of Sam Houston Center historic buildings, \$74,910.00

SirsiDynix, FY16 Sirsi Software as a Service, Including Software Maintenance, \$74,035.55

Department of Information Resources: Data Center Network Consolidation Services, \$72,887.00

Hydrozone Landscape Corporation, Mowing services for the Sam Houston Regional Library & Research Center, \$16,995.00

Preservica, Inc.: An additional 25TB of Glaciar Storage to accompany the current Preservica Contract # 306-15-8167 (online storage for the Texas Digital Archive), \$11,767.00

- **The methods used to ensure accountability for funding and performance**

Contracts are managed by the chief operations and fiscal officer, and the division director and key staff (including the manager of the Sam Houston Regional Center) monitor contracts for progress. Complete reports and work assessments must be received and accepted before payment is released.

- **A short description of any current contracting problems**

No significant contracting issues at this time.

L. Provide information on any grants awarded by the program.

Through a donation from the Friends of Libraries and Archives of Texas, the agency will offer an inaugural \$2000 scholarship to support use of the state archives in research. The award will be given in 2018.

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

Authorizing the State Archives to market reproductions of select archival material, such as maps, would promote the state's history, increase the use of primary materials, and provide a means to support educational programming and archives processing.

Amending statute relating to the RHRD program to allow the regional depositories more autonomy in managing local records accepted through the program would position the depositories to take initia-

tive in preserving such records.

To ensure the long-term chain-of-custody and preservation of gubernatorial and legislative records, statute should be amended to prescribe that all such records be transferred to the State Archives in Austin, rather than have them scattered among repositories and other institutions in the state. TSLAC still maintains ownership of these records, but not having them in Austin makes oversight of processing and PIA implementation difficult.

Current statute allows legislators to close portions of their correspondence records permanently. This means no one will ever have access to these records, but the state must still incur the cost of storing and managing these records. Statute could provide a time limit, such as 10 or 20 years after the legislator leaves office, for records to remain closed.

Researchers would benefit from changing statute to allow that all restricted records be opened for public access after a specified length of time, 75 years for example. Records from some agencies have restricted portions dating back to the 1920s. Opening all these records would provide invaluable information to researchers and save the state the cost of many hours of review and redaction.

A lack of adequate storage space at the State Archives is an acute problem. At current rates of acquisition, TSLAC will no longer be able to offer records storage services to state and local agencies in 6-10 years. Currently, over 40,000 cubic feet of archival materials are being stored in substandard conditions in the State Records Center at a cost of \$140,000 per year.

Please see Section IX for additional information about these issues.

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

Additional information may be found at: <https://www.tsl.texas.gov/landing/whatwedo>.

O. Regulatory programs related 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**
- **Procedures for handling consumer/public complaints against regulated entities**

n/a

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

n/a

## 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 Services (in the Library Development and Networking Division)

**Location/Division:** 1201 Brazos St., Austin, TX

**Contact Name:** Jennifer Peters, Division Director

**Actual Expenditures, FY2016:** \$17,584,239.77

**Number of Actual FTEs as of June 1, 2017:** 10

**Statutory Citation for Program:** Gov't Code Section 441.006; subchapter M

- 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. Resource sharing programs enable librarians to provide Texans with a wider range of resources and services than any single library could provide on its own. Services include:

- a) *The interlibrary loan that network enables Texans to borrow materials that are unavailable locally.*
- b) *TexShare, a resource sharing consortium of 700 libraries, that provides access to licensed electronic resources, 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 the provision of electronic resources. These resource subscriptions put vast storehouses of knowledge on the desktops and mobile devices of library users.*
- c) *TexQuest – electronic resource subscriptions for public school libraries that help equalize access across the state to information to support the K-12 curriculum.*
- d) *The agency is directed to develop voluntary school library standards in Education Code 33.021, and the School Program Coordinator (position also oversees the TexQuest program) directs this activity.*

*TSLAC is vital to our college. The TexShare databases program allows us to meet accrediting standards. Grants obtained through TSLAC have allowed us to fund an ILS (from a DOS based public interface) and library computers and lab[s] that would otherwise not exist. Subsequent grants have allowed us to target resources for online students. The absence of these computers, labs and online resources would also have made it impossible for our college to meet the standards required by our accrediting institutions [for higher ed].*

*The resources provided by this agency and its ability to leverage pricing allow our stakeholders to have substantial access to electronic resources which support both our in-person and distance learners. Doing so "at cost" would not be possible for our institutions....*

*Two comments from the agency stakeholder survey (attached).*

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The effectiveness and efficiency of the program is reflected through a variety of measures.

Description: Number of Resources Provided to Persons Through Shared Services: 120,868,405 resources provided FY 2016.

Definition: This is the number of resources provided to persons through TexShare, TexQuest, the interlibrary loan program, and the reciprocal borrowers card program.

Methodology: Reported quarterly, based on computer logs or on-site counts by contract vendors, participating libraries, and the State Library. Some reports will include performance for projects funded in the previous fiscal year. Based on non-unique counts each time services are provided.

Outcome:

- ***Dollar value of cost avoidance achieved by library resource sharing.*** Providing robust library resources through statewide 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. Retail costs are used to determine value.

*Cost avoidance in 2016: \$211,400,894.*

Efficiency:

- ***Number of days of average turnaround time for interlibrary loans.*** This measure details how promptly Texans get the materials they need through interlibrary loan. Methodology: This figure reflects the average number of days it takes a library to receive requested materials from a lending library. Data is collected from reports generated by the ILL network vendor providing monthly and year-to-date average turnaround times for filled borrowing requests.
- ***Cost per book and other library material provided by shared resources.*** This reflects cost-effectiveness of the delivery of information through program activities. Methodology: This measure calculates a unit cost for all materials supplied. The cost of appropriate projects in this strategy is divided by the number of materials loaned or supplied by those projects.

*Cost per book or other material provided by shared resources in 2016: \$0.31.*

Customer Satisfaction:

- *We measure customer satisfaction through annual customer satisfaction surveys of several programs. The survey asks libraries for a rating of their overall satisfaction with the program,*



*as well as suggestions for improvement.*

*In SFY2016 surveys for the programs in this strategy show that 95% of customers are satisfied with the services provided.*

- 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.

After the budget cuts of the 2011 Legislative Session, the Library Resource Sharing Division (which was a stand-alone division) was merged with the Library Development Division.

- 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.

Library resource sharing is accomplished by providing digital resources to member libraries of the TexShare and TexQuest programs and by facilitating the sharing of print and other physical materials through interlibrary loan, which is delivered through the Navigator interlibrary loan service.

### **Digital Resource Programs**

TexShare membership is defined in statute to include accredited public libraries (currently 520 libraries), to public and independent academic libraries (currently 156 public four-year institutions, private four-year institutions, and community colleges), and to libraries of clinical medicine (currently three libraries). These libraries serve 24.4 million eligible Texans, 885,000 full time equivalent students and faculty and staff in academic institutions, as well as approximately 54,000 members or employees of libraries of clinical medicine. Additional information is available at: <https://www.tsl.texas.gov/texshare/eligibility.html>. An additional breakdown of participants and databases available may be accessed at: [https://www.tsl.texas.gov/texshare/facts\\_ataglance.html](https://www.tsl.texas.gov/texshare/facts_ataglance.html).

TexQuest – the program is open to all public school districts. Districts must pay a participation fee to receive this service. There are 1,219 eligible districts, of which currently approximately 800 are members of the program, serving about 92% of public school students in Texas. Additional information about TexQuest may be accessed at: <https://www.tsl.texas.gov/landing/educators.html>.

### **Interlibrary Loan**

The Navigator interlibrary loan service assists public libraries to meet the informational needs of their users. Through this service Texans can request books and other materials to be borrowed for them from other libraries. Approximately 530 public libraries have implemented the program, and any registered user of those libraries can use the service. Any Texan who resides in the service area of these libraries may become a registered user. The combined service populations of these libraries is approximately 24.6 million.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The division director manages the strategy and reports to the director and librarian.

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. There are four staff persons who manage various aspects of the program. Three staff members work directly to coordinate and administer the program.

TexQuest – There is one staff person who manages the operation of the program and oversees the contract with Education Service Center 20 (ESC20). ESC20 provides technical support, outreach and training for this program.

The Navigator Interlibrary Loan program provides this service through a statewide contract with one staff person who manages this program as well as the TexShare courier program (competitively bid).

- 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 and TexQuest electronic resources participation fees from TexShare and TexQuest members. Through an appropriations act rider, the unexpended balance of fees collected from TexShare and TexQuest members is appropriated for the same purpose in the next fiscal year. Fees are established in consultation with the Advisory Board and committee. The TexQuest member participation fee formula is a set amount (currently \$.25) per student for the district (as reported to the Texas Education Agency). The TexShare participation fee formula is determined by a mix of population served and collection expenditure data for the member libraries.

Federal – Library Services and Technology Act through the Institute of Museum and Library Services. The Grants to States program allocates a base amount (\$680,000) to each of the State Library Administrative Agency (SLAA) plus a supplemental amount based on population. Note that the population amount is also subject to a maintenance of effort requirement by the state. So, if state funding drops for the SLAA (thus causing a decrease in a three year average of state support for eligible expenses), the total amount of federal allocation may be reduced from the population-based supplemental amount.

Fees – participation fees for public, academic, and public school district libraries participating in the statewide electronic resources programs, TexShare and TexQuest. For additional information on the TexShare Cost Share methodology, see: <https://www.tsl.texas.gov/texshare/feesfaq.html>. For information on TexQuest Cost Share, see: <https://www.tsl.texas.gov/texquest/invoicing>. The fee is set on a per student basis. For FY 2018, the cost share is 25 cents per student.

	<b>FY 2016</b>
<b>Funding Sources</b>	<b>Expended</b>
General Revenue	\$8,197,613
Federal- LSTA Grants	\$6,510,022
NHPRC- Other Federal	\$0
Gifts	\$0
Appropriated Receipts	\$2,254,151
Interagency Funds	\$622,454
<b>TOTALS</b>	<b>\$17,584,240</b>

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

There are no other programs internal or external to the agency that provide statewide library resource sharing services in the manner provided by the strategy. Amigos Library Services is a non-profit resource-sharing network serving libraries in the Southwest. Through membership in Amigos, libraries receive discounts on database subscriptions and other library services and materials; 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 TSLAC 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 all Texas public and academic libraries (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, school, 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. At least one Education Service Center offers discounts on selected electronic information resources.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with 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 is the sole provider of statewide library resource sharing for all types of libraries. While most libraries maintain separate procedures for the procurement of digital resources, only the agency works with school, public, academic, and certain medical libraries statewide. The state’s library resource sharing program greatly augments the limited resources available to local institutions. It offers greater cost efficiency than is achievable in most cases and brings equity in access to all parts of the state. The agency works with institutions of higher education and any state-affiliated libraries through interagency agreements.

- 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.

Public libraries, state and private university libraries, community college libraries, and libraries of clinical medicine may belong to the TexShare consortium and participate in its programs. Additional information is available at: <https://www.tsl.texas.gov/texshare/eligibility.html>. An additional breakdown of participants and databases available may be accessed at: [https://www.tsl.texas.gov/texshare/facts\\_ataglance.html](https://www.tsl.texas.gov/texshare/facts_ataglance.html).

Public school libraries may participate in TexQuest program for electronic resources. Additional information about TexQuest may be accessed at: <https://www.tsl.texas.gov/landing/educators.html>.

- K. If contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall**

*Contracts for this strategy are principally to provide (through competitive bidding) the shared statewide electronic resources for TexShare and TexQuest, the TexShare courier, the TexQuest educational partner, and the components of the statewide interlibrary loan program.*

- **The amount of those expenditures in fiscal year 2016**

\$16,272,926.79

- **The number of contracts accounting for those expenditures**

33

- **The method used to procure contracts**

Contracts are competitively bid.

- **Top five contracts by dollar amount, including contractor and purpose**

EBSCO Information Services: Online subscription for the EBSCO Core Collection of Resources for TexShare Participating libraries from the period of July 1, 2016- June 30, 2017, \$4,644,862.67

OCLC Online Computer Library Center, Inc.: renewal of Contract # 306-15-8076 WorldCat Discovery subscription; WorldCat Navigator Discovery & Delivery Subscription Fees and Access Fees, \$2,003,229.82

Cengage Learning Inc.: Online subscription for K12 Resources for TexQuest Participating libraries from the period of June 15, 2016- June 14, 2017. Resources include Academic OneFile, Educator's Reference Complete, General OneFile, GREENR, Health & Wellness Resource Center with Alternative Health, Informe, Kids' InfoBits, Literature Resource Center, National Geographic Kids, InfoTrac Newstand, Opposing Viewpoints in Context, Research In Context, Student Resources in Context, Scribner Writer's Online, Twayne's Authors Online, and Gale Virtual Reference Library, \$1,500,000.00

American Chemical Society: Services for consortium pricing for a direct publication. TSLAC will be reimbursed by the libraries taking advantage of the contract pricing, \$1,284,737.00

Encyclopaedia Britannica, Inc.: Online Subscription for the Britannica PreK-12 School and

Spanish Reference Center Resources for TexQuest Participating libraries from the period of June 15, 2016- June 14, 2017, \$883,425.00

- **The methods used to ensure accountability for funding and performance**

The strategy program managers are certified Texas contract managers and have also received training as appropriate on federal grant requirements. Contract performance is monitored through the monthly and quarterly statistics provided, as well as other contract requirements such as training sessions provided and regular check-in calls and/or meetings with the vendors. The division director and chief financial officer provide oversight.

- **A short description of any current contracting problems**

*Not any at this time.*

L. Provide information on any grants awarded by the program.

The TexTreasures competitive grant program is administered by the division's grant manager in conjunction with the other division grant programs for efficiency and effectiveness.

TexTreasures is an annual grant program designed to help libraries make their special collections more accessible for the people of Texas and beyond. Activities considered for possible funding include digitization, microfilming, and cataloging. For additional information, see: <https://www.tsl.texas.gov/textshare/texttreasurespage.html>.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The agency's longstanding tenure coordinating statewide resource sharing, especially in the area of digital resources and infrastructure, position the agency to take on a leadership role convening stakeholders in the area of curated digital content, such as through open educational repositories, ebook consortia, and similar initiatives. Representatives of libraries of all types have long petitioned TSLAC to convene interested parties together for development of statewide strategies and solutions. Statutory changes to support the agency in this expanded work would provide clarity and direction for stakeholders and the commission.

See Section IX for additional information.

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

Additional information on this program is available on the agency's website at: <https://www.tsl.texas.gov/ldn>

O. Regulatory programs related 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**
- **Procedures for handling consumer/public complaints against regulated entities**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

Not regulatory.

## VII. Guide to Agency Programs

- A. Provide the following information at the beginning of each program description.

**Name of Program or Function:** Aid in Local Library Development (in the Library Development and Networking Division)

**Location/Division:** 1201 Brazos St., Austin, TX

**Contact Name:** Jennifer Peters, Division Director

**Actual Expenditures, FY2016:** \$2,605,521.89

**Number of Actual FTEs as of June 1, 2017:** 9

**Statutory Citation for Program:** Gov't Code Section 441.006; subchapter I

- 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. The agency is directed by statute to aid and encourage the development of libraries (Section 441.006 of the *Gov't Code*). The agency supports the development of public libraries as well as the work of school and academic libraries. A variety of services accomplish this goal.

This program seeks to improve local library service by providing direct services (such as training) and grants to individual local libraries. Sec. 441.0091 permits the agency to administer grant programs. 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. Five competitive grant programs help fund new and innovative services for local communities.

Sec. 441.006 directs the agency to "(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." 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 assist local libraries participating in the federal E-rate discount program. The Library Science Collection provides specialized library-related materials and information by email and telephone reference. It is used by librarians and board members across the state to enhance their skills, solve problems, and develop new ideas. Planning manuals, posters, bookmarks, and other materials are distributed for the national Collaborative Summer Reading Program, an annual summer reading program for pre-schoolers, children, teens, adults, and families. Centrally procuring and distributing these materials for the state increases the quality and reduces the time and expertise required of local libraries. A content management system based website template is provided for about 200 small libraries that lack the capacity to develop and maintain an internet presence for their communities to provide robust access to online resources.

The Commission is directed by Sec. 441.127 of the *Gov't Code* 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. Division staff actively works with libraries that have accreditation and other issues. Libraries which 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.

Federal funding is a major source of funding for several of the programs operated by the division. *Gov't Code* 441.009 permits the agency to adopt a State Plan for Library Services and Technology (LSTA). LSTA, a federal program for libraries, is administered by the Institute of Museum and Library Services. An approved five-year state plan is required for receipt of the funds.

*TSLAC is a central and integral part of libraries in Texas, connecting librarians to services, professional development, community literacy programs, school reading programs, technology, digitization and archival tools, and other resources that support the mission of libraries in schools and universities. It raises the bar for all libraries and librarians in Texas to provide information access and resources at the local level.*

*[T]he services that this agency supplies to small and rural libraries are astounding and such a comfort to those of us new to this field. Whenever I need help with anything they are always eager to help me out. They are pleasant and so eager to teach me what I need to learn to function better on my own.*

*Two comments from the agency stakeholder survey (attached).*

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Effectiveness and efficiency of the programs offered through Strategy 1.1.2 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: SFY2016

Output:

- *Number of persons provided local library project-sponsored services: 912,496*
- *Number of books and other library materials provided to local libraries: 365,337*
- *Number of librarians trained or assisted in local libraries: 49,121*

Efficiency:

- *Cost per person provided local library project sponsored services: \$3.49*

Outcome:

- *Percent of Public Libraries that have improved their services or programs: 26.34%*



## Customer Satisfaction

Surveys of library staff receiving training and related services in SDY2016 show that 97.1% are satisfied with the services.

Evaluations are conducted for all continuing education workshops provided and for the Summer Reading Program. Evaluation forms are offered to all participants for these two programs. The form asks for a rating of overall satisfaction, as well as comments for improvement.

## Outcome Based Evaluation (OBE)

OBE is an initiative of the Institute of Museum and Library Services (IMLS) to help demonstrate the impact of federal funding on the citizens of the United States. Agency programs funded by federal funds must use OBE as directed by IMLS. Currently OBE is used for all continuing education workshops, for grant projects as appropriate, and for projects that require use of the IMLS *Measuring Success* outcome measures. These measures are reported on the annual State Program Report to IMLS.

- 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.

Due to a major reduction in state funds in the 2011 legislative session as well as an evolution in how support services can be provided, this strategy no longer funds sub-grants for the Library Systems program. Support for local library development is accomplished through statewide continuing education and consulting, as well as other statewide initiatives, including encouraging and supporting regional library organizations run by local libraries.

- 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 grant programs affect all Texas public and academic libraries and their governing entities. To participate in agency programs and services a public library must be accredited and an academic library be a member of the TexShare program. Of the 548 public libraries that submitted an annual report for local fiscal year 2015, 515 are accredited.

Continuing Education and Consulting (CEC)/Community Engagement Initiatives – 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 (to a lesser extent). There are currently about 564 public library entities, and approximately 156 academic libraries. Public and private school libraries contact us (or participate in workshops) infrequently, since the agency’s role with K-12 school libraries is less extensive. The total number of school libraries is unclear, but there are 1,219 districts and about 8,000 campuses. We do not have any specific programs for special libraries 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 libraries. Invitations to report are sent to all known public library entities, whether or not the library is accredited or meets the administrative rule definition of a public library.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Under the direction of the division director there are three focus areas: grants administration, continuing education and consulting and related initiatives, and public library statistics and accreditation. The division director reports to the director and librarian. Two office staff members assist with support for both strategies.

Grants – The division currently administers five competitive grant programs: Cooperation, Special Projects, Impact, TexTreasures, and the Texas Reads grants. There is one grant program manager who reports directly to the division director.

Continuing Education and Consulting (CEC) – There are seven full time staff, with a program manager, five consultants, and one administrative assistant. 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 the broadband and the federal E-rate program. Related community program related initiatives are managed by an additional staff person who reports to the division director.

Two staff members manage the statistics and accreditation programs. One staff person oversees the contract for the online service to collect the statistics as well as overall guidance for accreditation. This staff person also serves as the agency State Data Coordinator, reporting the statistics to our federal agency, and also coordinates the agency’s use and reporting of the federal LSTA funds. The second staff person assists libraries with the annual report, analyzes the reports for accreditation issues, and assists division staff with a variety of statistical needs.

- 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).

	<b>FY 2016</b>
<b>Funding Sources</b>	<b>Expended</b>
General Revenue	\$73,579
Federal- LSTA Grants	\$2,519,668
NHPRC- Other Federal	\$0
Gifts	\$12,275
License Plate Revenue	\$0
Appropriated Receipts	\$0
Interagency Funds	\$0
<b>TOTALS</b>	<b>\$2,605,522</b>

Funding for Strategy 1.1.2 comes primarily from federal Library Services and Technology Act (LSTA) funds (Grants to State Library Agencies—see [http://www.ims.gov/grants/library/lib\\_gsla.asp](http://www.ims.gov/grants/library/lib_gsla.asp)). The LSTA funds must be used to meet the purposes and priorities of the Act and the agency's approved five-year plan. Federal – Library Services and Technology Act through the Institute of Museum and Library Services. The Grants to States program allocates a base amount (\$680,000) to each of the State Library Administrative Agency (SLAA) plus a supplemental amount based on population. Note that the population amount is also subject to a maintenance of effort requirement by the state. So, if state funding drops for the SLAA (thus causing a decrease in a three year average of state support for eligible expenses), the total amount of federal allocation may be reduced from the population-based supplemental amount.

Minimal funding is provided by General Revenue-dedicated, (for Texas Reads grants).

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

No other programs internal or external to the agency provide a wide range of continuing education and consulting to all Texas libraries, staff, and related interested parties free of charge. 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 once/year and requires a membership fee) that provide library training, as well as additional workshops, often for a fee. Amigos Library Services (a non-profit covering several southwestern states) also offers continuing education workshops for its members (requires a membership fee) and often for an additional fee as well. 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 and require payment of membership, fees, or both. Generally the larger public and academic libraries belong to and attend ALA events.

There are no other programs internal or external to the agency that provide competitive or non-competitive grant opportunities to all Texas public and academic libraries. Private foundations may provide funding to local libraries to improve services and programs in a more limited way.

No other program collects public library data annually, provides summer reading program materials free of charge to all public libraries, or provides statewide access to national library initiatives.

- i. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with 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 may contract with Amigos training staff (through competitive bids) to offer workshops for librarians. The agency reviews the continuing education offered by national organizations such as ALA. The agency occasionally contracts to bring these workshops to the state. The strategy also has a continuing education advisory committee to provide feedback and advice on statewide priorities.

- 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.

This function 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 contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall**  
*Contracts are used for workshop presenters and for products that support strategy programs, such as Counting Opinions (online tool to collect public library statistics).*
- **The amount of those expenditures in fiscal year 2016**  
*\$210,900.68*
- **The number of contracts accounting for those expenditures**  
*16*
- **The method used to procure contracts**  
*Contracts are competitively bid where required.*
- **Top five contracts by dollar amount, including contractor and purpose**  
Venture HRO LLC: Small Library Management Advanced Training- Growing Your Best Library Team, \$29,900.00

Mother Goose on the Loose, LLC: Per the Terms and Conditions of Contract 306-16-8010, the Performing Vendor will conduct a total of 9 workshops on Early Literacy Storytimes during this fiscal year. These workshops were provided to library staff throughout the State of Texas. Workshops are not for TSLAC staff, \$24,978.00

Catapult Systems, Inc., Ongoing Support and Maintenance for the Grants Management System. This support and maintenance will cover the software and flex services. Flex services include to administer, fix and enhance system, \$24,680.00

Urban Libraries Council: Public Library Technology Program per IFB 306-15-8619. The Edge Initiative Program provides libraries with an assessment that will evaluate their current services and identify opportunities for improvement. The Edge Assessment evaluates the library's public technology services. It helps libraries understand best practices in technology-related services for their communities and determine what steps they need to improve their public technology programming, \$20,000.00

Himmel & Wilson Library Consultants: Services to evaluate the current LSTA Five Year Plan. Services were obtained through RFQ # 306-16-8535, \$20,000.00

- **The methods used to ensure accountability for funding and performance; and**

*Contracts are monitored by the program manager. Program managers are certified Texas contract managers and have received training on federal grant requirements where appropriate. Staff works closely with contracted workshop presenters to ensure that the content is as contracted and that the content is delivered completely and effectively. This is accomplished by a staff person attending the workshop sessions. Products and services are used on an on-going basis and the program manager works with the contracted service as needed if issues arise. The division director and chief financial officer provide oversight.*

- **A short description of any current contracting problems.**

*Not any at this time.*

L. Provide information on any grants awarded by the program.

The strategy awards approximately 75 competitive grants across five grant programs annually (number varies annually). The grant guidelines and information on awarded grants in each program for each year may be found at: <https://www.tsl.texas.gov/landing/libfunds.html>

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

As noted previously, the Library Systems program, which is now operationally defunct due to a lack of funding, remains codified in statute. While the general framework authorizing the agency to continue supporting local library development is still important, much of the statute could be streamlined to better reflect the needs of libraries, and the technological capacity to deploy services.

See Section IX for additional information.

Additionally:

**Eliminate obsolete language requiring a statewide portal for a centralized grant database. Gov't Code 441.010.**

This portion of statute is no longer applicable. The grant portal's authorization language was a sub-component of TRAIL, but the initiative was discontinued when Texas Online took over the responsibility for a statewide grant portal. Despite requests from the agency in the 2007 Sunset Process to have the language eliminated, it remains.

**Formal authorization for the Texas Center for the Book**

The Center for the Book program is affiliated with the Library of Congress with each state administering its own office. The Texas Center for the Book was established in 1987 at Dallas Public Library and moved to the State Library in 2015. While the purposes and activities of the Center align perfectly with that of the agency, no direct statutory authority exists.

Statutory language may be included to provide clarity. Option: 441.006 (12) "Aid and encourage, by adoption of policies and programs, literacy and educational programming to support reading, digital skills, and other learning skills."

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

Additional program information is available on the agency's website at: <https://www.tsl.texas.gov/ldn>

O. Regulatory programs related 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**
- **Procedures for handling consumer/public complaints against regulated entities**

N/A

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

**Not regulated.**

## VII. Guide to Agency Programs

- A. Provide the following information at the beginning of each program description.

**Name of Program or Function:** State and Local Records Management (SLRM)

**Location/Division:** 1201 Brazos Street, Austin, TX

4400 Shoal Creek, Austin, TX

State and Local Records Management Division

**Contact Name:** Craig Kelso, Division Director

**Actual Expenditures, FY2016:** \$1,658,562.24

**Number of Actual FTEs as of June 1, 2017:** 24

**Statutory Citation for Program:** *Gov't Code*, Chapter 441, Subchapters A, C, F, J, and L. *L Gov't Code*, Chapters 195 and 201-205.

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

The agency is directed to manage all state government records and to assist in managing local government records (*Gov't Code*, Chapter 441; *Local Gov't Code*, Chapters 201-205). 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. This strategy continues efforts to provide for, promote, and oversee programs for the proper and cost-effective management of government records. Effectiveness of these activities results in substantial cost-avoidance to state and local offices through the orderly retention, storage, disposition and preservation of government information; protects the rights and interests of the state and its citizens by ensuring proper documentation of and accountability for government activities; and improves and helps ensure transparency of public information. These efforts contribute directly to the state-wide priority of supporting effective and efficient state government operations by reducing costs to create, store, manage and access government information.

In accordance with law, program staff has developed rules concerning the creation, management, and disposition of electronic government records, rules regulating the storage of physical records micro-filming 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 12 local government records retention schedules which set minimum retention periods for a broad range of local government records. State agencies are required by law to prepare and submit records retention schedules to the director and librarian for approval every five years. The local government schedules include court records and records relating to public safety, public works, utilities, schools, elections, and taxation. 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.

Customers continue to request new and improved technological services from SLRM to meet their needs for records management and preservation. Records Management training is now available through the TSLAC website in the form of topic specific webinars and self-paced online classes. These classes must be updated regularly to incorporate changing laws and technology. Staff assists government personnel by phone, e-mail, or in person. Training classes are held in Austin, throughout the state, through webinars which are archived for future use, and through online courses.

The increasing use by state and local government of electronic means to create and store records poses major challenges in the management of government information and leads to increased demand for more advanced records management training and assistance. These demands require continuous staff development and career training and revisions to training materials to keep up with emerging information technologies, such as mobile and social media.

In addition, the program operates the State Records Center at 4400 Shoal Creek Boulevard in Austin. The program stores inactive and semi-active records of state agencies and local governments, including paper records, microfilm, and electronic media. Stored records are circulated to and from state agencies and local governments on request. These storage services are provided, as required by statute, on a full cost recovery basis through the levy of fees. The program also operates a microfilming and imaging bureau, again on a full cost recovery basis.

*The TSLAC is a huge asset and serves as my one stop shop for everything records management related. I don't know what I'd do without it.*

*They provide exceptional service and protection of our state inactive and archival records. Also, the services are performed in a very timely manner. Whereas, some of the private competitors have delayed services in their deliveries, destruction, and consulting which can cause problems during audits and litigations. We no longer send our inactive records to a commercial vendor for these very reasons.*

*Two comments from the agency stakeholder survey (attached).*

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The program surveys its customers in the second year of each biennium. For the FY14-15 biennium, local government customers rated the various services received from the program at 6.53 on a 7.00 scale, while state agency personnel rated the services at 6.44. In FY12-13, the surveys yielded a score of 6.42 for from local government customers and 6.29 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 94.3% from local governments and 91% from state agencies in the FY14-15 biennium and 93.9% and 84% respectively in FY12-13 biennium. The program receives very few formal complaints about its services. The program actively solicits suggestions for improvement from its customers and about 17% for both state agencies and local governments of those responding to surveys or evaluating workshops offer suggestions. The principal and recurring suggestion is for more training opportunities.



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: FY15 – 98% (97.79%); FY16 – 98.1% (98.8%).

Percentage of Local Governments with Approved Records Schedules: FY15 – 78% (78.13%); FY16– 78.07% (78.27%).

Number of Officials Trained or Assisted: FY15 – 12,800 (9,221); FY16 – 12,800 (8,940).

Cubic Feet of Records Stored and Maintained in the State Records Center: FY15 – 384,000 (375,668); FY16 – 384,000 (378,840).

Cost Per Cubic Foot for Records Stored and Maintained in the State Records Center: FY15 – \$2.80 (\$2.67); FY16 – \$2.80 (\$2.44).

Cost Avoidance Achieved by Records Center Storage Services: FY15 – \$116 million (\$121 million); FY16 – \$116 million (\$127 million).

D. Describe any important history regarding this program not included in the 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 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 support their records management and preservation efforts. 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 require-

ment. 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 deliver 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 were 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 FY06-07 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. In the 85<sup>th</sup> Legislature in 2017 HB2305 attempted to move this function from a rider into *Gov't Code* 441. The bill was not passed.

In 2011, the legislature accepted the recommendations of the Government Efficiency and Effectiveness Report (GEER) that the state records center and imaging operations move from partial cost recovery to full cost recovery. TSLAC's general revenue funding was reduced by over \$300,000 and the state records center and imaging program had to implement a full cost recovery fee schedule as of September 1, 2011.

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 over 10,000 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 and fifty-six agencies are currently required to prepare and submit records retention schedules for approval by the director and librarian and the state auditor.

Currently 83 agencies image records or 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 Office of the Attorney General, the Texas State Library and Archives Commission, the Texas Department of Criminal Justice, the Department of State Health Services, and the Texas Department of Insurance.

Microfilming and digital imaging services are provided to agencies and local governments. The program's principal customers in terms of the volume of records filmed are Williamson County, the Office of the Secretary of State, the Department of State Health Services, the Public Utility Commission and the Texas Department of Insurance. 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 move to digitization rather than microfilming.

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 including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The program consists of four units: Records Management Assistance, Records Center Services, Imaging Services, and the Administrative unit of the program. The division director, who reports to the 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 11 FTEs under the supervision of the unit's manager, who is assisted by one assistant manager. Additional staff includes the data center support specialist, customer and system specialist, records inventory coordinator, the records circulation team lead, and five records center specialists. The unit uses four of the agency's six vans and a box truck in carrying out its duties. Records in storage and their location are tracked by a database (Texlinx) that went live in April of 2015. 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 four FTEs who are supervised by the records center manager and assistant manager, but whose day-to-day activities are coordinated by an imaging team leader. The staff consists of microfilm camera/digital imaging 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. Staff members also digitize paper, microfilm and large maps and place the images on hard drives or send them over secure FTP sites to customers. The two services that generate the most revenue are digital archive writing, in which digitized images on hard drives 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 center manager and assistant manager work closely with the Accounting Division of TSLAC to bill for services. Billing is done through the Texlinx system and customers are billed on a monthly basis through interagency contracts or appropriated receipts.

As of September 1, 2017, the Records Management Assistance unit will have a unit manager, and eight government information analysts, for a total of nine FTEs. 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 Administrative unit for the program consists of three FTEs: the division director, the program planning and research specialist, and an administrative assistant. 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 and he coordinates the hiring of new staff.

The program planning and research specialist's main responsibilities are to be the program liaison on interagency workgroups on records and information management issues; to compile the Report of Reports for the Legislature; to serve as contract administrator of two contracts sponsored by the State Council on Competitive Government; to document destruction services and document imaging services; to coordinate the annual eRecords Conference; and to coordinate the division's biennial customer satisfaction survey.

The administrative assistant provides general support to the other units of the program. The position is also tasked with coordinating registrations and logistics for onsite RMA training and the annual eRecords Conference.

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).

In FY2011, the Legislature accepted a recommendation from the Government Efficiency and Effectiveness Report that suggested all services at the State Records Center and the Imaging Services Unit should be full cost recovery. General revenue is used to fund the activities of the program's records management assistance unit and administration. The seminar funds are revenue generated through onsite training and from conducting the annual eRecords Conference in conjunction with DIR. Gift funds are an annual donation from AT&T which has a cell tower installed on the grounds of the State Records Center at 4400 Shoal Creek.

#### Sources of Funding – FY2016

IAC Services SRC/Imaging- \$ 1,474,666.23

Appropriated Receipts SRC/Imaging- \$ 153,509.37

General Revenue for Administration and Government Information Analysts- \$537,368

Training/Seminar Registration Fees- \$ 34,728.19  
 Gifts- \$84,931.06

<b>Funding Sources</b>	<b>FY 2016 Expended</b>
General Revenue	\$561,671
Federal- LSTA Grants	\$0
NHPRC- Other Federal	\$0
Gifts	\$23,447
Appropriated Receipts	\$76,726
Interagency Funds	\$996,718
<b>TOTALS</b>	<b>\$1,658,562</b>

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe 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 FY00, 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 346) and well received.

Program staff frequently serve on panels or workgroups organized by DIR. 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 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.

Since 2008, a state contract through the Office of the Comptroller allowed state agencies to store records outside the State Records Center (SRC) with three private vendors. In addition, some agencies have their own dedicated records center.

The contract for private vendors was granted when the records center was full and funds were not sought to expand operations. In addition, prior to full cost recovery records were only accepted at the SRC if the retention was less than 50 years and only from the Austin offices of state agencies. Agencies with long-term storage needs or offices outside the Austin area had to build their own facilities, or contract with the private companies.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with 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 SRC currently has space available for storage of records and has eliminated the 50-year rule. Should agencies determine their records facilities are needed for other uses, or if they determine a cost benefit by shuttering their center, the Records Center will absorb their volume. The program believes the presence of the SRC also helps keep cost down among private records storage companies in and around Austin. Services are provided at a lower cost than the two private vendors operating in the Austin area, and with scan on demand technology, the SRC could take record from outside of Austin and use secure electronic transmissions to return the records to agencies when they are needed.

- 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 contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall**

The division's contracts relate primarily for the maintenance of the State Records Center on Shoal Creek, service and technology work for the inventory (records) management tracking software (Texlinx), and routine administrative needs.

- **The amount of those expenditures in fiscal year 2016**

\$526,187.56

- **The number of contracts accounting for those expenditures**

8

- **The method used to procure contracts**

Contracts are competitively bid.

- **Top five contracts by dollar amount, including contractor and purpose**

Texas Facilities Commission: FY16 Facilities management services for 4400 Shoal Creek Blvd.,

under interagency contract as required by Texas Gov't Code, 2165.007; Maintenance includes garbage disposal service, lift service, janitorial, plumbing, HVAC and electrical, \$288,994.74.

Texas Facilities Commission: Interagency Cooperation Contract for TFC to provide professional project management services required to perform a project analysis for new archival and records storage for TSLAC. The goal of this Project Analysis will be to better understand the functionality and flow of the existing facility (State Records Center), to review all the storage needs, and to understand the current need of additional storage space, \$97,300.00.

Spacesaver Systems, Inc. dba Infolinx System Solutions: Payment for enhancements to the system and first year of support and maintenance for the Texlinx Systems, which is the system used to track storage and imaging projects at the State Record Center as well as manage billing for cost recovery services. The enhancements were fully executed. \$59,995 of amount was the annual maintenance contract renewal, \$94,751.00.

Precision Micrographics & Imaging, Inc.: Costs for processing microfilm; 2nd Renewal Option of Contract awarded under RFP 306-14-8149, \$25,000.00.

Garza/Gonzalez & Associates: Auditing Services for the Texas State Library and Archives Commission: \$11,804.00.

- **The methods used to ensure accountability for funding and performance**

*Contracts are managed by the division director and the State Records Center manager with oversight from the chief financial officer.*

- **A short description of any current contracting problems**

*Not any at this time.*

L. Provide information on any grants awarded by the program.

N/A

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

- *The state requires local governments (LGs) to comply with minimum retention requirements, including retention periods, for records. A statutory process for meeting and certifying compliance via an approved records control schedule directs this function. TSLAC SLRM staff currently work with LGs to approve schedules. However, the current practice is onerous for LG records management officers and TSLAC staff. A system of certifying compliance with minimum retention requirements could greatly simplify and streamline the records management work of Texas local governments. LGs could be required to file a declaration of compliance (DoC) which certifies they (the LGs) know and will follow the state minimum requirements. By certifying compliance, all LGs fulfill statutory requirement to have their records on an approved retention schedule prior to disposition.*
- *The agency is directed to support effective records management practices for the state. In some cases, state agencies may be over-retaining obsolete records, which may lead to increased cost and liability. Some agencies follow retention schedules only as a requirement for minimum retention. While agencies have flexibility to maintain records longer if necessary, many agencies simply never (or rarely) dispose of obsolete records, a situation that leads*

*to increased cost and liability for the state. State statute or administrative process (such as through the Sunset Review process or State Auditor's reporting function) could be amended to require agencies to document a rationale for records series kept beyond minimal retention periods.*

Please see Section IX for additional information about these issues.

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

Access to the records of state and local agencies is vital to ensuring the transparency of government. Proper records management reduces the time it takes to locate records for daily operations, reports, customer requests, audits, litigation, maintain business continuity and more.

The agency has seven full-time employees in the Records Management Assistance Unit and will gain an additional two FTEs (newly authorized by the 85<sup>th</sup> Legislature) beginning FY 18. The addition of two new FTEs is a much needed augmentation of staff, which has not increased in size since 1997. While the new positions will be extremely beneficial, the new FTEs (in terms of percent increase over current staff) come after twenty years of growth in government and additional staffing will remain an ongoing need.

Records analysts use a variety of strategies to deliver training and support to state and local agencies, including regional workshops, workshops in Austin, the annual e-Records Conference, online training classes, webinars, and technical assistance contacts. However, the analysts are also pulled away to work on other tasks. The unit manager handles administrative functions, staff development, and coordinating training opportunities with other agencies. Other analysts work on keeping the retention schedules current and updating administrative rules and guidance. Such tasks diminish the time available to provide training and consultation assistance.

Continued population growth in the state means the need for more public services such as schools and expanding police and fire departments. In addition, turnover at all levels of government and changes in technology means there is a constant need for training. All of the analyst services help reduce state agency and local government overhead. In addition to the cost savings, they provide the authority agencies need to maintain or destroy records based on the legal, administrative, fiscal or historical content of the records they are creating or receiving when conducting the business of their agency. Ensuring adequate staffing –with a growth rate that matches the needs of state and local government – will continue to be pressing issue for this state function.

*Use of technology to improve outreach and training:*

The program has developed online tools to assist with training needs and to disseminate records management information across the state. Those tools include a blog that contains announcements about training as well as informative articles about records management issues. Online training courses are available for self-paced training. Webinars on particular topics are given and archived so that those that cannot participate the day of the event or become Records Management Officers after the webinar have an opportunity to hear them.

*State Records Center modernization and reductions in FTEs:*

The State Records Center has reduced its number of active FTE's every year since 2011, instituting a new inventory and billing system which gives customers more transparency into their records inven-



tories at the center. The Center provided cost free training in multiple formats to all its customers and continues to develop materials to empower users of the system. Through staff development and training, the staff has transitioned to a more skilled and technology proficient unit. All staff interacts with the system, and they are trained, so they may assist customers as well. The State Records Center both recovers funds and provides users a records storage and imaging solutions for state agencies and local governments. The center plans on utilizing more space for creative storage solutions like quarantine storage, cold storage and flat map storage to further assist customers who require creative storage solutions for their records.

O. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

N/A

- **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**
- **Procedures for handling consumer/public complaints against regulated entities**

P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

## VII. Guide to Agency Programs

- A. Provide the following information at the beginning of each program description.

**Name of Program or Function:** Talking Book Program

**Location/Division:** Lorenzo de Zavala State Archives and Library Building (Austin, TX); State Records Center (Austin, TX)

**Contact Name:** Ava M. Smith

**Actual Expenditures, FY2016:** \$2,383,387.91

**Number of Actual FTEs as of June 1, 2017:** 44.00 FTE

**Statutory Citation for Program:** *Gov't Code, Chapter 441.006 (11), HR Code, Chapter 91, Subchapter E; AdminCode, Title 13, Chapter 9; 2 USCA §135b*

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

This program is the Texas Regional Library of the National Library Service for the Blind and Physically Handicapped (NLS), Library of Congress, and as such, provides library services for persons who cannot read standard print because of visual, physical, and learning disabilities. Reading materials in specialized formats and the equipment to access those formats are distributed to registered users. A circulation facility handles all outgoing and incoming mail. A call center provides reader's advisory services. The audio services department records books and magazines of regional interest 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 disabilities services and issues. All services are free to users.

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

The Talking Book Program serves approximately 16,000 persons each year. In FY2016, TBP provided library materials to 15,413 individuals and 407 institutions; 778,730 books and magazines in digital audio cartridge, Braille, and large print formats and 4,041 machines were circulated to these individuals and institutions through the postal mail. Also during FY2016, 3,216 individuals and 25 institutions used the Braille and Audio Reading Download (BARD) website to download 229,107 books and magazines in digital audio and electronic Braille formats. A person is considered served if one book or magazine is circulated to that person. While a user may only check out one book or magazine, staff may have many interactions with that user that are not reflected in the statistics. An item circulated is a requested item that has been pulled from the shelf, packaged, and put into the mail to the user. The program runs very efficiently, with FY2016 costs per individual served at \$138.51 and per book/

magazine circulated at \$2.81. The program receives many letters from users and family members of users. Many users write to express their appreciation, both for the program itself and for 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 easier. (Examples of letters are available upon request.) The program also has many volunteers. In FY2016, volunteers contributed 10,848 hours in time at an approximate value of \$143,977.

*This program is a lifeline to the disability community which can feel isolated and alone in our society. It provides many hours of enjoyment and entertainment.*

*The Talking Book Program was a wonderful resource for my grandmother when she lost her sight. She was always a reader and that part of her world was no longer cut off from her. She loved to read. If it made such a big difference to her, I can imagine the impact Talking Books has on other people.*

*Two comments from the agency stakeholder survey (attached).*

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

The Talking Book Program (TBP) is the regional library within the National Library Service for the Blind and Physically Handicapped (NLS). The mission of NLS is summed up in its motto, "That All May Read." In order to provide materials and equipment to persons who would otherwise be cut off from reading, the service constantly evolves. "Talking books" were first developed in the 1930s and recorded onto rigid phonograph discs. In the late 1960s, NLS began producing recorded books on cassettes, and the specialized recording format using four tracks on each cassette was adopted in 1977. The TBP volunteer recording studio was set up at the State Library and Archives Commission in 1978. Shortly thereafter, TBP entered into a cooperative agreement with a private, non-profit studio in Midland, TX, to record supplemental materials for the program, most notably *Texas Monthly* magazine. In 2009, NLS introduced a new digital talking book machine, and staff began to distribute recorded books and magazines on digital flash cartridges. With the introduction of the Braille and Audio Reading Download (BARD) site on the Internet a few years later, users themselves can now download books and magazines to personal digital flash drives and iOS and Android devices. Future plans include moving more to "bookless" libraries and the ability to stream materials directly to a new generation of digital machines; this will require widespread availability of broadband services and Wi-Fi capabilities, so staff will still be distributing actual physical books for some years to come.

- 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 Talking Book Program is open to all Texas residents, with no age or income restrictions. There is a required application process, and users must be certified as having a qualifying visual, physical, or reading disability, as described in the federal guidelines governing the program. Veterans receive priority service. Users receive materials through the mail either at their private residences or through an institution such as a school, nursing home, veterans center, etc. Currently, registered users may be broken down into the following age categories: under age 20—6%; ages 20-59 – 30%; ages 60-84 – 43%; and age 85 or older –22 %.

At any given time, TBP has approximately 90 users age 100 or older. Users may be certified with more than one qualifying disability, and users may be certified with a temporary condition. Currently, users by disability breaks out this way: Blind—53%; visually impaired (having some sight) – 36%; physical disability – 4%; learning disability – 5%; deaf/blind – 2%. Users with a veteran status make up 7% of all registered readers.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Talking Book Program is administered by a divisional director and departmental managers/supervisors. The program functions as a division within the State Library and Archives Commission but also is part of a national network of talking book libraries, one in each state and the 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. The program is divided between two facilities. The main portion of the program is located at the Lorenzo de Zavala State Archives & Library Building in Austin, TX, with a public outreach and education office, reader services department, audio production and recording studio, and librarians who oversee the collections and acquire new materials. The circulation department and machine lending agency are housed in the State Records Center on Shoal Creek Blvd. in Austin, TX, where physical books and equipment are housed and distributed through the mail. The program has a cooperative relationship with a non-profit, volunteer recording studio in Midland, TX. The program also uses volunteers from the telecommunications industry to do minor repairs on equipment; these workshops are located in San Antonio, Houston, and Dallas.

- 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 for the Blind and Physically Handicapped (NLS), Library of Congress, provides all equipment, a majority of the recorded books and Braille books, printed catalogs, blank cartridges and accompanying mailing cases, and a postal subsidy provided to the United States Postal Service (USPS). All of these items are provided to the program so that reading materials may be mailed to users' residences and then back to the program free of charge to the users. General revenue from the state pays for staffing and general operational costs. Large print and Braille books are purchased with both federal funds that come to the agency through the Institute of Museum and Library Services and with donated funds from the public. Federal funds and donations are also used to fund some operations, such as education and outreach services, services from the state's centralized data center, maintenance and upkeep of the program's automated library system, and utilities at the circulation warehouse where physical books and equipment are housed and distributed via USPS.

**FY 2016**

<b>Funding Sources</b>	<b>Expended</b>
General Revenue	\$1,926,280
Federal- LSTA Grants	\$379,645
NHPRC- Other Federal	\$0
Gifts	\$77,463
Appropriated Receipts	\$0
Interagency Funds	\$0
<b>TOTALS</b>	<b>\$2,383,388</b>

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

The Talking Book Program is unique in its range of services and coverage of the state. TBP services are completely free to eligible patrons, and the recording component of TBP benefits from the waiver of copyright restrictions that other content producers would face. Additionally, TBP is open to and serves persons of all ages and provides not only the resource materials and machines; it also provides reader services, consultation and assistance using devices, and referrals to other services.

Below is a list of programs that offer somewhat related services or services in a much more narrow focus.

**Learning Ally:** A private non-profit recording service, Learning Ally records primarily specialized materials such as textbooks and industrial manuals, whereas the National Library Service for the Blind and Physically Handicapped (NLS) and its regional libraries focus on fiction and popular non-fiction. Learning Ally focuses on students, while NLS focuses on any eligible person (including students) who can use its services. Learning Ally also has an application process similar to that of NLS libraries but charges a yearly subscription fee, does not provide free equipment, and uses the Free Matter for the Blind postal subsidy provided by the US Congress.

**Bookshare:** A non-profit service that specializes in e-books, which are scanned into the database by volunteers. Some text-to-speech capability is available. Like the Talking Book Program, there is an application process for specific disabilities. Users download books to personal computers and devices. There is an annual subscription fee.

**Libraries with audio and large print collections:** Libraries, particularly public libraries, purchase physical audio books, downloadable audio books, and large print books from commercial vendors; these collections are available to Talking Book Program (TBP) patrons who live in the service area of a particular library and are registered with that library. Libraries must purchase as many copies as they need because these materials may be available only for a limited time and cannot be reproduced. NLS programs, however, have copyright exemptions to reproduce recordings in specialized formats as needed. Because of budget and space concerns, libraries usually do not have large audio book collections or only keep the most currently popular titles, 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 all book titles produced, either as physical copies easily reproduced or as online copies that may be downloaded at any time.

**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 may be abridged; unabridged recordings are usually much more expensive. National Library Service for the Blind and Physically Handicapped (NLS) recordings are all unabridged, and because of copyright exemptions, may be reproduced at will. Commercial recordings may be available for a limited time, while NLS retains recordings in perpetuity. Many books will not be produced in an audio format, while NLS may record any available book at any time.

**Other specialized recording services:** Various recording studios and entities provide some services that are similar to the services provided by the National Library Service for the Blind and Physically Handicapped (NLS) through the Talking Book Program (TBP). Many of these studios/entities focus on recording particular types of materials or focus their services toward particular clientele. Some services are free (although asking for donations), while some charge for their services. TBP staff will steer users toward these services if users 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 to keep; users would be referred to a service that produces audio Bibles in various languages.

**Other state programs/agencies:** Other state programs and agencies serve some users in common with the Talking Book Program. The Texas School for the Blind and Visually Impaired serves blind and visually impaired students but does not provide extensive library services, and it does not serve the broader patron base that TBP does. The Texas Education Agency (TEA) 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 and also provides 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 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 Talking Book Program (TBP) coordinates with other programs and agencies serving similar clientele through information exchange and referrals. While any two entities may handle the same types of materials, there is little duplication in the broader services offered and the methods of delivering those services. TBP does not have any formal agreements or contracts with these programs and agencies.

- 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 Talking Book Program (TBP) is the regional library in the network of cooperating libraries overseen by the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress. Every state and U.S. territory has a talking book library that is a member of this cooperating network. NLS provides books, magazines, equipment, accessories, and printed catalogs to all of the network libraries for distribution to each state's users. Each state provides staffing and operational budgets in order to distribute the materials provided and to assist users with their reading needs. Lately, NLS has expanded provided services to include an Internet database of downloadable books, magazines, and musical instruction materials; many of these materials are available in electronic

Braille and in foreign languages. Network libraries work with each other to provide services that may not be available in all libraries, such as loan of locally-recorded materials, assistance in translating materials into Spanish, or providing advice on how to find information to answer a particular request from a user.

K. If contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall**

The Talking Book Program (TBP) has program-specific contracts in three areas; library automation, Braille equipment, and a copy machine. TBP has an annual contract for licensing of database software and maintenance on its current legacy automation system.

TBP has maintenance contracts (agreements) for various Braille equipment: three printers for front-and-back documents; three Braille labelers to print labels for the digital cartridge audio books; one Focus Blue Braille display for use by a blind staff member. The Program leases two copy machines for office copying, with one machine located in the ground floor audio department. In addition, the circulation department had a maintenance agreement in FY2016 for a burster to break apart mailing cards for patrons' books; this contract is no longer in effect. The Talking Book Program purchases other supplies, small equipment, software, etc. through statewide contracts used by the agency, as well as DCS services.

The Program does have a cooperative agreement with a non-profit studio in Midland, TX, that records *Texas Monthly* magazine and selected books for the program. TBP does pay for the subscription of the magazine and purchases the books that are used by this studio to make the recordings; otherwise, no funds are expended to the studio for this work.

- **The amount of those expenditures in fiscal year 2016**

*\$161,119.90*

- **The number of contracts accounting for those expenditures**

7

Various. See description above.

- **Top five contracts by dollar amount, including contractor and purpose**

Texas Facilities Commission, FY16 Facilities management services for 4400 Shoal Creek Blvd., under interagency contract as required by Texas Gov't Code, 2165.007; maintenance includes garbage disposal service, lift service, janitorial, plumbing, HVAC and electrical, \$86,005.26.

Department of Information Resources: Data Center Network Consolidation Services- printing for Circulation, \$31,500.00

Open Text Inc: Contract for technical support and maintenance to the existing TBP application; design, develop and implement new enhancements to the TBP application; and provide training and mentoring to development staff in the TBP application and Accell SQL DataServer software, \$20,000.00

Garza/Gonzalez & Associates: Auditing Services for the Texas State Library and Archives Commission, \$10,118.40.

Open Text Inc: Unify A/SQL DS Software Maintenance for machines noted in the service order, \$9,200.00.

- **The methods used to ensure accountability for funding and performance**

Most of the TBP contracts are service and maintenance contracts, whose efficiency is tracked as needed. The providers are called when there is an issue and remediation is provided. The supply contracts are good delivered, so the accountability is ensuring receipt of ordered materials. The division director and chief financial officer provide oversight.

- **A short description of any current contracting problems**

*In FY2016, TBP had a project to build a new automation system to replace the legacy system, but that project was cancelled after the vendor went off schedule and over budget; the aborted contract included project manager fees.*

L. Provide information on any grants awarded by the program.

The Talking Book Program does not award grants.

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

Due to a lack of authority to advertise services, information resources that would improve the lives of Texans are underutilized. For example, currently, only about 5% of eligible Texans with a visual or physical disability participate in the TSLAC Talking Book Program. TBP struggles to reach the eligible population of potential users. Limited staffing and contact points curtail outreach options.

The primary means to reach this audience is through service providers (doctors, etc.) who work with the target group. For example, optometrists and other physicians are the first line of contact for services for the blind and visually disabled. These professionals respond more favorably to information made available in professional publications and literature. Regular advertisement through such channels would be extremely helpful. A change in statute to allow the agency to advertise such services is recommended.

See Section IX for additional information.

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

More detailed information about the Talking Book Program is available at our web page: [www.texas-talkingbooks.org](http://www.texas-talkingbooks.org) and at the National Library Service's web site: <http://www.loc.gov/nls>.

O. Regulatory programs related 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**
- **Procedures for handling consumer/public complaints against regulated entities**



N/A

- P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

## VII. Guide to Agency Programs

- A. Provide the following information at the beginning of each program description.

**Name of Program or Function:** Indirect Administration

**Location/Division:** 1201 Brazos Street, Austin, TX

**Contact Name:** Donna Osborne

**Actual Expenditures, FY2016:** \$2,282,264

**Number of Actual FTEs as of June 1, 2017:** 31.0 FTE

**Statutory Citation for Program:** Texas Gov't Code, Chapter 441

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

Indirect Administration includes the functions of Executive (including communications, Center for the Book, and commission support), Administration (financial operations, human resources, purchasing and other operational services), and Information Technology Services (ITS).

- C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.

Other than reporting on HUB expenditures, there are no formal performance metrics for the Indirect Administration functions of the agency. The HUB expenditure information is collected by the Comptroller of Public Accounts using agency expenditures as reported in the Uniform Statewide Accounting System (USAS).

- D. Describe any important history regarding this program not included in the 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 Executive, Administrative Services and ITS functions support all agency programs and ensure agency staff has the resources necessary to successfully accomplish the agency's goals and objectives. The Executive and communications teams work with the legislature and external constituents. Addi-

tionally, Administrative Services works with vendors, contractors, state agencies, and grant recipients, while the ITS team works closely with the Department of Information Resources, State Data Center, other state agencies, and technology and technology services contractors.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The director and librarian heads the agency, sets agency policy, and oversees the agency’s overall operations. The assistant state librarian directs the operations of the agency’s communications staff and assists the director and librarian in communications activities and program planning. The agency’s chief financial and operations officer manages the Administrative Services Division, which encompasses the Accounting, Human Resources, Purchasing and support services functions. Additionally, the ITS division director, who reports to the CFO, manages a staff of 9 FTEs.

- 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).

<b>Funding Sources</b>	<b>FY 2016 Expended</b>
General Revenue	\$2,015,180
Federal- LSTA Grants	\$74,524
NHPRC- Other Federal	\$0
Gifts	\$850
Appropriated Receipts	\$0
Interagency Funds	\$191,710
<b>TOTALS</b>	<b>\$2,282,264</b>

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target.

While other state agencies have similar executive, administrative, and IT-related functions, the services provided by the agency’s Indirect Administration programs are unique to and for the agency.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with 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 has one standing Interagency Contracts (IAC) for administrative functions. This includes the IAC with the Department of Information Resources (DIR) for services the agency receives from the State Data Center. The agency also has an IAC with the Texas Facilities Commission for facilities management and utilities for the State Records Center and Talking Book Circulation operations in the facility located on Shoal Creek in Austin, Texas; however, this contract is funded by the respective programs.

- 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 Indirect Administration team interacts with primary federal units of government, including the Institute of Museum and Library Services, the Library of Congress (the National Library Services for the Blind and the Center for the Book), and National Archives (National Historical Publications and Records Commission). The relationship is primarily financial as the agency receives federal funds through grants from these entities.

- K. If contracted expenditures are made through this program please provide:

- **A short summary of the general purpose of those contracts overall;**

Contracts within the Indirect Administration program are generally for agency-wide services, such as internal audits and State Data Center Services.

- **The amount of those expenditures in fiscal year 2016**

*\$429,627.21*

- **The number of contracts accounting for those expenditures**

*8*

- **Top five contracts by dollar amount, including contractor and purpose;**

Department of Information Resources: Data Center Network Consolidation Services, \$385,764.00.

Garza/Gonzalez & Associates: Auditing Services for the Texas State Library and Archives Commission, \$28,652.60.

Ambonare Incorporated: Blanket for Drupal Site Maintenance & Support, \$8,500.00

Texas Facilities Commission: Restripe east loading dock parking spaces at the ARC Building; install 3 new fiberglass wheel stops in the parking spaces, \$5,286.00

Alliance Work Partners: Employee Assistance Program for TSLAC staff, \$742.56

- **The methods used to ensure accountability for funding and performance**

Contracts are managed by the Chief Operations and Fiscal Officer, and audit reports must be

received and accepted before payment is released.

- **A short description of any current contracting problems**

No contracting problems at this time.

L. Provide information on any grants awarded by the program.

While the Indirect Administration function processes contracts for grant awards and payments for those grants, does not directly provide any grants.

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

In addition to the agency's rules and regulations, operations of the Indirect Administration functions are governed by a variety of state statutes and rules promulgated by oversight entities, such as DIR, CPA, SAO, and OAG. The legislature changes statutes, as necessary, to enhance state agency accountability, and each respective state agency revises or adopts new rules to implement legislative changes.

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

Indirect Administration covers two key areas discussed more fully elsewhere in this report – information technology and the need for cybersecurity infrastructure, as well as human resources and the ongoing need for the agency to continue to recruit and retain employees.

For additional information on the cybersecurity issue, please see Section IX.

TSLAC consistently provides excellent customer service, as evidenced in the agency's biennial Report on Customer Service. However, the ability to maintain service at an exemplary level is compromised when the agency cannot recruit and retain a highly qualified and effective workforce. The agency was able to raise the salaries in more than 60 of the targeted positions with additional funds received during the 84th Legislative Session.

O. Regulatory programs related to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:

n/a

- **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**
- **Procedures for handling consumer/public complaints against regulated entities**

N/A

- P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency's practices.

N/A

## VIII. Statutory Authority and Recent Legislation

- A. Fill in the following charts, 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, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2011–2015, or earlier significant Attorney General opinions, that affect your agency’s operations.

(Agency Name)

Exhibit 12: Statutes / Attorney General Opinions

### Statutes

Citation / Title	Authority / Impact on Agency
Gov’t 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.
Gov’t Code, Chapter 441, Subchapter B	General powers related to the retention, storage, and destruction of certain court records.
Gov’t 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.
Gov’t Code, Chapter 441, Subchapter E	Creates the public library endowment and grant fund.
Gov’t 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 Gov’t Code, Chapter 441, Subchapter J. The other sections in this subchapter were repealed in 1989.
Gov’t Code, Chapter 441, Subchapter G	Creates the state publications depository program.
Gov’t 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.
Gov’t 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.

Citation / Title	Authority / Impact on Agency
Gov't 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.
Gov't 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.
Gov't Code, Chapter 441, Subchapter M	Establishes the TexShare consortium as a library resource sharing program administered by the agency.
Gov't Code, Chapter 441, Subchapter N	Established the Texas Historical Records Advisory Board.
Local Gov't 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 Gov't 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. Subject now to reauthorization.



Citation / Title	Authority / Impact on Agency
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	<b>Children’s Internet Protection Act, Title XVII, Subtitle C.</b> 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	<b>Telecommunications Act of 1996.</b> “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.
P.L. 113-128	Workforce Innovation and Opportunity Act (2014) helps job seekers and workers access employment, education, training and support. Strengthens the capacity of public libraries to support workforce projects.

*Table 12 Exhibit 12 Statutes*

**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 Gov’t 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.
GA-1038	Specifies that the State Library and Archives Commission’s Local Schedule SD applies to the retention of lesson plans maintained by the Education Service Centers.

*Table 13 Exhibit 12 Attorney General Opinions*

- B. Provide a summary of recent legislation regarding your agency by filling in the charts 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). Place an asterisk next to bills that could have a major impact on the agency. See Exhibit 13 Example.

**Texas State Library and Archives Commission**

**Exhibit 13: 85th Legislative Session**

<b>Bill #</b>	<b>Author</b>	<b>Caption/comment</b>	<b>Status</b>
HB 8*	Capriglione	Relating to cybersecurity for state agency information resources. Requires the agency to conduct a study with DIR.	Enacted
HB 18	Capriglione	Relating to oversight of and requirements applicable to state contracts and other state financial and accounting issues, including the delivery of certain Medicaid medical transportation program services; authorizing a fee.	Not Passed
HB 1290	Roberts	Relating to the required repeal of a state agency rule before adoption of a new state agency rule.	Enacted
HB 1021	Smithee	Relating to county law libraries. (Would allow establishment of a law library outside the county seat.)	Not Passed; Added as amendment to SB 1911
HB 1032	Thompson, Senfronia	Relating to the adoption of the Uniform Electronic Legal Materials Act	Not Passed
HB 1861	Elkins	Relating to the confidentiality of certain information related to a computer security incident.	Enacted
HB 1898	Uresti	Relating to a study on state agency digital storage and records management practices and associated state costs.	Not Passed
HB 2024	Y. Davis	Relating to the publication of an image that depicts an individual without the individual's consent. (Potential impact on libraries.)	Not Passed
HB 2305	Guillen	Relating to the operations, reports, communications, information technology, and notice procedures of state agencies and to the electronic publication of certain state legal materials. (Codifies Report of Reports, defines the Texas Digital Archive, and codifies UELMA in Texas.) The bill did not pass because unrelated amendments were added at the end of the session.	Not Passed

HB 3107	Ashby	Relating to the production of public information under the public information law.	Enacted
SB 23	Schwertner	Relating to requiring state contractors to participate in the federal electronic verification of employment authorization program, or E-verify.	Not Passed
SB 56	Zaffirini	Relating to the acknowledgment by management of risks identified in state agency information security plans.	Not Passed
SB 73	Nelson	Relating to leave policy and procedures for state employees.	Enacted
SB 78	Nelson	Relating to the disposition of state surplus or salvage data processing equipment by the Texas Department of Criminal Justice.	Enacted
SB 79	Nelson	Relating to the production of public information available on a publicly accessible website.	Enacted

<b>Bill #</b>	<b>Author</b>	<b>Caption/comment</b>	<b>Status 5/29/17</b>
SB 132	Creighton	Relating to the savings incentive program for state agencies.	Sent to Gov.
SB 196	Garcia	Relating to the notification requirement if a public school, including an open-enrollment charter school, does not have a nurse, school counselor, or librarian assigned to the school during all instructional hours.	Vetoed
SB 252	Taylor, Van	Relating to prohibiting governmental contracts with a company doing business with Iran, Sudan or a foreign terrorist organization.	Enacted
SB 255	Zaffirini	Relating to training for governmental entities and vendors, including purchasing and contract management training; authorizing fees.	Enacted
SB 261	Zaffirini	Relating to the bulk purchase of information technology commodity items by DIR.	Enacted
SB 262	Zaffirini	Relating to certain purchasing by state agencies and local governments.	Enacted
SB 532	Nelson	Relating to information collected about and purchases of information technology by governmental entities.	Enacted
SB 533	Nelson	Relating to state agency contracting and procurement.	Enacted
SB 706	Birdwell	Relating to the abolishment of the State Council on Competitive Government and the transfer of its functions to the comptroller. (Companion: HB 1118)	Enacted
SB 803	Seliger	Relating to a study on the feasibility of requiring certain researchers to make research papers available to the public.	Not Passed
SB 810	Kolkhorst	Relating to the use of open educational resources.	Enacted
SB 902	Birdwell	Relating to a prohibition on the adoption of certain library standards by the Texas State Library and Archives Commission.	Not Passed
SB 1215	Hughes	Relating to responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.	Enacted
SB 1304	Perry	Relating to confidentiality, sharing, sealing, and destruction of juvenile records.	Enacted
SB 1446	Estes	Relating to contested cases conducted under the Administrative Procedure Act.	Enacted
SB 1693	Lucio	Relating to the establishment of the Seniors with a Visual Impairment Task Force.	Enacted

SB 1910	Zaffirini	Relating to state agency information security plans, information technology employees, and online mobile applications.	Enacted
SB 1911	Zaffirini	Relating to the provision of certain self-help resources by state and county courts, including through the Internet website of a state court and in the office of the court clerk.	Enacted
SCR 56	Watson	Requesting the lieutenant governor and the speaker of the house of representatives to create a joint interim committee to examine all state open-government laws.	Enacted

## IX. Major Issues

Note: Numbering system provided for convenience and does not denote a ranking order.

### 1. Increase Storage Capacity for the State Archives

#### A. Brief Description of Issue

At current rates of acquisition, TSLAC will no longer be able to offer records storage services to state and local agencies in 6-10 years. Currently, over 40,000 cubic feet of archival materials are being stored in substandard conditions in the State Records Center.

#### B. Discussion

The Lorenzo de Zavala State Archives and Library Building, located at 1201 Brazos Street, in Austin, Texas, provides compact storage within a controlled environment for permanent valuable historical archives. The facility has reached 100% capacity and has moved inventory to TSLAC's State and Local Records Center building located at 4400 Shoal Creek Boulevard, in Austin, Texas. The State and Local Records Center is not environmentally controlled and not an acceptable long-term solution for the storage of the state's archival records. In addition to the records now being stored at Shoal Creek, the state's archival holdings are increasing in volume every year.

The Texas State Library and Archives Commission and the Texas Facilities Commission have been reviewing options. The most viable and cost-effective solution is to build out the Northeast and Southeast corners of the de Zavala building to add nearly 42,000 square feet (292,000 cubic feet) of additional archival storage space. This addition will provide for archival collections through approximately 2050 and will free space at the State and Local Records Center for additional storage of current (i.e., non-archival) records of state agencies.

#### C. Possible Solutions and Impact

The Texas State Library and Archives Commission and the Texas Facilities Commission should develop a plan and request needed funds to increase the storage capacity of the Lorenzo De Zavala Building to address the ongoing storage needs of the state archives. A completed solution will not only assure the safety and protection of the state's archival records for the next 40 years, it will allow the agency to consolidate the state's archival materials in the secure and environmentally stable facilities at the Capitol complex. The action will improve access for the public and researchers. Most essentially, however, it will allow the agency to continue ensuring the preservation and care of Texas government records.

### 2. Increase Local Control of Local Historical Records Acquired through the Regional Historical Depository Program

#### A. Brief Description of Issue

Consider changes to the Regional Historical Records Depository Program to more effectively manage, protect, and make available local records.

#### B. Discussion

The Regional Historical Records Depository (RHRD) Program is a state program that is intended to serve as a safety net for the long-term preservation of local government records. Participation in the program is voluntary, but once institutions agree to serve as an RHRD, they must comply with state

guidelines to ensure the access and preservation of local and some state historical records. While many RHRD institutions are able to fulfill their obligations, some may not be.

The primary issues of concern are that the RHRD's local government records may not be as fully accessible to the public as is required, and TSLAC has no viable means to ensure compliance. This circumstance is generally a product of limited local and state resources.

Through the course of extended conversations with RHRD administrators and archives and local records stakeholders, the Texas State Library and Archives Commission has determined that maintaining an RHRD structure continues to be an important function. However, notable changes should be implemented in the program's structure and assigned responsibilities.

While TSLAC should continue and broaden its support of RHRD staff through training on key issues (such as on meeting the requirements of PIA requests) and assistance with collaborative and public awareness initiatives, RHRDs would benefit from greater authority over the local records they hold. Currently, any records – state or local – acquired through the RHRD program are owned by the State Library and Archives Commission, which retains full legal rights and responsibilities. So, for example, if an RHRD wants to seek a grant, the institution must seek clearance and approval from the state before doing so – a process that can impede progress.

### **C. Possible Solutions and Impact**

Review the RHRD's enabling statute to determine ways to provide greater autonomy to the member institutions for dealing with archival records of local governments already in the repository programs. Possible solutions include narrow statutory changes to increase RHRD authority to undertake digitization, preservation, and grant-writing activities for the archives. Other options may include fully transferring ownership and responsibility of local government archival records (that were accepted as part of the program) to the RHRD if the RHRD petitions to do so and if the commission determines that transferring ownership of such local records to the RHRD is in the best interest of the state. Additionally, the commission should explore strategies for enhancing training and outreach to the existing RHRDs.

## **3. Prevent the Loss of State Legislative Information**

### **A. Brief Description of Issue**

Is it feasible to consider changes to statute that will encourage former state legislators' records to be housed in the State Archives to provide more standardized long-term protection and access to this vital record of state government?

### **B. Discussion**

The State Archives provides the most secure placement for archival records (including state agency archives and state legislator/ elected officials' archives) by ensuring long-term preservation, protection of the chain-of-custody, legal administration, professional archival processing, and adherence to all PIA requirements. At present, some records of former legislators and elected officials are housed in other repositories (RHRDs and other institutions), as they are currently allowed to do.

This situation weakens the ability of the state to fully render its historical documentation as a cohesive whole and casts irreplaceable state records in situations where their long-term preservation may not be practically managed by the Texas State Library and Archives Commission. While changing the circumstance of State Archives already housed in other repositories is not practical or advisable, ensuring for the best disposition of state archival records in the future will increase the state's documentary

heritage and can limit state liability by achieving full compliance with state PIA requirements through the State Library and Archives Commission.

### **C. Possible Solutions and Impact**

The agency maintains that the state would benefit from ensuring that state records of legislators and elected officials be transferred to the State Archives where the integrity of the official record of state activities can be preserved and made accessible.

Statute could be amended to direct that all state legislative archival records, including those of legislators and other elected officials, must be transferred to the State Library and Archives Commission once the legislator retires from state service. This action would bring consistency, clarity, and greater protection to state owned property.

## **4. Providing Public Access to State Archival Records Closed in Perpetuity**

### **A. Brief Description of Issue**

Current statute allows legislators to close portions of their correspondence records permanently. This means no one will ever have access to these records, but the state must still incur the cost of storing and managing these records. Additionally, the public is not afforded access to other records due to restrictions that never expire – even many decades after the records were created.

### **B. Discussion**

Records from some agencies have restricted portions dating back to the 1920s. Opening all these records would provide invaluable information to researchers and save the state the cost of many hours of review and redaction.

### **C. Possible Solutions and Impact**

With regard to legislator files, statute could provide a time limit, such as 10 or 20 years after the legislator leaves office, for the closure of public records.

Other state archival records that have been restricted could be opened for public access after a specified length of time, 75 years for example. The public and researchers would benefit from changing statute to allow that all restricted records be opened. Additionally, the state would make a significant move towards providing open access to government information.

## **5. Modernizing State Function of Supporting Local Library Services**

### **A. Brief Description of Issue**

The deep reduction in state funding sustained by the agency in the 2012-2013 biennium necessitated the elimination of the Texas Library System (*Gov't Code* §441.121-§441.131) in 2012. Since that time local libraries have increased networking activities, but a significant gap remains at the local level for support of library development activities, including technology and consulting support. The existing statutory language codifies a large statewide bureaucracy that is no longer practical or cost-effective.

### **B. Discussion**

The Texas Library Systems Act was established in the late 1960s and served as a primary means for the agency to support local public library development through a formal network of 10 service regions. Over the years new service models, communications tools, and federal guidelines emerged. While the Texas Library Systems program made some strides to reflect these changes, the state program



remained fixed within a hierarchical structure and continued to serve public libraries primarily. Given these challenges and a simple lack of state funding, the overall ability of the Texas Library System to effectively support and advance local library services ebbed over time until the program was entirely eliminated due to budget cuts.

### **C. Possible Solutions and Impact**

New options for supporting library development offer the agency a means to address the longstanding need for enhanced regional support and new strategies for collaboration and resource sharing. Updating the Library Systems Act to maximize flexibility and remove outdated structures will enable the agency to 1) provide service solutions for deploying support and training across broad regions across the state; 2) create a system of mutual support and shared expertise among all types of libraries of all sizes; and 3) use existing resource sharing and networking operations and groups. Such action will help leverage state and local efforts to strengthen existing partnerships and develop new collaborative operations to meet existing gaps. For libraries statewide, the change will mean a more defined relationship with state resources and strategies for building cooperative networks that address local needs for technology services, library resource sharing, and innovative programming.

## **6. Enable Advertising and Promotion of State's Historical and Information Resources**

### **A. Brief Description of Issue**

Due to a lack of authority to advertise services, information resources that would improve the lives of Texans are underutilized. For example, currently, only about 5% of eligible Texans with a visual or physical disability participate in the TSLAC Talking Book Program. Stakeholders from all types of information fields have long asked the agency to increase awareness of commission resources and services.

### **B. Discussion**

While some state agencies are able to advertise their services and develop educational materials for the public and for sale, the commission is currently not authorized for such activity. Many areas of the commission provide services and resources that benefit the public but for which there is very little awareness. Agencies like the Texas Department of Transportation and the General Land Office are able to promote services and resources as a means to build tourism, teach history, and acquire a means to fund specific educational activities. The State Library and Archives Commission invests heavily in the preservation and procurement of education and historical items. In order to ensure the state's resources are being used to the fullest capacity, increasing awareness and use of these resources through advertising is an effective means to support educational outcomes, knowledge of Texas history, and sound records management policies.

The Talking Book Program, in particular, struggles to reach the eligible population of potential users. Limited staffing and contact points curtail outreach options. The primary means to reach this audience is through service providers (doctors, etc.) who work with the target group. For example, optometrists and other physicians are the first line of contact for services for the blind and visually disabled. These professionals respond more favorably to information made available in professional publications and literature. Regular advertisement through such channels would be extremely helpful.

Additionally, the State Archives is unable to produce or sell educational materials that would allow Texans to understand and learn from the state's historical records. Similarly, the commission would be better able to support libraries' work of providing services to the public by increasing our capacity to inform the public of statewide services such as TexShare/TexQuest. The State and Local Records

Division is also stymied in its ability to reach out to local governments. (The State and Local Records Division is funded through a cost-recovery model, and the ability to attract new users of the service would allow for increased value for all participants.)

### **C. Possible Solutions and Impact**

Add statutory language to Gov't Code 441 allowing the agency to advertise educational, literacy, and historical programs and resources to support the state's priorities of fostering and educated and literate workforce. Additionally, statute enabling the State Archives to publish and sell materials highlighting the state's archival holdings would provide a means to increase awareness of Texas history and support educational programming.

## **7. Focus Key Digital Information Interests**

### **A. Brief Description of Issue**

With appropriate authority, Texas State Library and Archives could play a pivotal role in coordinating public access to digital information. Such coordination would ensure a higher level of digital inclusion and strengthen the digital infrastructure for Texans in all parts of the state.

### **B. Discussion**

The commission's mission spans broad constituencies including government organizations, educational institutions, nonprofits, and the public. While the agency already has authority to encourage collaboration among libraries and educational institutions and may assume a leadership position in resource-sharing, the commission is increasingly looked upon as the logical leader to convene diverse stakeholders in the area of information policy, resources, and access.

The commission's position is unique among state agencies and educational institutions (e.g., K-12, higher education, literacy organization, historical and archival repositories, and records management interests) in its work dealing with broad public dissemination of and access to digital information. Stakeholders have long requested the commission to take on a chief role in curating statewide digital content, establishing statewide strategies to promote online educational resources, and brokering meaningful partnerships and practices in the area of information policy that enhance the impact of digital information on the lives of Texans. TSLAC's experience in over 20 years of making online digital information available to millions of Texans of all ages via the TexShare and TexQuest projects, demonstrates the agency's commitment to and experience in brokering access to digital resources.

TSLAC's portfolio of activities, as well as our formal and informal connections with the Texas Education Agency, DIR, institutions of higher education, and others uniquely position our agency to be a leader and convener of interagency activities to address the broadest and most cost-effective access by Texans to online information content.

### **C. Possible Solutions and Impact**

Add statutory authority for the commission to develop strategies and programs for addressing statewide needs for the creation, acquisition, and dissemination of digital educational content. Such action would provide a platform to bring the state's library and information services leaders together to shape best practices, establish effective standards of practice, and broadly accessible services and resources.

## 8. Simplify Compliance for State Retention Schedules

### A. Brief Description of Issue

A system of certifying compliance with minimum retention requirements could greatly simplify and streamline the records management work of Texas local governments.

### B. Discussion

The state requires local governments (LGs) to comply with minimum retention requirements, including retention periods, for records. A statutory process for meeting and certifying compliance via an approved records control schedule directs this function. TSLAC SLRM staff currently work with LGs to approve schedules. However, the current practice is onerous for LG records management officers and TSLAC staff. It requires unnecessary steps now that TSLAC has issued 12 function-based retention schedules and makes compliance with the LGRA confusing.

LGs could be required to file a declaration of compliance (DoC) which certifies they (the LGs) know and will follow the state minimum requirements. By certifying compliance, all LGs fulfill statutory requirement to have their records on an approved retention schedule prior to disposition. A DoC authorizes LGs to download TSLAC schedules and follow “as is” or modify with additional local needs without requesting additional TSLAC approval. LGs will only need to file additional schedule forms to add/subtract TSLAC schedules or add new records series.

### C. Possible Solutions and Impact

Statute could be streamlined to stipulate that all LGs file one form to certify compliance with state minimum retention requirements. Such a move would provide LG RMOs greater flexibility and autonomy while minimizing paperwork and uncertainty. (Gov’t Code 201.003 generally, including 203.041)

## 9. Promote compliance for both minimum and maximum retention periods for records

### A. Brief Description of Issue

How can agencies be encouraged to avoid over-retention of obsolete records? Some agencies follow retention schedules only as a requirement for minimum retention. While agencies have flexibility to maintain records longer if necessary, many agencies simply never (or rarely) dispose of obsolete records, a situation that leads to increased cost and liability for the state.

### Discussion

State records management officers report that agencies are subject to unnecessary liability because many agencies keep records past the legal retention period. While state law delineates the minimum amount of time records must be kept to ensure open access and compliance with any state and legal requirements, state law does not require that, once these records reach the length of time needed, they be destroyed in compliance with state guidelines. The result is that many agencies over retain records, which leads to inefficiency, increased cost, and increased risk.

TSLAC statute specifies that all state agencies must appoint a records management officer who is responsible for establishing and maintaining a records management program. This work involves caring for and ensuring adequate documentation of all the agency’s records. A fundamental basis for this work includes establishing and adhering to a records retention schedule. This schedule, which must be approved by TSLAC, delineates the list of the state records created and received by a given agency, proposes a period of time each record shall be maintained by the agency, and provides other infor-

mation necessary for the operation of an effective records management program. Agencies are legally obligated to maintain those records through the delineated time period. However, there is little guidance as to what should happen to those records once the life span has been fulfilled.

### **C. Possible Solutions and Impact**

Possible solutions include requiring training for records managers and executive officers on the reasons and strategies for avoiding over-retention of record. Additionally, the State Auditor's Office or some statewide review mechanism (such as through Sunset) can be used to have agencies report broadly on record-keeping practices, including the disposition of records.

## **10. Increase Capacity of State Records Management Officers**

### **A. Brief Description of Issue**

Requiring state agency records management officers to take standardized training and requiring state agency directors to approve agency records programs would ensure proper and consistent management of public records.

### **B. Discussion**

State records management officers report varying levels of administrative support from agency executive leaders as to the role and importance of effective state records management programs. TSLAC statute specifies that all state agencies must appoint a records management officer who is responsible for establishing and maintaining a records management program. However, in some cases, designated records management officers (who are required to report to the agency leadership) may have not the necessary training for this role and, in some cases, the agency leadership may not consider records management requirements as essential to overall agency planning.

The commission is charged in statute with assisting state agencies in managing state records. This support includes training as well as other strategies to support the goal of ensuring effective statewide management of state records. Agencies must maintain adequate records to document the work of the agency and establish procedures to ensure the protection of such records. This process includes consideration of legal, financial, privacy, and other factors relating to access of these state records. Additionally, state agencies are charged with cooperating with TSLAC in fulfilling these duties.

### **C. Possible Solutions and Impact**

New statutory language can be implemented to require all records management officers to undergo specified training. TSLAC could work in partnership with state records management officers to identify training opportunities to meet such requirements.

## **11. CyberSecurity and Technology Reliability**

### **A. Brief Description of Issue**

The commission's diverse service areas not only rely heavily on technology for deployment, but key services provided by the agency – digital content for over a thousand libraries and school districts; electronic archival records; online training; and service portals for state and local governments – are technological services. The agency needs to upgrade its information resources security posture to comply with current State of Texas security standards.

In 2015 TSLAC underwent a security assessment conducted by Gartner Consulting as part of a statewide assessment under contract with DIR. Gartner developed a set of recommendations designed to elevate the agency's security posture to a new State of Texas standard. Recommendations included

upgrades for the areas of information resources management of network configuration management, end-user computing, remote access and mobile data protection, security staffing, and applications development. The implementation of the recommendations was set to a four-year roadmap which the agency started in 2016. Gartner's cost estimate for this technology security upgrade was \$2.34M. Although the agency was able to undertake some of these recommendations with existing resources, TSLAC did not receive requested funding for staff or upgrades as requested in the 2017 session. Fully funding and providing effective cybersecurity, which includes technological infrastructure and staffing, are significant needs for the agency.

## **B. Discussion**

The agency operates with an Information Technology staff of ten FTE's. The staff is responsible for the internal computing infrastructure including its local area network, telecommunications, and support to the desktop as well as maintenance of the agency website, coordination with the state consolidated data centers, ensuring compliance with state security standards and compliance with the statewide goals for the use of Information Technology. This staff also provides the technical support for IT-related projects initiated by the programs of the commission to better serve Texans across the state. While much of the information TSLAC programs generate, collect, and manage is considered Public Information and readily available, there is more sensitive information that is also managed by the agency which must be protected with more stringent security controls. As do most state agencies, the commission faces cybersecurity attacks of increasing frequency and severity and intrusion attempts from internal and external sources against which we must be ever vigilant and ensure our security controls are adequate to protect these information resources.

## **C. Possible Solutions and Impact**

At the time of the Gartner assessment, the commission was already moving to address the end-user computing security controls, email cloud migration, and some network configuration issues as part of its daily operations using its existing budget. The agency completed these projects during 2016-2017 and initiated an operating system refresh project to further address end-user, remote access, and mobile data protection to the extent it possible with our limited existing funding.

In order to fully address the recommendations, it will be necessary to obtain adequate funding for larger-scale security upgrades than those the agency has already undertaken and completed. Security staffing, for example, with sufficient expertise are required to properly plan for, acquire, implement, administer, and maintain the complex security systems which are necessary to protect our information resources. This staff is critical to the agency's successful move to a security maturity level which the Leadership expects agencies to achieve and maintain.

Without the capacity to secure its technological infrastructure, the agency's operations and the services it provides to citizens, libraries, school districts, educational institutions, local governments, and state agencies may be in peril.

# **12. Standardize Public Information Act Processes Related to State Archival Materials**

## **A. Brief Statement of the Issue**

As the statutory owner of the vast majority of archival records of state government (including state agencies and state officials), the commission has unique challenges when responding to Public Information Act (PIA) requests given the scope, organization, and volume of materials the agency manages. In addition to responding to all PIA requests regarding commission (i.e., TSLAC-specific) records, the agency also responds to PIA requests relating to materials held in the state archives, which

includes the archival records of state agencies and elected officials that have been transferred to the commission and are now under the ownership and authority of the commission. These PIA requests often require the commission to undertake additional consultation with state agencies, which impacts the commission's ability to respond to such requests.

## **B. Discussion**

State law prescribes exact requirements for compliance with PIA requests, including statutory deadlines for responding to requesters, and specifications on when and how to seek guidance from the Office of the Attorney General (OAG) when exemptions from disclosures require clarification. State archives staff is experienced in handling the routine matters and regularly works with the OAG on the most complicated requests. In some instances, however, requesters will ask for records from state agencies or other bodies that contain confidential information that may have permissive exceptions, such as attorney-client or attorney work products. In these cases, as a matter of practice and understanding, state archives staff will work with the source agencies to determine if such material may be released to the requester as contained in the record file. In some case, staff from another agency will respond within a prescribed timeframe to allow the commission to include the records in question to the requester or with information that allows commission staff to exclude the potential confidential records from the response and inform the OAG that those records are being withheld. In other cases, however, state agencies (or other state offices) do not respond within the prescribed timeframe. The state archives staff must then either make its own determination (which may or may not align with what the state agency or office would select) or risk being out of compliance with statutory requirements for responding to requesters under the PIA.

This often difficult position is compounded by the sheer volume and complexity of PIA requests the commission receives. Many agencies send their archival records to the commission without a complete inventory of all the materials transferred, if an inventory exists at all. So, unlike reviewing records at a source agency that generally has a preset contextual means of identifying the general contents of record series and files, the materials formally transferred to the state archives are accessible by commission staff only when physical inventories and finding aids exist. Without valid "meta" information about the records, commission staff must spend extended time identifying records to meet PIA requests and ensuring that confidential information is withheld. Commission staff must also determine if any exemptions are noted and should be submitted for review from the appropriate parties, and must still provide a response to the requester within the statutory time frame. This is a complicated and often overwhelming job – particularly when the information requested is complicated in terms of volume and/or scope. The commission does not have the resources to add the needed staff to more fully address PIA issues, part of which stem from a general deficit in archival staff needed to process the backlog of thousands of cubic feet of archival records.

## **C. Possible Solutions**

1) Clarify the responsibility of state agencies and/or offices when the commission receives a PIA request that may include confidential information with permissive exemptions for that agency/office. Since the commission is the legal owner and administrator of state archival records transferred to its custody and control, determine the role state agencies or other offices in these situations.

2) Given the complexity of the records housed in the state archives, and the volume of records maintained, identify procedures the commission could implement to augment the process of complying with PIA requests. Examples include asking the OAG to assign a specific liaison to the commission for these types of PIA requests, and/or ensuring state agencies with PIA offices provide support to the commission in such instances.

## X. Other Contacts

- A. Fill in the following charts with updated information on people with an interest in your agency, and be sure to include the most recent email address.

Texas State Library and Archives Commission  
Exhibit 14: Contacts

### **Interest Groups**

*(Groups affected by agency actions or that represent others served by or affected by agency actions)*

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Library Systems Act Advisory Board John Trischitti III, chair	Midland County Public Library 301 West Missouri Avenue Midland, Texas 79701	432-688-4320	Libadm01@co.midland.tx.us
Friends of Libraries and Archives of Texas Gene McKenzie, president	c/o Texas State Library and Archives Commission P.O. Box 12927 Austin, Texas, 78711	512-627-6571	Geno7218@gmail.com
Texas Historical Records Advisory Board Jelain Chubb, coordinator	c/o Texas State Library and Archives Commission P.O. Box 12927 Austin, Texas, 78711	512-463-5467	JChubb@tsl.texas.gov
TexQuest Advisory Group, Vanessa Ashcroft	Jarrell ISD 312 N. 5th Street, Jarrell, TX 76537	512-746-2124	Vanessa.Ashcroft@jarrellisd.ort
TexShare Advisory Board June Koelker, chair	Mary Coutts Burnett Library Texas Christian University 2913 Lowden Fort Worth, TX 76129	817-257-7114	J.Koelker@tcu.edu
Local Government Records Committee, Nanette Forbes	1210 San Antonio, Austin, TX 78701	800-456-5974	Nanettef@county.org

*Table 16 Exhibit 14 Interest Groups*

### **Interagency, State, or National Associations**

*(that serve as an information clearinghouse or regularly interact with your agency)*

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
American Library Association	50 E. Huron Chicago, IL 60611	800-545-2433	library@ala.org
Texas Library Association Pat Smith, Executive Director Wendy Woodland, Director of Communications	3355 Bee Cave Rd #401 Austin, TX 78746	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 Tim Cherubini, Executive Director	201 East Main St, #1405 Lexington, KY 40507	859-514-9151	TCherubini@cosla.org
Institute of Museum and Library Services (IMLS) Kathryn K. Matthew, Director	955 L'Enfant Plaza North, SW, Suite 4000 Washington, D.C. 20024-2135	202-653-IMLS	imlsnews@imls.gov
Records Management Interagency Coordinating Council Margaret Hermesmeier, Chair	209 West 14 <sup>th</sup> Street, 6 <sup>th</sup> Floor, Austin, TX 78701	512- 463-8551	Margaret.Hermesmeyer@texasattorneygeneral.gov
Texas State Historical Association Brian Bolinger, Director	3001 Lake Austin Blvd., Suite 3.116 Austin, TX 78703	512- 471-2600	Brian.Bolinger@tshaonline.org
National Association of Government Archives and Records Administrators	90 State St. #1009 Albany NY 12207	518-463-8644	nagara@caphill.com



<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
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, Kenneth Semien, Sr.	1703 N. Beauregard St., Ste 420 Alexandria, VA 22311	409-866-5838	Semien@sbcglobal.net
National Federation of the Blind Texas, Norma Crosby	1600 E. Highway 6, Ste 215, Alvin, TX 77511	281-331-0106	Norma.Crosby@gmail.com
Library Users of America (a Braille group), Peggy Garret	57 Grandview Ave. Watertown, MA 02472	281-438-9665	PrcGarrett@sbcglobal.net
Amigos Library Services Alan Kornblau, Executive Director	14400 Midway Road Dallas, TX 75244	800-843-8482	Kornblau@amigos.org
Texas Council on Academic Libraries Joan Heath, Chair	c/o Texas Library Association 3355 Bee Cave Rd #401 Austin, TX78746	512-245-2133	jh06@txstate.edu
Association for Rural and Small Libraries Judy Calhoun, President	5300 Lakewood Rd. Whitehall, Michigan 49461	248-457-5001	rbrummett@arsl.info
Urban Libraries Council Susan Benton, President and CEO	1333 H Street, NW, Suite 1000 West, Washington, DC 20005	202-750-8650	SusanBenton@urbanlibraries.org
Tocker Foundation Darryl Tocker, Executive Director	5806 Mesa Drive, Suite 375	(512) 452-1044	grants@tocker.org

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Central Texas Library System Laurie Mahaffey, Executive Director	5806 Mesa Drive, Suite 375	512-583-0704	Laurie.Mahaffey@ctls.net
Literacy Texas Jennifer Edwards, Executive Director	406 E. 11th St. Austin, TX 78701	888 577 9347	info@literacytexas.org
Texas Association of School Library Administrators (TASLA) Suzy Ferrell, President	CCISD, 2425 East Main Street, League City, <i>Texas</i> 77573	281- 284-0124	SuFerrell@ccisd.net
Abilene Library Consortium Edward J. Smith, Director	3305 N. 3rd St. Abilene, TX 79603	325-672-7081	EdwardS@alc.org
CORAL Andrea N. Schorr, President	No mailing address <a href="http://www.coralsa.org/">http://www.coralsa.org/</a>	210-567-2103	Schorr@uthscsa.edu
Cross Timbers Library Collaborative	No mailing address <a href="https://www.ct-lc.org/">https://www.ct-lc.org/</a>		
Texas Health Science Libraries Consortium Marlene Caldwell, Manager	c/o University of Texas M. D. Anderson Cancer Center Research Medical Library Unit 1499 PO Box 301402 Houston, TX 77230-1402	713-745-5158	MCaldwe@mdanderson.org
Public Library Administrators of North Texas (PLANT) Spencer Smith, Chair	No mailing address: <a href="http://www.txplant.org/index.php">http://www.txplant.org/index.php</a>		SSmith3@mckinneytexas.org

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Harrington Library Consortium Amanda Barrera, Director	413 S.E 4th Avenue P.O. Box 2171 Amarillo, TX 79101	(800) 687-9771	Amanda.Barrera@amarillolibrary.org
Hidalgo County Library System Marisol Vidales, President	No mailing address: <a href="http://www.hcls.lib.tx.us/index.html">http://www.hcls.lib.tx.us/index.html</a>	956-565-2371	MVidales@cityofmercedes.com
Houston Area Library Automated Network (HALAN)	Houston Public Library 500 McKinney Ave. Houston Texas, 77002	(832) 393-1570	No email address
West Texas Library Group Dyan Dunagan, Chair	No mailing address: <a href="https://wtlg.ploud.net/">https://wtlg.ploud.net/</a>		
NETLIBS (Northeast Texas Librarians) Pattie Mayfield, Organizer	Pattie Mayfield Bertha Voyer Memorial Library 500 6 <sup>th</sup> St Honey Grove, Tx 75446	903-378-2207	Mayfield@honeygrove.org
Texas Digital Library Kristi Park, Executive Director	101 E. 21 <sup>st</sup> Street, Stop S5471 Austin, TX 78712	512-495-4417	Kristi.Park@austin.utexas.edu
Texas Municipal League, Bennett Sandlin 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	<a href="https://www.archives.gov/contact">https://www.archives.gov/contact</a>

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
George Bush Presidential Library Brig. Gen. Patrick X. Mordente, Director	1000 George Bush Dr West College Station, TX 77845	979-691-4050	gwbush.library@nara.gov
Society of Southwest Archivists Claudia Rivers, President	University of Texas at El Paso	(915) 747-5672	CRivers@utep.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 Gene Terry, Executive Director	Box 2131 Austin, TX 78768	512-478-8753	GeneT@county.org
County & District Clerks Assn of Texas Celeste Bishsel, President	P. O. Box 487 Panhandle, TX 79068	806-537-3873	CelesteBichsel@gmail.com
Austin ARMA	PO Box 27435		wtbasinger@gmail.com
ARMA Southwest	P.O. Box 18331		Kevin.Waldrup@austintexas.gov
County Judges and Commissioners Association of Texas, James Allison			J.Allison@allison-bass.com
Texas Conference of Urban Counties, John Dahill			John@cuc.org
Texas Association of Counties, Nanette Forbes (Member LGRG)			NanetteF@county.org
Midland County District Clerk, Ross Bush (Member LGRG)			Ross_Bush@co.midland.tx.us
McLennan County Clerk, Andy Harwell (Member LGRG)			Andy.Harwell@co.mclennan.tx.us

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Texas Municipal Clerks Association (TRMC) / City of College Station, Sherry Mashburn (Member LGRG)			SMashburn@cstx.gov
Chambers County Clerk, Heather Hawthorne (Member LGRG)			HHawthorne@co.chambers.tx.us
Texas Law Enforcement Records Association (TLERA) / City of Plano Police Department, Charlotte Holzmeister			CharlotteH@plano.gov
Texas Municipal League, Sandlin Bennett	1821 Rutherford Lane, Suite 400, Austin, TX 78754-5128		exec@tml.org
Texas Association of County Auditors, Nathan Craddock	Tom Green County Auditor, 112 West Beauregard, San Angelo, TX 76903		Nathan.Craddock@co.tom-green.tx.us
Texas Association of School Boards, James B. Crow			tasb@tasb.org
County Treasurer's Association of Texas, Tim Funchess	1149 Pearl St, Suite 301 Beaumont, TX 77701-3631		TFunchess@co.jefferson.tx.us
Tax-Assessor-Collectors Association of Texas, Ronnie Keister	TACA P O Box 448 Waco, TX 76703		RKeister@co.lubbock.tx.us

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Consumer Financial Protection Bureau  Kenneth McDonnell, Office of Financial Education	1275 First Street, NE Washington, DC	202-435-7303	Kenneth.McDonnell@cfpb.gov

*Table 17 Exhibit 14 Interagency, State, and National Association*

### Liaisons at Other State Agencies

*(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)*

<b>Agency Name / Relationship / Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Legislative Budget Board Budget Analyst: George Gogonas	Box 12666 Austin, TX 78711	512-463-1200	George.Gogonas@lbb.state.tx.us
Office of the Attorney General Assistant Attorney General: Alice McAfee	Box 12548 Austin, TX 78711	512-475-4300	Alice.Mcafee@oag.texas.gov
Office of the Governor Budget Analyst: Logan Mims	Box 12428 Austin, TX 78711	512-463-1778	Logan.Mims@gov.texas.gov
Comptroller of Public Accounts Accounts Control Officer: Margaret Redkey	Box 13528 Austin, TX 78711	512-463-3601	Margaret.Redkey@cpa.texas.gov
State Auditor's Office Audit Manager: Verma Elliott	Box 12067 Austin, TX 78711	512-936-9450	VElliott@soa.texas.gov

<b>Agency Name / Relationship / Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
House Committee on Culture, Recreation, and Tourism Chair: The Honorable John Frullo	Box 2910 Austin, TX 78768	512-463-1974	John.Frullo@house.texas.gov
House Committee on Culture, Recreation, and Tourism Committee Clerk: Jesse Sifuentez	Box 2910 Austin, TX 78768	512-463-1974	Jesse.Sifuentez@house.texas.gov
State Office of Risk Management Risk Management Specialist: Frank Marcopolos	Box 13777 Austin, TX 78711		F.Marcopolis@sorm.texas.gov
Department of Information Resources Todd Kimbriel, Deputy Ex. Dir.	Box 13564 Austin 78711	512-475-4728	Todd.Kimbriel@dir.texas.gov
Higher Education Coordinating Board	Box 12788 Austin, TX 78711		
Health and Human Services Commission Department of Aging & Disability Services Area Agencies on Aging: Gary Jessee	701 W. 51 <sup>st</sup> St. Austin, TX 78714		Gary.Jessee@hhsc.texas.gov
University of Texas at Austin Lorraine Haricombe, Vice Provost, UT Libraries	P.O. Box P, Mail Code S5400, Austin, TX 78712	512-495-4350	ljharic@austin.utexas.edu
ESC Region 20 Ann Vyoral			Ann.Vyoral@esc20.net
Texas Workforce Commission, Adult Education and Literacy: Anson Green, Director	1117 Trinity Street, Austin, TX 78705	512-463-7419	Anson.Green@twc.state.tx.us

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Texas Department of Agriculture, Summer Food Service Program Sid Miller, Commissioner	PO Box 12847 Austin, TX 78711	512-463-7476	SFSP.BOps@TexasAgriculture.gov
Texas Veterans Commission, Military Veteran Peer Network	P.O. Box 12277, Austin, TX 78711-2277	(512)463-6091	vmhp@tvc.texas.gov
Texas State Law Library Director, Dale Propp	205 West 14th Street Room G01 Austin TX 78701	512-463-1722	library@sll.texas.gov
Texas Legislative Reference Library Director, Mary Camp	1100 N Congress Ave Rm 2N.3   Austin, TX 78701	512-463-1252	lrl.service@lrl.texas.gov



## XI. Additional Information

- A. Texas Gov't Code, Sec. 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment. See Exhibit 15 Example.

Texas State Library and Archives Commission

Exhibit 15: Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Biennial Report	Gov't Code, § 441.013(a)	Biennially	Governor, Speaker, Lt. Governor	Report that includes a comprehensive view of the operations of the commission in discharging its duties.	Yes. Offers current information for state leadership to review the work of the agency.
Report of Reports	Ongoing rider in the General Appropriations Act	Biennially	Governor, LBB, and available to the public	Indexes all statutorily required reports prepared by a state agency and provides detail about the preparing agency, title of report, legal authority, due date, recipient, and a brief description.	Yes, the report is used to review agencies' operations.

Table 1 Exhibit 15 Agency Reporting Requirements

*Note: If more than one page of space is needed, please provide this chart as an attachment, and feel free to convert it to landscape orientation or transfer it to an Excel file.*

B. Has the agency implemented statutory requirements to ensure the use of “first person respectful language”? Please explain and include any statutory provisions that prohibits these changes.

No, the agency had not implemented such a policy in particular. However, the agency’s Standards of Conduct and established practices stipulate professional and respectful interactions and communications.

C. 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.

Texas State Library and Archives Commission

Exhibit 16: Complaints Against the Agency — Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Number of complaints received	0	1
Number of complaints resolved	N/A	N/A
Number of complaints dropped / found to be without merit	N/A	1
Number of complaints pending from prior years	N/A	N/A
Average time period for resolution of a complaint	N/A	30 days

Table 2 Exhibit 16 Complaints Against the Agency

D. Fill in the following charts detailing your agency’s Historically Underutilized Business (HUB) purchases. See Exhibit 17 Example.

Texas State Library and Archives Commission

Exhibit 17: Purchases from HUBs

**Fiscal Year 2015**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	\$65	0	0.00%	N/A	11.2%
Building Construction	0	0	0.00%	N/A	21.1%
Special Trade	\$132,036	\$13,303	10.08%	N/A	32.9%
Professional Services	\$48,273	\$16,400	33.97%	N/A	23.7%
Other Services	\$12,719,843	\$198,108	1.56%	N/A	26.0%
Commodities	\$987,043	\$136,969	13.88%	N/A	21.1%
<b>TOTAL</b>	<b>\$13,887,260</b>	<b>\$364,780</b>	<b>2.63%</b>		

Table 3 Exhibit 17 HUB Purchases for FY 2015

\* If your goals are agency specific-goals and not statewide goals, please provide the goal percentages and describe the method used to determine those goals. (TAC Title 34, Part 1, Chapter 20, Rule 20.284)

**Fiscal Year 2016**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$0	N/A	N/A	N/A	11.2%
Building Construction	\$0	N/A	N/A	N/A	21.1%
Special Trade	\$179,174	\$2,381	1.33%	N/A	32.9%
Professional Services	\$82,794	\$72,794	87.92%	N/A	23.7%
Other Services	\$16,128,314	\$740,141	4.59%	N/A	26.0%
Commodities	293,297	\$234,862	80.08%	N/A	21.1%
<b>TOTAL</b>	<b>\$16,683,579</b>	<b>\$1,050,178</b>	<b>6.29%</b>		

*Table 4 Exhibit 17 HUB Purchases for FY 2016*

**The agency does not establish separate goals for individual categories due to many factors beyond the agency’s control. The largest agency purchases each year are for statewide access to electronic databases and other resources, and there are no HUB vendors in this market segment. In addition, the agency procures many library-specific services that are not available from multiple sources. As a result, the agency’s HUB performance in the Other Services categories remains well below the statewide goal. Finally, the purchases in the Special Trades category are for the agency’s facility located in Liberty, Texas, and there are few HUB vendors in this small community.**

- **Fiscal Year 2017 Information not yet available.**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction					11.2%
Building Construction					21.1%
Special Trade					32.9%
Professional Services					23.7%
Other Services					26.0%
Commodities					21.1%
<b>TOTAL</b>					

Table 5 Exhibit 17 HUB Purchases for FY 2017

- E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Gov't Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.286c)

Yes, our agency has a HUB policy. To address performance shortfalls, the agency seeks to use HUB vendors in any situation where a qualified HUB vendor is available for a planned procurement. The agency also requires HUB subcontracting plans for any procurement opportunity valued at \$100,000 or more.

- F. 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? (Texas Gov't Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.285)

Yes, our agency has a policy to require HUB subcontracting plans for all procurements that exceed \$100,000. The policy is located on our website and articulated in the mandatory form: <https://www.tsl.texas.gov/sites/default/files/public/tslac/admin/HUB%20Subcontracting%20Plan.pdf>

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

1. **Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Gov't Code, Sec. 2161.062; TAC Title 34, Part 1, rule 20.296)**

Our Purchasing Manager serves as the HUB Coordinator for the agency.

Pam Rodriguez, 512-463-3037, prodriguez@tsl.texas.gov

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? (Texas Gov't Code, Sec. 2161.066; TAC Title 34, Part 1, rule 20.297)**

Our agency uses State contracts where possible, and has so few procurement opportunities outside of library- and archival-specific goods and services that it is not feasible for our agency to independently host a HUB forum. As a result, our agency participates in forums in the Central Texas region hosted by other large agencies.

3. **Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Gov’t Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.298)**

Yes, this information is in our Procurement Manual.

H. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics. See Exhibit 18 Example.

Texas State Library and Archives Commission  
Exhibit 18: Equal Employment Opportunity Statistics

1. **Officials / Administration**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	8	0%	7.4%	12.5%	22.1%	50%	37.4%
2016	8	(percent)0%	7.4%	12.5%	22.1%	62.5%	37.4%
2017	Not available	Not available	7.4%	Not available	22.1%	Not available	37.4%

Table 6 Exhibit 18 EEO Statistics for Officials/Administration; Source: Texas Workforce Commission

2. **Professional**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	105	2.85%	10.4%	12.38%	19.3%	74.28%	55.3%
2016	102	3.92%	10.4%	13.72%	19.3%	75.49%	55.3%
2017	Not available	Not available	10.4%	Not available	19.3%	Not available	55.3%

Table 7 Exhibit 18 EEO Statistics for Professionals; Source: Texas Workforce Commission

3. **Technical**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	2	0%	14.4%	0%	27.2%	0%	55.3%
2016	5	0%	14.4%	40%	27.2%	0%	55.3%
2017	Not available	Not available	14.4%	Not available	27.2%	Not available	55.3%

Table 8 Exhibit 18 EEO Statistics for Technical; Source: Texas Workforce Commission

4. **Administrative Support**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	70	12.9%	14.8%	18.6%	34.8%	47.1%	72.1%
2016	67	14.92%	14.8%	20.89%	34.8%	46.26%	72.1%
2017	Not available	Not available	14.8%	Not available	34.8%	Not available	72.1%

Table 9 Exhibit 18 EEO Statistics for Administrative Support; Source: Texas Workforce Commission

**Service / Maintenance**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	1	100%	13.0%	0%	54.1%	0%	51.0%
2016	1	100%	13.0%	0%	54.1%	0%	51.0%
2017	Not available	Not available	13.0%	Not available	54.1%	Not available	51.0%

Table 10 Exhibit 18 EEO Statistics for Service and Maintenance; Source: Texas Workforce Commission

**Skilled Craft**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	4	25%	10.6%	50.0%	50.7%	75%	11.6%
2016	5	20%	10.6%	50%	50.7%	100.0%	11.6%
2017	Not available	Not available	10.6%	Not available	50.7%	Not available	11.6%

Table 11 Exhibit 18 EEO Statistics for Skilled Craft; Source: Texas Workforce Commission

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

The agency has an EEOC policy, which is outlined in the agency's Employee Guide, beginning on page 21 of the 2/2017 version of the Guide. This document is made available to all employees via the agency's intranet site.

From the Employee Guide

### **Equal Employment Opportunity**

The Texas State Library and Archives Commission fully supports the goal of achieving equal employment opportunity for persons of every race, color, sex, religion, age and nationality, and for persons with disabilities.

The Commission has established a Recruitment and Retention Plan to ensure Equal Employment Opportunity policies and procedures are consistently applied throughout the agency. The Recruitment and Retention Plan can be accessed on the agency's intranet site at: <http://angelina.tsl.state.tx.us>.

The Commission recognizes that merely prohibiting discrimination in the workplace is not sufficient; therefore, to achieve equal employment opportunity, it has developed the following policy.

**Policy** - It is the policy of the Texas State Library and Archives Commission to:

- Recruit, test, hire, promote, and transfer in all job categories without regard to race, color, national origin, religion, sex, age, or disability
- Administer all personnel actions- such as compensation, benefits, training and education- without regard to race, color, national origin, religion, sex, age, or disability;
- Base decisions of employment and promotions solely upon an individual's qualifications for the position being filled
- Require all employees to attend periodic EEO training to comply with Texas Labor Code, Section 21.010

**Questions and Problems**- The State Library encourages communication between employees and supervisors about equal employment opportunity. If problems related to the State Library's equal employment opportunity policy cannot be solved informally, employees may file a formal grievance.

*For more information, consult the "Grievances" section of this Guide*

In addition, employees must immediately report discrimination to the Human Resources Office, the head of the agency, or any member of management with whom they feel comfortable. The Human Resources Office will conduct investigations on all reports of discrimination; provide written finding to the head of the agency; and, take corrective action, if necessary, based on the results of such findings. In the event prohibited conduct is confirmed to have occurred, the Human Resources Office will monitor the circumstances surrounding the complaint to ensure the situation has been remedied and does not reoccur.

Human Resources will annually review the agency's EEO policy and procedures and update as necessary. EEO documents will be retained in accordance with Agency State Records Retention Schedule.

## XII. Agency Comments

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

The commissioners of the Texas State Library and Archives Commission expressed a collective desire to show their support for the agency and the information presented in the agency's Self Evaluation Report. The Commission discussed the agency's Sunset preparations and reviewed drafts of the SER over the last several months during its meetings in February, April, June, and August of this year. The final SER reflects the thoughts and priorities of the Commission.

One standout issue for the Commission and the agency as a whole is the agency's fundamental role in developing and promulgating standards that help ensure accountability, transparency, and consistency in the provision of information services statewide.

One critical statutorily-assigned function the agency provides is that of developing criteria for public library accreditation (*Gov't Code* 441.127). These minimum criteria both assure local, state, and federal officials that libraries are meeting deliberate and reasonable benchmarks for professional service as well assure the public that any operation calling itself a library (and being eligible for taxpayer support) does in fact operate as a library that serves the public in legitimate and definable ways.

The Texas Library Association notes that TSLAC's accreditation standards "set a benchmark for professionalism, services and resources" and "have resulted in an increase in the quality of library service to communities of all sizes in all parts of the state."<sup>1</sup> The vast majority of Texas public libraries meet accreditation standards. Through the agency's stakeholder Sunset survey, librarians across the state offered their feedback on accreditation.

*I cannot stress enough how important TSLAC is to Texas, libraries and citizens. The archives are crucial to recording our government and history. However, the resources that TSLAC provides to libraries, along with professional standards and accreditation are pivotal in ensuring Texas Libraries keep up with modern times and offer viable resources to citizens. I think without TSLAC accreditation standards and support to libraries that quite a few smaller municipalities would let their libraries become underfunded and run in an unprofessional manor...or eliminated all together. TSLAC helps ensure integrity across Texas libraries.*

*...TSLAC provides a valuable service to libraries. Larger libraries may not need the services provided by the state but small, rural libraries, especially those without a professional librarian on staff, need a resource for answers to library related questions, as well as an agency that sets standards for libraries to maintain. Without TSLAC, cities, counties, and other local entities may see no need to maintain standards, budgets, staffing, and other services needed to provide quality service to the community.*

*As Texas continues to position itself as the best state in the nation to do business it is imperative that our communities can boast robust public library systems that lead and set national standards and best practices. This level of excellence requires a well funded state agency, and TSLAC is the agency to carry out this critical piece of our state's quality of place, educational safety net, and societal well-being.*

The Texas Library Association also notes that "With minimum standards in place, Texas ranks 48<sup>th</sup> among the 50 states in per capita support for public libraries; without standards that minimal support will begin to erode."

Setting accreditation criteria for public libraries is, in itself, core to the agency's mission. It also under-



scores the role of the agency in all areas of information delivery to provide leadership and establish consistency and accountability through both defined statutory authority and established practices relied upon by the vast, vocal, and participatory stakeholder groups the agency serves.

The stakeholder Sunset survey administered by the agency was conducted to engage our communities, help inform them of the Sunset process in general, seek broad input, and gather specific feedback in areas that the agency believes are topics that merit Sunset Commission consideration. The responses proved most helpful to agency, and the entire survey and responses are included.

1. Texas Library Association. Ensuring the Quality and Viability of Public Library Services. Position Paper. 2017.

## Attachments

Create a separate file and label each attachment (e.g., Attachment 1, Agency Statute) and include a list of items submitted. Attachments may be provided in electronic form or through links to agency webpages.

### Attachments Relating to Key Functions, Powers, and Duties

1. Agency's enabling statute.

Government Code, 441. <http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.441.htm>

2. Annual reports published by the agency from FY 2015–2017.

Biennial Report (2015-16): [https://www.tsl.texas.gov/pubs/fy15\\_16\\_biennial\\_report.html](https://www.tsl.texas.gov/pubs/fy15_16_biennial_report.html)

3. Internal or external newsletters published by the agency from FY 2016–2017.

[Public Library Newsletter](#)

[Summer Reading Program Newsletter](#)

[Academic Library Newsletter](#)

[School Library Newsletter](#)

[Talking Book Program Newsletters/Bulletins - Boletines de Noticias](#) <https://www.tsl.texas.gov/tbp/news/index.html>

A full list of the agency's blogs is available at: <https://www.tsl.texas.gov/blogs>.

4. List of studies that the agency is required to do by legislation or riders.

State Retention Schedules: <https://www.tsl.texas.gov/slr/recordspubs/rrs4.html>

Local Government Retention Schedules: <https://www.tsl.texas.gov/slr/recordspubs/localretention.html>

Report of Reports: [https://www.tsl.texas.gov/sites/default/files/public/tslac/landing/documents/state\\_reports2017-full.pdf](https://www.tsl.texas.gov/sites/default/files/public/tslac/landing/documents/state_reports2017-full.pdf)

5. List of legislative or interagency studies relating to the agency that are being performed during the current interim.

HB 8 RS - Study related to data storage usage. The study will be conducted in cooperation with the Department of Information Resources.

6. List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions. Provide links if available.

Library Services and Technology Act Five-Year Plan (for Funding from the Institute of Museum and Library Services): <https://www.tsl.texas.gov/ld/pubs/1staplan/5yearplan.html>

Library Services and Technology Act Plan (2013-2017) Evaluation Plan: <https://www.tsl.texas.gov/sites/default/files/public/tslac/ld/pubs/Texas%20LSTA%20Evaluation%20Final%20Report.pdf>

2018-2022 Plan: <https://www.tsl.texas.gov/sites/default/files/public/tslac/ld/pubs/lstaplan/LSTA%202018-%202022%20draft%20plan.pdf>

2013-2017 Plan: [https://www.tsl.texas.gov/sites/default/files/public/tslac/ld/pubs/lstaplan/LSTA2013\\_Final.pdf](https://www.tsl.texas.gov/sites/default/files/public/tslac/ld/pubs/lstaplan/LSTA2013_Final.pdf)

## Attachments Relating to Policymaking Structure

7. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members.

Biographies of Commissioners Michael C. Waters (Chairman), Sharon Carr (Vice Chair), F. Lynwood Given, Ph.D., Larry G. Holt, and Martha Wong are provided at: <https://www.tsl.texas.gov/agency/commission/index.html>

8. Agency's most recent rules. If lengthy, please provide electronically or just the citation to the Administrative Code.

Texas Administrative Code, Title 13 Cultural Resources, Part 1, Texas State Library and Archives Commission: [http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tacview=3&ti=13&pt=1](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tacview=3&ti=13&pt=1)

## Attachments Relating to Funding

9. Agency's Legislative Appropriations Request for FY 2018–2019.

[https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/budget/fy1819/TSLAC\\_LAR\\_2018-2019\\_final\\_as\\_of\\_August\\_5\\_2016.pdf](https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/budget/fy1819/TSLAC_LAR_2018-2019_final_as_of_August_5_2016.pdf)

10. Annual financial reports from FY 2015–2016.

2015 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/budget/fy1415/afrfy2015.pdf>

2016 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/budget/fy1617/afrfy2016.pdf>

11. Operating budgets from FY 2015–2017.

2015 – N/A- Operating budgets are only prepared in even numbered years

2016 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/budget/fy1617/operatingbudgetSFY2016.pdf>

2017 – N/A- Operating budgets are only prepared in even numbered years Attachments Relating to Organization

12. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

### We have three facilities

Texas State Library and Archives Commission – Headquarters

*Lorenzo de Zavala State Archives and Library Building  
Capitol Complex, 1201 Brazos St., Austin, TX 78701*

*State Records Center and Talking Book Circulation*

4400 Shoal Creek Blvd., Austin

*Sam Houston Regional Library and Research Center*

650 FM 1011, Liberty, TX 77575

Information about these locations, maps, and other information may be accessed at: <https://www.tsl.texas.gov/visit>.

### Attachments Relating to Agency Performance Evaluation

13. Quarterly performance reports completed by the agency in FY 2015–2017.

Attached as annual reports (with quarterly information).

14. Any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

Return on Investment Study (reviewing overall economic benefit of library services, inclusive of library services and resources provided by the agency): <https://www.tsl.texas.gov/roi>

Archival Records Storage Expansion Project Analysis – GSC Architects (Attached)

15. Agency's current internal audit plan. <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2017internalaudit-plan.pdf>
16. Agency's current strategic plan. <https://www.tsl.texas.gov/sites/default/files/public/tslac/landing/documents/TSLAC-strategic-plan-2017-21.pdf>
17. List of internal audit reports from FY 2013–2017 completed by or in progress at the agency.
  - 2013 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2013internalaudit-report.pdf>
  - 2014 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2014internalaudit-report.pdf>
  - 2015 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2015internalaudit-report.pdf>
  - 2016 – <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2016internalaudit-report.pdf>

2017 (Plan) - <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/fy2017internalaudit-plan.pdf>

18. List of State Auditor reports from FY 2013–2017 that relate to the agency or any of its functions.

[A Report on the Delegation of Authority to State Entities to Contract for External Audit Services \(2/6/17\): https://www.sao.texas.gov/Reports/Main/17-023.pdf](https://www.sao.texas.gov/Reports/Main/17-023.pdf)

[An Audit Report on Financial Processes at the Library and Archives Commission \(7/29/16\): https://www.sao.texas.gov/Reports/Main/16-035.pdf](https://www.sao.texas.gov/Reports/Main/16-035.pdf)

[A Report on the Delegation of Authority to State Entities to Contract for External Audit Services \(12/12/14\): https://www.sao.texas.gov/Reports/Main/15-012.pdf](https://www.sao.texas.gov/Reports/Main/15-012.pdf)

19. Any customer service surveys conducted by or for your agency in FY 2016–2017.

Agency Report on Customer Service (2016) <https://www.tsl.texas.gov/sites/default/files/public/tslac/pubs/docs/TSLACcustomerservice201606.pdf>

\*Note: Individual programs conduct more in-depth customer satisfaction survey, and the information is used internally to improve service delivery.

Agency survey of stakeholders in advance of Sunset Process. Attached.