The background of the entire page is a close-up, slightly wrinkled image of the Texas state flag, showing the blue field with the white star, the white horizontal stripe, and the red vertical stripe.

SUNSET ADVISORY COMMISSION

Texas State Library and
Archives Commission

Staff Report
September 2006



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In 1977, the Texas Legislature created the Sunset Advisory Commission to identify and eliminate waste, duplication, and inefficiency in government agencies. The 12-member Commission is a legislative body that reviews the policies and programs of more than 150 government agencies every 12 years. The Commission questions the need for each agency, looks for potential duplication of other public services or programs, and considers new and innovative changes to improve each agency's operations and activities. The Commission seeks public input through hearings on every agency under Sunset review and recommends actions on each agency to the full Legislature. In most cases, agencies under Sunset review are automatically abolished unless legislation is enacted to continue them.

TEXAS STATE LIBRARY AND
ARCHIVES COMMISSION

SUNSET STAFF REPORT

SEPTEMBER 2006



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SUMMARY

Summary

The origins of the Texas State Library and Archives Commission date back to 1839, when Mirabeau B. Lamar established its predecessor, the National Library of the Republic of Texas. Today, the Commission provides a broad array of services, including promoting statewide library development and resource sharing; providing direct library services to Texans with disabilities; preserving and providing access to historic documents; and managing state and local government records. The Sunset review found that Texas continues to benefit from the agency's effort in each of these areas.

The Commission's strategic, statewide role of sharing resources makes the most of limited state and local funding. Public libraries in Texas provide a growing range of services, despite Texas ranking at the bottom of nationwide comparisons regarding funding per capita for libraries. The Commission also serves an important need by saving historic and government documents, and making them available to the public. Access to these documents – which people increasingly demand via the Internet – helps Texans connect to their state's rich culture and history, and also helps ensure transparency in government activity.

In conducting this review, Sunset staff focused on how well the agency has modernized its functions and remained abreast of rapid technological changes in library and archives services. These changes include providing access to the vast amount of information now available electronically, such as databases and digitized



*The Commission plays
a key role in helping
libraries respond to rapid
technological changes.*

historic documents. The review found that the agency successfully incorporates the most advanced technology its funding allows, and accomplishes its many functions well. However, Sunset staff identified the following concerns.

- ◆ Having the funding formula for regional library systems in statute prevents the Commission from making adjustments needed to respond to changing conditions, and limits the agency's ability to use these funds to encourage innovative services.
- ◆ Certification of county librarians is not needed to protect the public or to ensure quality library services.
- ◆ Statewide efforts to digitize and provide easy access to valuable Texas documents could be hampered without clear statutory authority for the Commission to spearhead these efforts.

The following material provides a summary of the Sunset staff recommendations aimed at addressing these concerns.

Issues and Recommendations

Issue 1

Texas Has a Continuing Need for the Texas State Library and Archives Commission.

Key Recommendation

- ◆ Continue the Texas State Library and Archives Commission for 12 years.

Issue 2

The Structure for Funding Regional Library Systems Fails to Provide Flexibility to Meet Changing Conditions or Encourage Innovation.

Key Recommendations

- ◆ Remove the system funding formula from statute and require the Commission to adopt a new formula in rule that provides flexibility but continues to ensure funding for basic system support services.
- ◆ Require TSLAC to distribute a portion of system funds in competitive grants aimed at increasing innovation and targeting state and federal goals.
- ◆ TSLAC should use its Library Systems Act Advisory Board in the development of a new system formula.

Issue 3

State Certification of County Librarians Is Not Needed to Ensure Public Access to Quality Library Services.

Key Recommendation

- ◆ Eliminate TSLAC's certification of county librarians.

Issue 4

Lack of Statutory Direction Could Threaten the Success of Efforts to Provide Online Access to Texas' Historic Documents.

Key Recommendation

- ◆ Authorize TSLAC to promote, and provide leadership to, collaboration between a wide range of Texas institutions to develop an online tool for searching digitized cultural resources.

Fiscal Implication Summary

None of the recommendations in this report would have a significant fiscal impact to the State.

ISSUES

Texas Has a Continuing Need for the Texas State Library and Archives Commission.

Summary

Key Recommendation

- ◆ Continue the Texas State Library and Archives Commission for 12 years.

Key Findings

- ◆ The Texas State Library and Archives Commission seeks to improve library services across the state, and preserve and provide access to important Texas documents.
- ◆ Texas has a clear and continuing interest in improving library services, as well as preserving and providing access to important historic documents.
- ◆ The Commission has been successful in leading efforts to improve library services, and preserve and provide access to historic documents in Texas.
- ◆ While other state agencies perform functions that deal with libraries, archives, and other cultural resources, consolidation offers no significant benefits over the current structure.
- ◆ While organizational structures vary, all states have a mechanism for improving library services and protecting important documents.

Conclusion

The Texas State Library and Archives Commission's responsibilities – to improve library services, and preserve and provide access to important documents – continue to be important to Texas. The Commission's efforts help meet the information needs of Texans through the support of libraries statewide and better access to historic documents and government records. Additionally, the state must have a library agency to receive federal library funds. The Sunset review considered organizational alternatives to an independent agency, and whether similar functions at other state agencies could be merged with the Commission, but found no clear benefit to such changes. The review concluded that the Commission successfully accomplishes its mission and should be continued for 12 years.

Support

The Texas State Library and Archives Commission seeks to improve library services across the state, and preserve and provide access to important Texas documents.

- ◆ The current State Library dates to 1839, when Mirabeau B. Lamar established the National Library of the Republic of Texas. Later, as a state, the Legislature expanded the Library's role to include serving as a depository of historic written materials. Today, the mission of the Texas State Library and Archives Commission (TSLAC) is to improve the availability and quality of library services across the state, and preserve and provide access to significant Texas documents.
- ◆ To accomplish its mission, the Commission provides grant money and consulting services to public libraries; facilitates resource sharing among all types of libraries; and administers the Talking Book Program for Texans with visual, physical, or learning disabilities. The Commission also coordinates state and local records management; maintains and provides access to the State's archival resources; and manages the Sam Houston Regional Library and Research Center in Liberty.
- ◆ A seven-member, part-time Commission oversees the agency and its 187 staff. TSLAC's appropriation for fiscal year 2005 was about \$28 million, with \$15 million in general revenue and \$10 million in federal funds. Also in fiscal year 2005, the agency received more than \$1.2 million in records storage and microfilming fees from state agencies and local governments, and about \$1.2 million in database fees from libraries across the state.

Texas has a clear and continuing interest in improving library services, as well as preserving and providing access to important historic documents.



- ◆ Texans of all ages access a wealth of information in libraries, from sophisticated research using international databases to summer reading clubs for children. As all levels of government increasingly require citizens to conduct transactions online, computers in public libraries are crucial for those without computers at home. Also, many public libraries host English as a Second Language and literacy classes, providing individuals with skills needed for employment. Knowledge gained through libraries helps make Texans more engaged and productive citizens, illustrating the State's interest in improving library services.
- ◆ By preserving and creating access to important Texas documents, including government documents, TSLAC helps Texans connect to their state's rich culture and history, and also helps ensure transparency in government activity. If historic documents are destroyed, the information and stories they tell are lost. Also, without the preservation of government documents, at both the local and state levels, public information and open records laws would

be of little use. Consequently, collecting and providing access to archival documents continues to be in the State's vital interest.

- ◆ Under federal law, Texas must have a state library agency to receive Library Services and Technology Act (LSTA) funds. The Act directs states to spend the funds on several goals, including developing links among all types of libraries, targeting underserved and low-income communities, and providing access to electronic networks. In fiscal year 2005, TSLAC received about \$10 million in LSTA funds, much of which it then allocated to ten regional library systems across the state.

The Commission has been successful in leading efforts to improve library services, and preserve and provide access to historic documents in Texas.

- ◆ The Commission plays a key role in improving library services across the state. Through the TexShare database consortium, the agency negotiates statewide contracts for popular databases, saving libraries more than \$57 million annually in fees had they contracted individually. With funding from TSLAC, the ten regional library systems helped almost all of the 550 public libraries in the state provide enhanced library services to Texans. Texas has long ranked at the bottom of many nationwide comparisons regarding the level of public library funding per capita, making the Commission's strategic role of improving library services statewide even more significant.¹
- ◆ The Commission is a leader in preserving and providing access to historic Texas documents. TSLAC's Archives and Information program has converted several hundred thousand original, historic documents in its collection to digital format that the public accessed via the Internet almost 4 million times in fiscal year 2005. The documents include valuable resources popular with genealogists such as confederate pension records, and claims for payment submitted by citizens to the Republic of Texas government from 1835 through 1846. Also in fiscal year 2005, the agency stored more than 350,000 cubic feet of state government records, in addition to 1.5 million federal government documents.

While other state agencies perform functions that deal with libraries, archives, and other cultural resources, consolidation offers no significant benefits over the current structure.

- ◆ The Legislature has considered consolidating TSLAC with other state agencies that play a role in supporting and preserving the State's cultural resources, including the Texas Historical Commission, Texas Commission on the Arts, and Texas Parks and Wildlife Department's historic sites and parks division. For example, in 2004, the House Committee on State Cultural and Recreational Resources published an interim report that discussed the potential consolidation of these agencies. While the Committee made no decision regarding organizational structure, it did recommend that the Sunset



TSLAC has digitized several hundred thousand historic documents to make them available on the Internet.

Commission study the potential for consolidation among the agencies prior to the 2007 session.

Sunset staff examined each of the agencies' functions and missions and although the agencies' functions could be housed together in a single cultural resource agency, aside from administrative efficiency, no significant savings would result. Each agency has a distinct focus requiring expert support from a similar number of staff and resources currently existing within each independent agency. Staff review of other states' consolidated cultural resource agencies found that even if combined, each function operated with its own division and staffing.



No significant savings would result from combining Texas' cultural resource agencies.

- ◆ The Commission owns and operates the Sam Houston Regional Library and Research Center in Liberty which, along with four historic buildings, sits on land donated to TSLAC by former Governor Price Daniel in the 1970s. The Library and Research Center houses local government documents and private manuscripts, along with exhibits on Southeast Texas topics. While the historic buildings might align better with the Parks and Wildlife Department's historic sites and parks division, private endowments maintain the buildings, and they comprise such a small part of TSLAC's operations that they do not detract from the agency's mission.
- ◆ More than 20 state agencies, including the Legislative Reference and State Law libraries, maintain collections of library materials. TSLAC also houses an array of library materials, including a library science collection and a copy of most externally distributed state agency documents. However, state agencies' library collections usually focus on the particular agency staff that use them on-site, and consolidation with TSLAC's library collection could dilute the focus of the individual collections, as well as prevent agency staff from easily accessing the resources.
- ◆ Like TSLAC, the General Land Office (GLO) maintains and operates an archival collection. Because the core mission of GLO is the management of state lands and mineral-rights properties, the collection consists largely of land grants and maps. GLO staff use the archives on a daily basis, so while transferring GLO's archives to TSLAC would help consolidate historic Texas documents, it would prevent GLO staff from performing their jobs without providing a clear benefit to the State.

While organizational structures vary, all states have a mechanism for improving library services and protecting important documents.

- ◆ Almost two-thirds of state libraries are part of larger agencies, including 18 housed at state departments of education and six each at departments of cultural resources and departments of state. The table, *State Library Agency Structures*, provides more detailed information. Services provided by the state libraries vary greatly, though most provide reference services,

collect and publish library statistics, and manage state documents depository systems.

- ◆ Since the Commission’s beginning in 1839, the Texas Legislature has gradually added to the agency’s duties, and today no other state library supports the breadth of programs that TSLAC does. Although the state library’s independent structure in Texas is not the most common across the country, TSLAC manages its myriad, complementary programs well and likely could not house so many programs if it were located within another state agency.



No other state library supports the breadth of programs that TSLAC does.

State Library Agency Structures

Structure	Number of States	Examples
Independent, Stand-Alone Agency	16	Texas, California, Ohio
Education Agency or University	18	Arkansas, New York, Virginia
Cultural Resources Agency	6	Louisiana, Michigan, New Mexico
Department of State	6	Florida, Illinois
Administration Agency	3	Rhode Island, Vermont, Wyoming
Community and Economic Development Agency	1	Utah

Recommendation

Change in Statute

1.1 Continue the Texas State Library and Archives Commission for 12 years.

The recommendation would continue TSLAC as an independent agency for 12 years.

Fiscal Implication

If the Legislature continues the Texas State Library and Archives Commission using the existing organizational structure, the agency’s annual appropriation of about \$28 million, including \$15 million from the General Revenue Fund, would continue to be required for its operations.

¹ National Center for Education Statistics, *Public Libraries in the United States: Fiscal Year 2004*, by Adrienne Chute, et al. (Washington, D.C., 2006), p. A-10.

The Structure for Funding Regional Library Systems Fails to Provide Flexibility to Meet Changing Conditions or Encourage Innovation.

Summary

Key Recommendations

- ◆ Remove the system funding formula from statute and require the Commission to adopt a new formula in rule that provides flexibility but continues to ensure funding for basic system support services.
- ◆ Require TSLAC to distribute a portion of system funds in competitive grants aimed at increasing innovation and targeting state and federal goals.
- ◆ TSLAC should use its Library Systems Act Advisory Board in the development of a new system formula.

Key Findings

- ◆ The Texas State Library and Archives Commission administers a network of regional library systems to improve public libraries.
- ◆ Having the system funding formula in state law does not allow TSLAC to make adjustments for changing conditions.
- ◆ The current funding method does not encourage innovation or help advance targeted state or federal goals.
- ◆ Competitive grants allow the State to target limited resources and promote best practices.

Conclusion

The Texas State Library and Archives Commission (TSLAC) provides statewide assistance to public libraries by administering and funding 10 regional library systems. The systems, in turn, provide continuing education, technical assistance, and other programs to help public libraries offer better services to their patrons. The Sunset review found problems with the current funding formula. Because the formula is set in statute, TSLAC cannot make modifications to respond to changing conditions. In addition, Sunset staff found that the current method of funding does not provide TSLAC with the flexibility to encourage or reward innovation. Removing the formula from law and directing the agency to allocate a portion of system funds through competitive grants, open to systems and all libraries, would help maximize limited resources for improving statewide library services.

Support

The Texas State Library and Archives Commission administers a network of regional library systems to improve public libraries.



TSLAC provided \$7.5 million to regional library systems in fiscal year 2005.

- ◆ The Texas State Library and Archives Commission (TSLAC) administers a network of 10 regional library systems to support Texas public libraries. The systems provide services to libraries within their region, primarily continuing education and technical assistance, and also help with purchasing books and other library materials. Some systems also develop programs for underserved populations, such as the elderly or low-income individuals, that they share with their member libraries. The systems do not directly fund public libraries, but provide assistance to libraries to help improve services.
- ◆ TSLAC provided funding of \$7.5 million in grants to the systems in fiscal year 2005. State law requires the agency to allocate 25 percent of the system funds as equal base grants, and 75 percent according to the region's population. Federal funds accounted for about \$5.5 million of the grants, with General Revenue making up the rest. The systems operate from an office within a large public library or local nonprofit organization. The chart, *TSLAC Library System Grants FY 2005*, provides detail on each system's size and funding.

**TSLAC Library System Grants
FY 2005**

Library System	Number of Libraries	Number of Additional Branches	Number of System Staff	2005 System Grant
Texas Panhandle Library System	28	11	3.5	\$290,496
Big Country Library System	38	5	3	\$305,931
West Texas Library System	34	13	2.6	\$373,151
Texas Trans-Pecos Library System	15	14	3.1	\$380,720
South Texas Library System	54	21	6	\$707,709
Alamo Area Library System	46	28	5	\$716,349
Central Texas Library System	77	36	6.83	\$817,739
North Texas Regional Library System	74	21	6.7	\$872,984
Northeast Texas Library System	106	50	9.5	\$1,331,778
Houston Area Library System	68	111	8.5	\$1,703,143
Totals	540	310	54.73	\$7,500,000

- ◆ Out of the 553 public libraries in Texas, only 13 do not belong to a system, some choosing not to join, and others unable to meet TSLAC requirements. Some of these requirements include a minimum number of library materials per capita, provision of services free of charge to residents, and consistent or

increased local funding. Although state law allows many types of libraries to join the systems, such as public school or college libraries, currently only public libraries belong.

- ◆ The Library Systems Act Advisory Board, composed of five librarians appointed by the Commission, advises TSLAC on matters related to the systems, including system governance and structure and the accreditation of local libraries for membership in a library system.

Having the system funding formula in state law does not allow TSLAC to make adjustments for changing conditions.

- ◆ State law requires TSLAC to allocate 25 percent of the system funds as equal base grants, and 75 percent according to the region’s population. This formula has been in place for more than 30 years, and for the last 20 years, overall funding has remained largely the same. However, due to population shifts, some systems have seen a significant drop in funds, as shown in the chart, *Change in Library System Grants FYs 1990 – 2005*.



Due to population shifts, some systems have seen a significant drop in funds.

**Change in Library System Grants
FYs 1990 – 2005**

Library System	1990 Grant	2005 Grant	Percent Change From 1990 to 2005
Texas Panhandle Library System	\$334,372	\$290,496	-13%
Big Country Library System	\$365,552	\$305,931	-16%
West Texas Library System	\$461,393	\$373,151	-19%
Texas Trans-Pecos Library System	\$415,384	\$380,720	-8%
South Texas Library System	\$731,576	\$707,709	-3%
Alamo Area Library System	\$760,349	\$716,349	-6%
Central Texas Library System	\$786,292	\$817,739	+4%
North Texas Regional Library System	\$835,628	\$872,984	+4%
Northeast Texas Library System	\$1,387,177	\$1,331,778	-4%
Houston Area Library System	\$1,794,397	\$1,703,143	-5%
Totals	\$7,872,120	\$7,500,000	



The basic services provided by the systems remain valuable to many of their member libraries.

Sunset staff found that the basic services provided by the systems, continuing education and technical assistance, remain valuable to many of their member libraries, especially the small ones. In a state the size of Texas, TSLAC would have difficulty efficiently replicating these services from the state level. However, decreased funding has left some systems with budgets barely adequate to maintain basic services, while several other systems can afford to provide additional services to their member libraries. For example, the West Texas Library System based in Lubbock has had to significantly

reduce its staff and eliminate special literacy and Spanish language services for area libraries. Having the system funding formula fixed in state law does not allow TSLAC the flexibility to adjust the formula to address these concerns.

The current funding method does not encourage innovation or help advance targeted state or federal goals.

- ◆ TSLAC distributes system funds based on a statutory formula that allocates a portion equally among the systems and the rest based on population. This approach provides the means for distributing available funds across the state, but does not allow flexibility to encourage innovation or allow the agency to tie funding to state or federal priorities.
- ◆ Library services have changed dramatically over the last decade, especially with the availability of information and services via the Internet and other electronic technology. These changes mean that libraries must develop new and innovative approaches to meet the needs of their patrons. However, the current funding mechanism does not allow TSLAC to use its system funds to encourage such innovation.
- ◆ The current funding structure also does not enable TSLAC to advance state or federal goals, such as expansion of system membership to include public school and academic libraries, in addition to public libraries. Recent legislation has authorized TSLAC to increase resource sharing with public school libraries, and the agency has taken steps to include these libraries in the TexShare program at the state level. However, thus far, no system has included a public school library as a member. TSLAC would benefit from having the ability to encourage different types of libraries to cooperate locally.



Dramatic changes in library services mean libraries must develop new and innovative approaches to meet the needs of their patrons.

Competitive grants allow the State to target limited resources and promote best practices.

- ◆ Competitive grants magnify the effectiveness of state funding by improving the quality of programs and encouraging the development of best practices. Applicants must carefully plan their proposals, which increases the chance of success and fosters innovation and entrepreneurial thinking. Additionally, competitive grants require a strong evaluation plan, including measurable goals and report-writing. Reports may be used to develop and distribute best practices, further extending the impact of the funding.
- ◆ Competitive grants are especially useful when resources are limited, because they concentrate funding on a specific problem or issue. Private foundations have long used competitive grants and specialized areas of funding to maximize the impact of their limited resources. In recent years, federal agencies, such as the Department of Education, and state governments, including Texas, have imitated the successful practices of private grantmakers by distributing an increasing amount of funding competitively.

- ◆ The Commission formerly awarded competitive grants to libraries, as state libraries in many other states do, to develop programs targeting specific priorities. The Commission eliminated these grants after the agency's 2004 appropriation was reduced 24 percent. Some of the competitive projects TSLAC funded include literacy training for older adults, library services for child care providers, and bilingual job assistance. These grants acted as seed funding for initiatives that continue to have a significant impact on the participants and their communities.¹

Recommendations

Changes in Statute

2.1 Remove the system funding formula from statute and require the Commission to adopt a new formula in rule that provides flexibility but continues to ensure funding for basic system support services.

The recommendation would take the funding formula for system operation grants out of TSLAC's statute and require the Commission to adopt a new one through its rulemaking process. Removing the formula from statute would provide the Commission with needed flexibility to address changes while ensuring that each system continues to receive funds to provide the basic system services of technical assistance and continuing education.

2.2 Require TSLAC to distribute a portion of system funds in competitive grants aimed at increasing innovation and targeting state and federal goals.

This recommendation would require the Commission to develop a program of competitive grants for regional systems and all Texas libraries. These grants would enable the agency to encourage innovation and target state and federal goals, such as collaboration among different types of libraries and programs for special populations. The Commission should require grant recipients to report best practices and performance outcomes from which other systems and libraries could benefit. In setting up the competitive grant program, the Commission should ensure an appropriate balance between a base amount of funds needed for systems operation, and funds to help encourage and reward innovation.

Management Action

2.3 TSLAC should use its Library Systems Act Advisory Board in the development of a new system formula.

In developing a proposed formula for the Commission, the Advisory Board should consider a variety of factors including, but not limited to, the number of member libraries in a system and regional economic conditions, in addition to the systems' population. The Advisory Board should hold public meetings to receive stakeholder input on the new formula. Also, TSLAC should prominently post on its website agendas and other information to be discussed at Advisory Board meetings at least two weeks before the meetings to allow stakeholders adequate time to study the documents. The Advisory Board should submit its proposed formula to the Commission for consideration and adoption.

Fiscal Implication

These recommendations would not have a fiscal impact to the State. The Commission would allocate existing funds for both the competitive grants and base-level system grants.

¹ EGS Research & Consulting, *Evaluation of LSTA Five-Year Plan for Texas, 1998-2002* (Austin, Texas, 2002), pp. 88-89.

State Certification of County Librarians Is Not Needed to Ensure Public Access to Quality Library Services.

Summary

Key Recommendation

- ◆ Eliminate TSLAC's certification of county librarians.

Key Findings

- ◆ State law requires TSLAC to certify county librarians.
- ◆ State certification of individuals working within a library is not needed to protect the public.
- ◆ No rationale could be found for singling out county-funded libraries for additional state scrutiny.

Conclusion

State law requires the Texas State Library and Archives Commission (TSLAC) to certify county librarians, whom the agency interprets as directors of libraries that receive any amount of county funding. The Sunset review examined the need for certification of individual librarians, and found no clear risk or harm from discontinuing this regulation. In particular, the Sunset review found no reason to single out librarians working in county-funded libraries. The agency has never received a formal complaint about a certified librarian, and already directs concerns about the quality of public library service to the appropriate local entity.

State regulation of a profession should be limited to those posing a threat to the health, safety, or welfare of the public, not for advancement or promotion of a profession, no matter how valuable a service they provide. Since the State already ensures the quality of public library service by regulating library facilities, certifying the individuals working within them is not necessary.

Support

State law requires TSLAC to certify county librarians.



As of June 2006, TSLAC had issued certificates to 896 public librarians.

- ◆ Texas' public libraries employ approximately 6,600 full-time staff, 1,600 of whom hold advanced degrees in library science. Most public librarians work for local government entities such as cities or counties, in libraries that have met TSLAC's accreditation standards for membership in the Texas library system.¹
- ◆ The 1917 County Library Law requires TSLAC to certify county librarians, whom the agency interprets as directors of libraries that receive any amount of county funding. As of June 2006, TSLAC had issued three levels of certificates to 896 public librarians, based on the library's service-area population. The agency issued one-third of the certificates to librarians working in the largest libraries, who must have advanced degrees in library science, and receive a permanent grade I certificate. The agency issued the remaining two-thirds to librarians working in smaller libraries who must meet minimum education and experience requirements, receive continuing education, and renew their grade II or III certificates every two years. The chart, *County Librarian Certification Requirements*, describes TSLAC's certification program in more detail.

County Librarian Certification Requirements

Grade	Number of Active Certificates	Library Service-Area Population	Required Education or Experience	Continuing Education
I	296	> 25,000	Master's degree from a school accredited by the American Library Association	None – certificate is permanent
II	320	25,000 to 10,000	Graduation from an accredited college or university; or completion of 60 credit hours at an accredited college or university and 2,000 hours work experience in a library	20 hours or 3 credit hours every 2 years
III	280	< 10,000	30 credit hours at an accredited college or university; or graduation from high school or a GED and 1,000 hours work experience in a library	20 hours or 3 credit hours every 2 years

State certification of individuals working within a library is not needed to protect the public.

- ◆ The local entities employing individual librarians, not the State, are responsible for the competence of librarians and the quality of local library service. The Commission does not require certified librarians to follow standards of practice that outline their conduct and duties, and does not have a process for resolving complaints about a certified librarian's competence.

Instead, the agency simply advises members of the public to direct concerns about libraries or librarians to the appropriate local government entity or library board.

- ◆ Existing state standards for public library facilities ensure a minimum level of service without the need to regulate individual librarians. Almost all of Texas' public libraries, 540 out of 553, have met TSLAC's standards for library service required for membership in the Texas library system.
- ◆ The Sunset Act requires an evaluation of whether regulation is necessary to protect the public's health, safety, or welfare. Sunset staff found no need for state certification of individual librarians, and no clear risk or harm from discontinuing this regulation. The agency reports it has never received a formal complaint about a certified librarian, and has never taken any disciplinary action against a certified librarian. These factors indicate little or no need for the State to continue regulating these individuals.
- ◆ Another concern is that the agency certifies many more people than the law clearly authorizes. Although only 327 library directors work for county-funded libraries and must receive certificates, TSLAC had issued 896 certificates as of June 2006. The agency regularly issues certificates to librarians working in libraries that do not receive county funds, to library employees who are not directors, and even to librarians who are not employed at all. Issuing certificates beyond what the law requires appears to be for the benefit of the individual, and does not serve any state or public protection purpose. Additionally, TSLAC has never charged a fee for issuing these extraneous certificates, or for the ones required by law, even though the law clearly authorizes them to do so.
- ◆ Nationally, Sunset staff found no clear standard for certification of public librarians in other states. Currently, 26 states do not certify public librarians, while 24 require some level of certification. Three states commonly compared to Texas – California, Florida, and Illinois – do not certify public librarians.²

No rationale could be found for singling out county-funded libraries for additional state scrutiny.

- ◆ The County Library Law, more than 85 years old, unfairly requires only a portion of Texas libraries to meet the librarian certification requirements. Sunset staff could not determine any ongoing rationale for requiring certification based on a library receiving county funding. These libraries do not differ from other public libraries in any way that would necessitate state regulation of their directors. In fact, the majority of public libraries in Texas receive most of their funds from cities, which are not required to hire certified library directors if they accept no county funds.³



The agency reports it has never received a formal complaint about a certified librarian.



Issuing certificates beyond what the law requires appears to be for the benefit of the individual and does not serve any state or public protection purpose.

For example, the two largest public libraries in the state, those in Houston and Dallas, receive no county money and therefore do not have to hire certified directors. However, the director of a small library such as the Ranger Public Library, serving 3,700 people and receiving \$300 from Eastland County, must receive a certificate.

Recommendation

Change in Statute

3.1 Eliminate TSLAC's certification of county librarians.

This recommendation would remove the requirement to certify county librarians from TSLAC's statute, discontinuing the state regulation of individual librarians. This recommendation would not adversely affect the quality of public library service, since the local entities employing these librarians could set standards to ensure their individual competence, leaving the State to focus on the broader oversight and support of library facilities statewide.

Fiscal Implication

This recommendation would not have a fiscal impact to the State. TSLAC does not collect any fees for certification, nor does it charge for the continuing education and training services it provides to librarians. The agency estimates one FTE spends approximately 300 hours on the certification program each year. The recommendation would free the staff person to work on tasks more critical to the agency's mission.

¹ Cities or counties run 435, or about 79 percent, of the public libraries in Texas. Nonprofit organizations run 93 libraries, approximately 17 percent.

² National Center for Education Statistics, *State Library Agencies Fiscal Year 2004, Supplemental State Tables* (Washington, D.C., October 2005), p. 38. Online. Available: http://nces.ed.gov/pubs2006/2006303_s.pdf. Accessed: August 4, 2006.

³ In fiscal year 2005, counties contributed \$66 million, or about 18 percent, of the total \$372 million public libraries received, while cities contributed four times that amount, \$284 million.

Lack of Statutory Direction Could Threaten the Success of Efforts to Provide Online Access to Texas' Historic Documents.

Summary

Key Recommendation

- ◆ Authorize TSLAC to promote, and provide leadership to, collaboration between a wide range of Texas institutions to develop an online tool for searching digitized cultural resources.

Key Findings

- ◆ TSLAC plays a key role in voluntary efforts to digitally preserve and provide online access to important historic documents housed at institutions across the state.
- ◆ Without collaboration, institutions may digitize their collections separately, spending more money and time on less useful products.
- ◆ TSLAC is providing initial leadership for the Initiative, but lacks a clear statutory directive to give ongoing and stable support for this type of collaboration.

Conclusion

Since 2004, the Texas State Library and Archives Commission (TSLAC) has been a key member of the Texas Heritage Digitization Initiative, a project involving more than 80 diverse institutions working to make historic Texas resources available online. The Sunset review evaluated the Initiative and determined that the State has an interest in promoting this type of program. Digitization and the creation of an online search tool not only deliver a resource frequently requested by the public, but also assist efforts to preserve the original documents. The review also found that state-level coordination is essential to ensuring consistent standards, and would provide significant cost savings.

The Sunset review identified TSLAC as the most appropriate agency to coordinate and promote a statewide digitization program. The Commission is already coordinating the Initiative, and is the only statewide entity with existing relationships with archives, libraries, and local governments. Giving the agency a statutory directive to promote and provide leadership to the Initiative, and clarifying its ability to work with museums, would help ensure the Initiative's sustainability. Putting the program in statute would also indicate the State's commitment to the project, which would help secure the federal grants and private funding needed to support it.

Support

TSLAC plays a key role in voluntary efforts to digitally preserve and provide online access to important historic documents housed at institutions across the state.



In 2004, more than 80 Texas institutions began collaborating to provide online access to historic Texas documents.

- ◆ State law directs TSLAC to preserve and provide public access to historic state documents. As home to the State Archives, the Commission houses maps, journals, newspapers, letters, state agency records, and other significant documents that record the history and culture of Texas. The agency catalogs and preserves the documents, and makes them accessible to the public in person and online.

TSLAC also coordinates several initiatives to promote collaboration and sharing of resources across a range of libraries, most notably the group purchasing of electronic databases through the TexShare consortium, made up of nearly 700 diverse libraries. Additionally, the agency has established relationships with state agencies and local government entities through its state and local government records management program.

- ◆ In 2004, more than 80 Texas institutions, including libraries, museums, and government entities, created the Texas Heritage Digitization Initiative (THDI). The goal of the Initiative is both to preserve fragile historic documents and to provide electronic access to them through a collaborative online search tool, which will be operational by August 2007. The search tool will provide a central gateway to member institutions' wide

What Is a Collaborative Online Search Tool?

To make it easier to find historic Texas documents on the Internet, an online search tool will gather information from participating institutions' online digital collections, most of which are not available through traditional search engines like Google. The institutions will be able to continue using their existing software but must follow some basic standards to make their collections accessible to the online search tool.

Examples of Texas Heritage Digitization Initiative Members

- ◆ Public Libraries (Dallas Public Library, New Braunfels Public Library)
- ◆ Museums (Star of the Republic Museum, Ft. Bend Museum Association)
- ◆ Universities (University of North Texas, Texas A&M University, University of Texas)
- ◆ State Agencies (General Land Office, Texas Historical Commission)
- ◆ Local Governments (Spring Branch Independent School District, Guadalupe-Blanco River Authority)
- ◆ Other Groups (Foundations, Genealogical Societies)

range of cultural heritage resources, including photographs, personal papers, maps, and county records. The textbox, *What Is a Collaborative Online Search Tool?*, explains how such a search tool would work. The textbox, *Examples of Texas Heritage Digitization Initiative Members*, provides examples of groups participating in the Initiative.

TSLAC has been a key member since the Initiative's first meeting, and became the administrative host in 2005, after receiving a \$240,000 federal grant and hiring a full-time staff member to coordinate the project. Since that time, THDI members have completed a strategic plan, and have drafted a set of standards for members to use when digitizing resources. Twelve institutions with existing digital collections will provide the online search tool's initial content. The

Initiative's members are currently working to identify the many collections across the state needing digital preservation, prioritize the historical value of the collections, design a training and digitization program, and secure additional funding.

Without collaboration, institutions may digitize their collections separately, spending more money and time on less useful products.

- ◆ Experts coordinating similar projects in other states emphasize the importance of collaboration between diverse institutions when designing a digitization program. The technology and expertise needed to complete a successful project are prohibitively expensive for the many small institutions in Texas, making collaboration necessary for their collections to be included. Additionally, pooling resources and sharing staff time and skills avoids duplication of effort and encourages the use of accepted standards.
- ◆ State-level coordination is necessary to ensure that the public will be able to search all of the available collections through a single search tool. If each institution produced its own online database, researchers would have the same difficulty on the Web that they currently face in locating and searching collections in person. Images scattered on various institutions' websites would not consistently appear through common search engines such as Google. To solve this problem, THDI's collaborative online search tool will ensure that all images are cataloged in a standard way, connecting each collection to a single online location.

TSLAC is providing initial leadership for the Initiative, but lacks a clear statutory directive to give ongoing and stable support for this type of collaboration.

- ◆ A clear statutory directive for TSLAC to coordinate the statewide digitization project would prevent the pitfalls of other collaborations that have failed due to a lack of consistent, statewide leadership from a single host organization. State law already requires TSLAC to "preserve and make available for public use state records and other historical resources that document the history and culture of Texas," but the agency does not have specific authority to coordinate such a broad-based collaborative project.¹ Directors of similar programs in other states note that state library or archives agencies are best suited to provide the statewide vision and leadership needed for successful digitization projects.

Currently, TSLAC does not have clear authority to coordinate projects involving museums, making some members hesitant about TSLAC's host role. Although the Texas Historical Commission, the only state agency providing any services to museums, has welcomed TSLAC's coordination of the project, authorizing TSLAC to coordinate a range of institutions would encourage museums, which hold many significant resources, to join.



State-level coordination is necessary to ensure public access to all available collections through a single search tool.



Authorizing TSLAC to coordinate a range of institutions would encourage museums, which hold many significant resources, to join.

Recommendation

Change in Statute

4.1 Authorize TSLAC to promote, and provide leadership to, collaboration between a wide range of Texas institutions to develop an online tool for searching digitized cultural resources.

This change in law would demonstrate the State's interest in digitally preserving and enhancing public access to important historic resources through the creation of an online search tool. Providing statutory support for TSLAC to coordinate partnerships between diverse groups would help ensure a consistent and cost-effective approach as individual institutions move forward to digitize their collections. As part of this recommendation, the Commission's ability to include museums in the collaboration, which hold many important resources, should be clarified. Finally, providing statutory support would help Texas secure federal grants and private funding to sustain the collaborative digitization project and online search tool.

Fiscal Implication

This recommendation would not have a significant fiscal impact to the State. Currently, THDI is supported by a federal grant, and the Commission and members of the Initiative would be responsible for seeking funds to sustain the project.

¹ Texas Government Code, sec. 441.006(8).

ACROSS-THE-BOARD RECOMMENDATIONS



Texas State Library and Archives Commission

Recommendations	Across-the-Board Provisions
Already in Statute	1. Require public membership on the agency’s policymaking body.
Update	2. Require provisions relating to conflicts of interest.
Already in Statute	3. Require unbiased appointments to the agency’s policymaking body.
Already in Statute	4. Provide that the Governor designate the presiding officer of the policymaking body.
Update	5. Specify grounds for removal of a member of the policymaking body.
Update	6. Require training for members of the policymaking body.
Already in Statute	7. Require separation of policymaking and agency staff functions.
Already in Statute	8. Provide for public testimony at meetings of the policymaking body.
Apply	9. Require information to be maintained on complaints.
Apply	10. Require the agency to use technology to increase public access.
Apply	11. Develop and use appropriate alternative rulemaking and dispute resolution procedures.

Agency Information

Agency Information

Agency at a Glance

The Texas State Library and Archives Commission (TSLAC) works to improve the availability and quality of library services across the state, and preserve and provide access to significant Texas documents. The origin of today's State Library dates to 1839, when Mirabeau B. Lamar established the National Library of the Republic of Texas. Later, as a state, the Legislature expanded the Library's role to include serving as a depository of historical materials. Today, to accomplish its mission, the Commission:

- ◆ provides financial and consulting assistance to libraries and library systems to promote library development and resource sharing;
- ◆ provides direct library services to persons with disabilities; and
- ◆ ensures access to important Texas documents by coordinating state and local records management, and acquiring and preserving archival documents.



Information about Texas libraries, the State Archives, and other resources can be found on the Commission's website, www.tsl.state.tx.us.

Key Facts

- ◆ **Funding.** The agency operated with an annual appropriation of \$28.3 million in fiscal year 2005, funded largely through a mix of general revenue and federal funds. The largest single expenditure, \$7.5 million, funded ten regional library systems across the state that provided continuing education and technical assistance to more than 500 member public libraries and 300 branch libraries.
- ◆ **Staffing.** The Commission employs 187 staff, most of whom work in Austin at the agency's headquarters and at the State Records Center. Six staff work in Liberty at the Sam Houston Regional Library and Research Center.
- ◆ **TexShare.** The Commission coordinates a statewide consortium of more than 700 public, academic, and clinical medicine libraries that participate in the group purchasing of databases and resource sharing services. In fiscal year 2005, TSLAC and TexShare member libraries saved more than \$57 million by purchasing access to 19 popular academic databases as a group.
- ◆ **Talking Book Program.** In fiscal year 2005, the Commission provided books on tape and large print and Braille books to about 21,000 Texans who cannot read standard print materials because of visual, physical, or learning disabilities.
- ◆ **Texas State Archives.** The Commission appraises, prepares for research, and preserves historically valuable Texas documents and makes them available to the public. TSLAC's more than 60,000 cubic feet of archives

include the Texas Declaration of Independence and the Texas Constitution, along with Texas government records, collections of private papers, maps, photographs, books, and newspapers.

Major Events in Agency History

- 1839 The Republic of Texas establishes a national library, the origin of today's Texas State Library.
- 1876 The Legislature adds the State Archives to the State Library's duties.
- 1909 The Legislature creates the Texas Library and Historical Commission to support Texas libraries and preserve important historical resources in the state.
- 1917 The County Library Law requires the Commission to certify librarians who work in county-funded libraries.
- 1931 The U.S. Congress establishes the National Library Service for adults who are blind, and the Commission begins providing Talking Book services in Texas.
- 1963 The Legislature requires the Commission to establish the depository library system for state government publications.
- 1969 The Legislature passes the Library Systems Act to provide a regional cooperative program to improve Texas public libraries.
- 1977 The Sam Houston Regional Library and Research Center in Liberty opens.
- 1979 The Legislature renames the agency the Texas State Library and Archives Commission (TSLAC), but does not change its core functions.
- 1989 The Legislature requires TSLAC to develop records management standards and programs for Texas' approximately 8,800 local government entities.
- 1996 The U.S. Congress passes the Library Services and Technology Act, which directs state libraries to help develop public-private partnerships and provide linkages among all types of libraries, among other goals.
- 1997 The Legislature assigns responsibility for the TexShare program to TSLAC.
- 2001 The Legislature funds TSLAC's Loan Star Libraries program to give grants directly to individual public libraries.
- 2005 The Legislature authorizes TSLAC to negotiate database contracts for public school libraries.



Organization

Policy Body

The Governor, with the consent of the Senate, appoints seven public members to the Texas State Library and Archives Commission who serve for staggered, six-year terms. The Governor designates the chair of the Commission. The chart, *Texas State Library and Archives Commission*, contains information on members of the Commission.

The Commission appoints the agency head, called the Director and Librarian; approves the agency's strategic plan and budget; and adopts rules for administering the agency's legislative mandates. The Commission typically meets six to ten times per year.

The Commission has eight advisory boards, as required by law. The textbox, *Selected TSLAC Advisory Boards*, highlights the functions of four key boards.

Staff

The Commission currently employs 187 staff, mostly at the agency's two facilities in Austin, the Lorenzo de Zavala building and the State Records Center, which also houses the Talking Book Program annex. The agency also operates the Sam Houston Regional Library and Research Center in Liberty with a staff of six people. The *Texas State Library and Archives Commission Organizational Chart* on page 28 depicts the agency's structure.

The Director and Librarian, with the help of the Assistant State Librarian, manages the day-to-day operations of the agency and hiring of staff. State law requires the Director and Librarian to have at least two years of training in library science and two years of administrative experience in the library field.

Appendix A compares the agency's workforce composition to the minority civilian labor force. Over the past three years, the agency has had a mixed record, generally performing well in some categories, while falling short in others.

Texas State Library and Archives Commission

Member	City	Term Expires
Sandra J. Pickett, Chair	Liberty	2009
Sharon T. Carr	El Paso	2011
Diana Rae Hester Cox	Canyon	2007
Martha Doty Freeman	Austin	2009
Cruz G. Hernandez	Burleson	2009
Sandra G. Holland	Pleasanton	2007
Sally Ann Reynolds	Rockport	2011

Selected TSLAC Advisory Boards

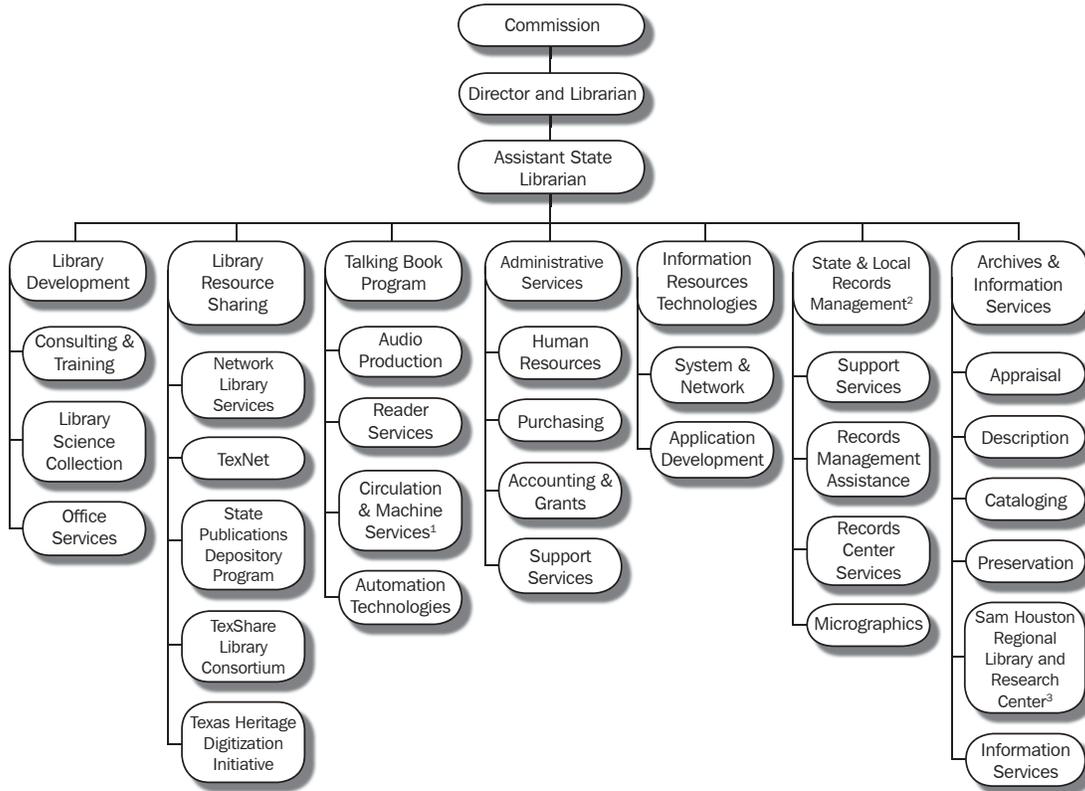
Library Systems Act Advisory Board. The Board advises the Commission on the administration of the Texas library systems program, including the program's design, governance, and issues relating to accreditation of member libraries. The Board also advises on the administration of the Loan Star Libraries program, which provides direct grants to public libraries.

TexShare Advisory Board. The Board provides recommendations to the Commission on the TexShare library consortium, including fee schedules, database procurement, and cooperative projects with libraries, institutions of higher education, nonprofit organizations, and other entities.

Local Government Records Committee. The Committee approves records retention schedules and administrative rules affecting local government records, and advises the Commission on all local government records management issues. The Committee must approve certain local government records rules before the Commission may adopt them.

Texas Historical Records Advisory Board. The Board reviews grant applications funded by the National Historical Publications and Records Commission and promotes preservation of historical records through partnerships with archives, museums, universities, local governments, and other institutions.

Texas State Library and Archives Commission Organizational Chart



- ¹ Facility located at the State Records Center annex in Austin.
- ² Facility located at the State Records Center in Austin.
- ³ Facility located in Liberty.

Funding

Revenues

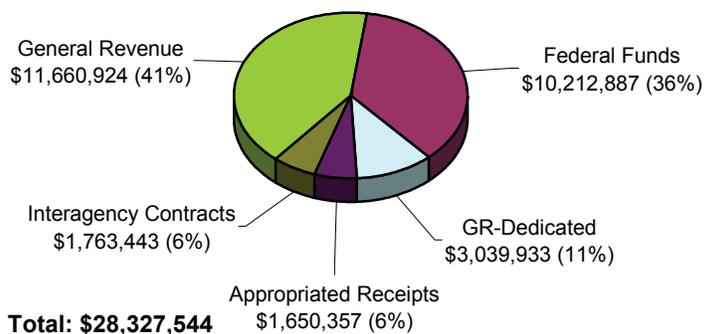
In fiscal year 2005, TSLAC received more than \$28 million in revenue. As shown in the pie chart, *Sources of Revenue*, the largest percentage of the agency's funding came from general revenue, closely followed by federal funds. The

Institute of Museum and Library Services gave TSLAC the majority of its federal funds for library development and resource sharing. The agency also received more than \$3 million in GR-Dedicated

Telecommunications Infrastructure Funds

for the TexShare database program in fiscal year 2005. Interagency contracts and appropriated receipts, mostly for records storage and microfilming services, accounted for a smaller portion of the agency's revenue, as did revenue from the sale of *Texas Reads* license plates, which generated \$5,808.

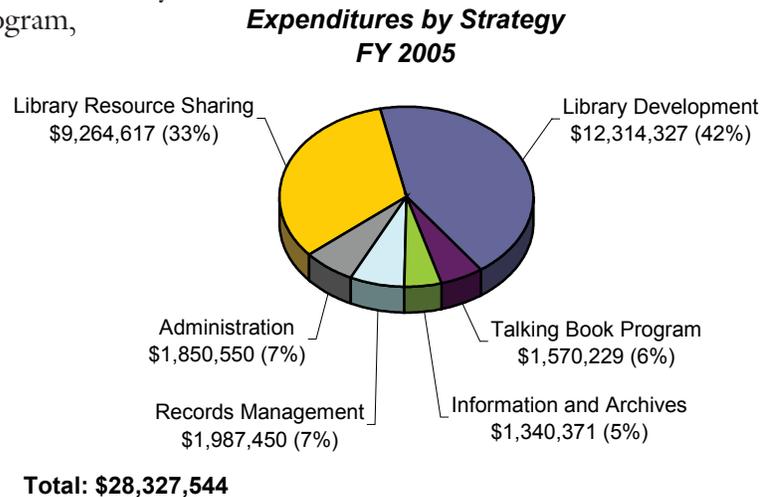
**Sources of Revenue
FY 2005**



Expenditures

The pie chart, *Expenditures by Strategy*, details the agency's \$28.3 million fiscal year 2005 expenditures broken down by agency strategy. The largest expenditure was \$12.3 million for library development, \$7.5 million of which went to the ten regional library systems. The remaining library development funds support direct grants to individual public libraries and other programs. The agency's other expenditures include library resource sharing, the Talking Book Program, information and archives, records management, and administration.

Appendix B describes the Commission's use of Historically Underutilized Businesses (HUBs) in purchasing goods and services for fiscal years 2002 to 2005. Over the last four years, the Commission has met or exceeded goals for commodities, one of its largest areas of purchasing, but has fallen below in other areas.



Agency Operations

The Texas State Library and Archives Commission performs two main functions: improving the availability and quality of library services, and preserving and providing access to important Texas documents.

Improving Library Services

The Commission works to improve library services statewide through three key programs: library development, library resource sharing, and the Talking Book Program, which serves Texans who cannot read standard print because of a disability.

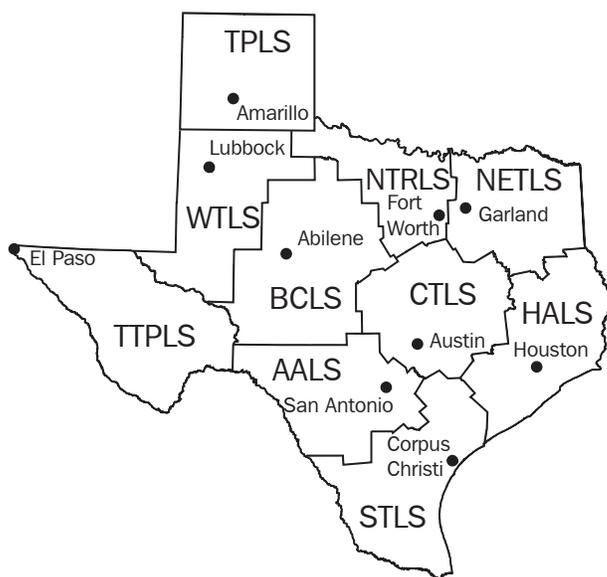
Library Development

Although Texas public libraries receive their primary support at the local level, the Commission promotes a vision and standards for library development statewide by providing grants to a network of 10 regional library systems. The map on page 30, *TSLAC Library Systems*, depicts the library system regions. These systems, in turn, work to improve local public library services by purchasing library materials, providing continuing education and technical assistance, and developing programs for underserved populations. TSLAC provides grant money to each of the 10 regions, which has a large public library or non-profit organization to house the system office and provide services to the other public libraries in its area. State law requires TSLAC to allocate 25 percent of the system funds as base grants and 75 percent according to the size of the region's population. The chart on page 31, *Library System Grants*, shows the \$7.5 million in grants TSLAC distributed to the 10 systems in fiscal year 2005.



*The Commission
promotes library
development
through 10
regional systems.*

TSLAC Library Systems



AALS	Alamo Area Library System	NTRLS	North Texas Regional Library System
BCLS	Big Country Library System	STLS	South Texas Library System
CTLS	Central Texas Library System	TPLS	Texas Panhandle Library System
HALS	Houston Area Library System	TTPLS	Texas Trans-Pecos Library System
NETLS	Northeast Texas Library System	WTLS	West Texas Library System

Although state law allows many types of libraries to join the systems, currently only public libraries belong. Out of the 553 public libraries in Texas, only 13 do not belong to a system, some choosing not to belong and others unable to meet TSLAC requirements. The textbox, *Key Texas Library System Membership Requirements*, summarizes the key standards public libraries must meet to become members of a system, which the agency sets in rule.

In 2001, the agency initiated Loan Star Libraries, a separate grant program that provides aid directly to individual public libraries. Libraries can spend this money on a range of operating expenses, including salaries, books, and furniture. Libraries

eligible for membership in the systems are also eligible for these awards. TSLAC distributes 25 percent of the Loan Star Libraries funds equally among the eligible libraries and the remaining 75 percent as a match to local funding, giving an incentive for local support of libraries. The program provides a higher match amount to libraries that eliminate non-resident user fees, which increases access for the seven percent of Texans who live in an area without public library service. In fiscal year 2005, the agency provided \$2.6 million in Loan Star Libraries grants to approximately 530 local libraries, with grants ranging from a few hundred dollars to more than \$200,000.

Key Texas Library System Membership Requirements

- ◆ The library must be legally established by a city, county, or non-profit organization, and must provide services free of charge to its residents.
- ◆ Local funding for the library must be maintained or increased each year, and at least half of the library's operating expenditures must come from local government sources.
- ◆ The library must meet certain standards based on the size of its service-area population, such as the number of library materials per capita, operating hours per week, number of professional librarians on staff, and hours per week the library director works.
- ◆ Every public library director must receive at least ten hours of continuing education credits each year.

Library System Grants – FY 2005

	Library System	Number of Libraries	Number of Additional Branches	System Grant
AALS	Alamo Area Library System	46	28	\$716,349
BCLS	Big Country Library System	38	5	\$305,931
CTLS	Central Texas Library System	77	36	\$817,739
HALS	Houston Area Library System	68	111	\$1,703,143
NETLS	Northeast Texas Library System	106	50	\$1,331,778
NTRLS	North Texas Regional Library System	74	21	\$872,984
STLS	South Texas Library System	54	21	\$707,709
TPLS	Texas Panhandle Library System	28	11	\$290,496
TTPLS	Texas Trans-Pecos Library System	15	14	\$380,720
WTLS	West Texas Library System	34	13	\$373,151
Totals		540	310	\$7,500,000



The agency provided training to more than 6,500 librarians in fiscal year 2005.

In addition to providing financial assistance to public libraries, the Commission provides training and consulting services to libraries on topics such as grant writing, technology, and services to special populations including children, Spanish-speakers, and senior citizens. In 2005, the agency provided training to more than 6,500 librarians in 500 training sessions. The agency conducted half of these trainings via teleconference or Web-based interfaces, providing access to more remote areas of the state.

State law also requires TSLAC to certify county librarians, whom the agency interprets as directors of libraries that receive any amount of county funding. As of June 2006, the agency had certified 896 librarians using three tiers based on the library's service-area population size. Librarians who work at the larger libraries in the state must have a Master's degree in library science, and TSLAC issues them a permanent certificate. Librarians working in smaller libraries must renew their certificates every two years, receive 20 hours of continuing education every two years, and meet minimum education and experience standards.

Library Resource Sharing

By promoting cooperation among a wide range of libraries, TSLAC helps maximize limited resources. Key to this effort is the TexShare library consortium, made up of 700 public, academic, and clinical medicine libraries. TexShare's member libraries purchase access to electronic databases as a group, share resources through interlibrary loan and courier services, and open their collections to patrons of participating libraries with the TexShare Card. In fiscal year 2005, TSLAC negotiated contracts for 19 popular databases that provided access to over 50,000 online full-text journals and e-books. The agency paid 75 percent of the \$5.6 million cost of the databases, and TexShare member libraries paid the remaining 25 percent. If libraries negotiated these



The TexShare library consortium helps maximize limited resources.

TexShare Databases

Membership in TexShare provides libraries with access to:

- ◆ 30,000 full-text e-books;
- ◆ full-text articles from nearly 20,000 peer-reviewed journals in fields such as social science, literary criticism, economics, and medicine;
- ◆ 120 national and international newspapers;
- ◆ genealogy research resources with U.S. Census information going back to 1790; and
- ◆ library reference resources such as WorldCat, a merged database providing access to the collections of thousands of libraries.

same contracts individually, they would have paid more than \$63.1 million. The textbox, *TexShare Databases*, provides more information on the database program.

Through the agency's interlibrary loan program, Texans can borrow books from public, academic, and school libraries across the state and the country. TSLAC contracts with nine large libraries, and gives subsidies to 79 more, to provide interlibrary loan services to the libraries' patrons. The program gives residents of even the smallest towns in Texas access to the resources of large libraries.

The Commission also coordinates the State Publications Depository Program. By law, Texas state agencies must provide TSLAC with copies of most externally distributed publications, such as annual reports, strategic plans, audits, and newsletters.

The Commission collects, catalogs, and distributes these publications to a network of 49 designated libraries, making state government publications more accessible to people across the state.

Finally, TSLAC coordinates a state-wide project to digitally preserve and provide online access to important historical resources. Because the project will place the resources online, scholars, students, and the public will be able to use the documents without having to travel to individual libraries and museums. The textbox, *Texas Heritage Digitization Initiative*, provides more information on the program.

Texas Heritage Digitization Initiative

In 2005, TSLAC received a grant from the federal Institute of Museum and Library Services to coordinate the Texas Heritage Digitization Initiative. The Initiative aims to both electronically preserve fragile historical documents and provide greater electronic access to them through an online search tool. The Initiative's 80 members, including libraries, museums, and other institutions, are working to create statewide standards for digitization and to identify collections in need of digital preservation.

To make it easier to find the documents on the Internet, the online search tool will gather information from participating institutions' online digital collections, most of which are not available through traditional search engines like Google.

Talking Book Program

To assist Texans who cannot read standard print because of a visual, physical, or learning disability, TSLAC provides free library materials through its Talking Book Program, part of the National Library Service for the Blind and Physically Handicapped. The Commission maintains a federally owned collection of Braille books, audio cassettes, and the special machines needed to listen to the cassettes, valued at more than \$10 million. The National Library Service pays

the \$6 million in annual postal fees needed to circulate over 4,000 items daily. In fiscal year 2005, the program served about 21,000 people and institutions, which the agency estimates is 7.3 percent of the eligible population. The textbox, *Talking Book Program Eligibility*, describes the population served by the program in more detail.

TSLAC supplements the federal collection with its own large print book collection and Texas-based audio books produced in its recording studio in Austin. More than 40 volunteers recorded Texas-specific and Spanish-language magazines and books in fiscal year 2005, and donated about 3,000 hours of their time.

Talking Book Program Eligibility

A patron must be a Texas resident, and meet one of the following criteria:

- ◆ be legally blind;
- ◆ use prescription glasses, yet be unable to read standard print material without additional magnification devices;
- ◆ have physical limitations that prevent holding books or turning pages; or
- ◆ have certain learning disabilities as certified by a medical doctor.

Preserving and Providing Access to Important Texas Documents

TSLAC preserves and provides access to Texas documents by coordinating state and local records management, and maintaining the State's archival resources. The agency also owns and manages the Sam Houston Regional Library and Research Center in Liberty.

State and Local Records Management

Texas law requires state agencies and local governments to establish records management programs to ensure the preservation of important public documents. Depending on the significance of the documents, state agencies and local governments must maintain the records for a certain period of time before they may be destroyed, and the most important records must be maintained indefinitely and transferred to the State Archives. The textbox, *Retention of State and Local Records*, describes some of these requirements.

Retention of State and Local Records

Key records that show how a state agency forms policy, such as minutes, policy manuals, and executive directives, are considered archival and must be kept permanently. Other records, such as correspondence, publications, and organizational charts must be maintained for a designated period of time, but can then be destroyed.

TSLAC develops and approves records retention schedules, provides records storage space and microfilming services on a cost-recovery basis, and organizes more than 100 trainings each year on records management issues. The agency's State Records Center is one of the largest records storage facilities in the country, with nearly 400,000 cubic feet of storage space. In fiscal year 2005, TSLAC's storage facility saved state agencies about \$70 million over the cost of commercial storage space.

Local governments must maintain most important documents, such as deeds and easements, permanently. Other records, ranging from employee benefit records to voter registration applications, must be kept for a set period of time, but can eventually be destroyed.

Texas State Archives and Information Services

The Commission operates the State Archives that houses maps, journals, newspapers, letters, state agency records, and other significant documents that record the history and culture of Texas. The Commission appraises, prepares for research, and preserves these archival Texas documents and makes them accessible to the public in person and online. TSLAC staff regularly

examine state agency records to determine which have archival value and permanently transfer those, a very small percent, to the State Archives. Local governments transfer some records with permanent value to a system of 23 regional historical resource depository libraries around the state.

Texas Legation Records

From 1836 to 1845, the Republic of Texas maintained a legation office in Washington, D.C. When Texas became part of the United States, Senator Sam Houston returned to Texas with the official records of the legation, which include handwritten orders from Stephen F. Austin and a copy of the important Treaty of Velasco. However, instead of returning the records to the Secretary of State's office, Houston took them to his home, where they remained in private hands for 160 years. After lengthy negotiations, TSLAC secured the return of the records to the State Archives in June 2006. TSLAC staff plan to examine and conserve the records before loaning them to Texas Christian University for five years of public display.

In recent years, the Commission has begun seeking the return of documents that were either stolen from the State Archives, or misplaced during the decades before the Archives had a permanent home in the Lorenzo de Zavala building. With the help of the Attorney General's office, TSLAC has successfully recovered some of the more than 800 documents the agency estimates are missing. The textbox, *Texas Legation Records*, describes the recent return of one significant collection of Texas documents.

The State Archives also serves as one of two federal document depositories in Texas, receiving, cataloging, and providing public access to every publication produced by the

federal government. The agency also provides U.S. Census data and other resources helpful for genealogy research, which although relatively small, is the agency's most commonly used collection. In fiscal year 2005, the Commission provided a total of 130,000 reference assists for all of its archives, with 60,000 for genealogy research.

Sam Houston Regional Library and Research Center

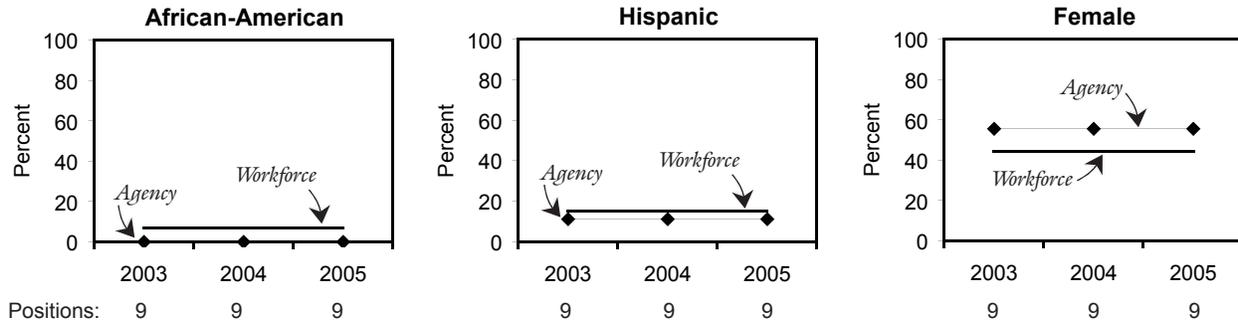
In 1973, former Governor Price Daniel and his wife Jean, a direct descendent of Sam Houston, donated 114 acres of land in Liberty to TSLAC. The property includes the regional historical resource depository library for Southeast Texas, three historic structures built in the late 19th century, and a replica of the Texas Governor's mansion built by the Daniels. A private nonprofit organization raised all of the funds for the construction of the library and the restoration of the historic structures, and continues to support the library's programs. TSLAC owns and operates the facility with six full-time staff who manages the library's exhibits and archives.

APPENDICES

Equal Employment Opportunity Statistics 2003 to 2005

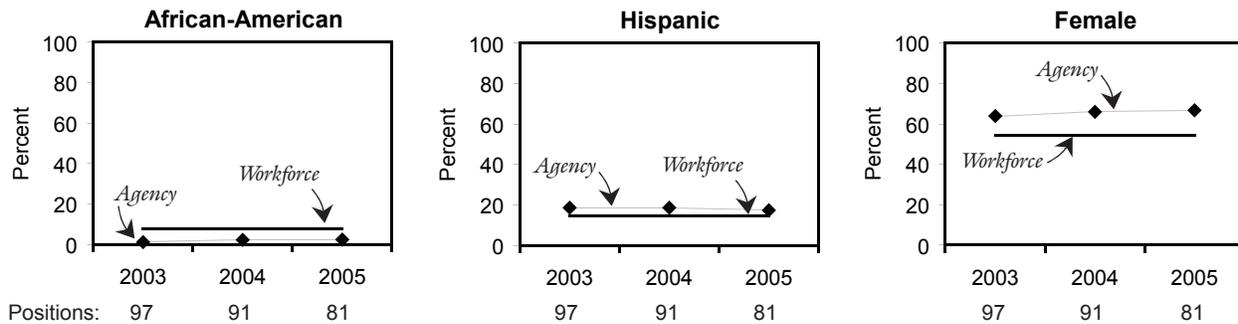
In accordance with the requirements of the Sunset Act, the following material shows trend information for the Texas State Library and Archives Commission's employment of minorities and females in all applicable categories.¹ The agency maintains and reports this information under guidelines established by the Texas Workforce Commission.² In the charts, the flat lines represent the percentages of the statewide civilian workforce for African-Americans, Hispanics, and females in each job category. These percentages provide a yardstick for measuring agencies' performance in employing persons in each of these groups. The diamond lines represent the agency's actual employment percentages in each job category from 2003 to 2005. Overall, the agency has a mixed record, in comparison to the statewide civilian workforce.

Administration



The agency fell short of civilian workforce percentages for African-American and Hispanic employment in administration, but consistently exceeded the percentages for females.

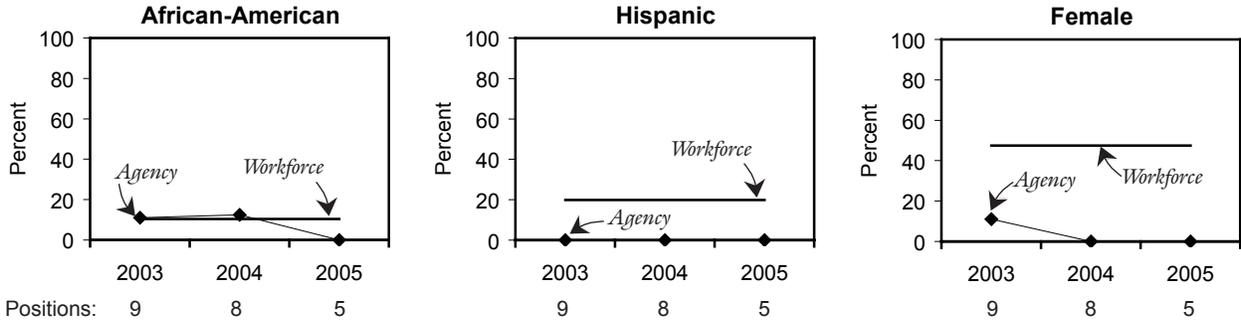
Professional



The agency exceeded statewide civilian workforce percentages for Hispanic and female employment in this category, but fell short for African-Americans.

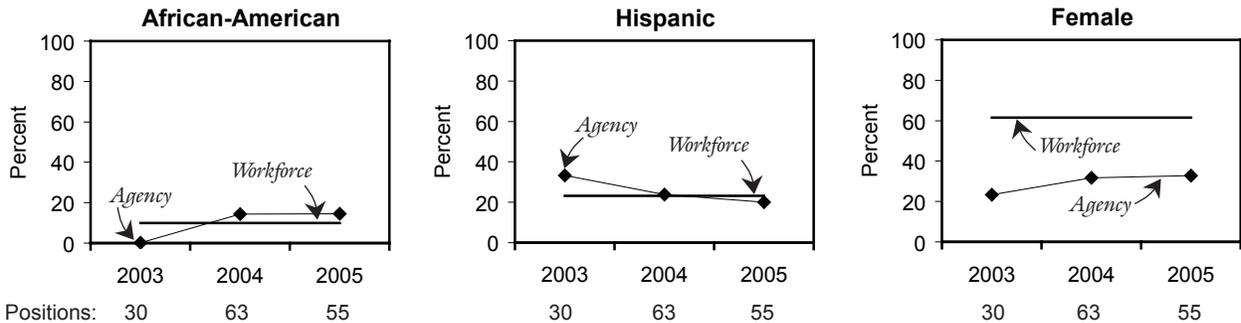
Appendix A

Technical



The agency fell below percentages for Hispanic and females, and had mixed results with African-Americans.

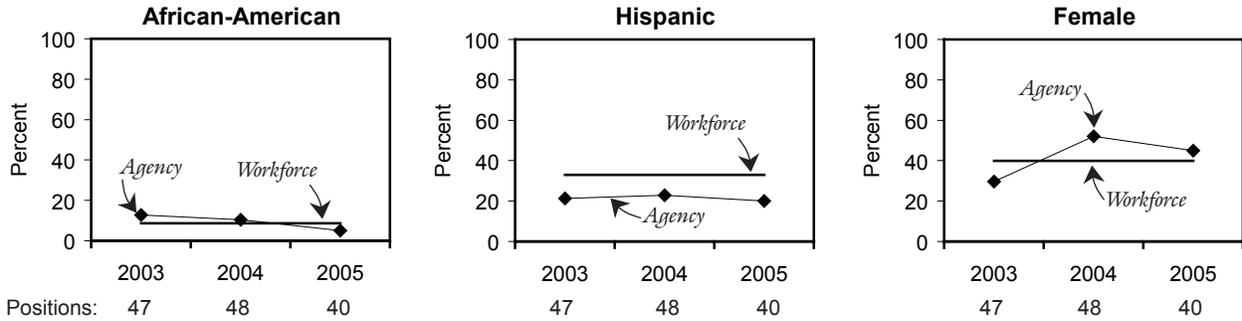
Administrative Support



The agency fell well below statewide percentages for females, and had mixed results with African-Americans and Hispanics.

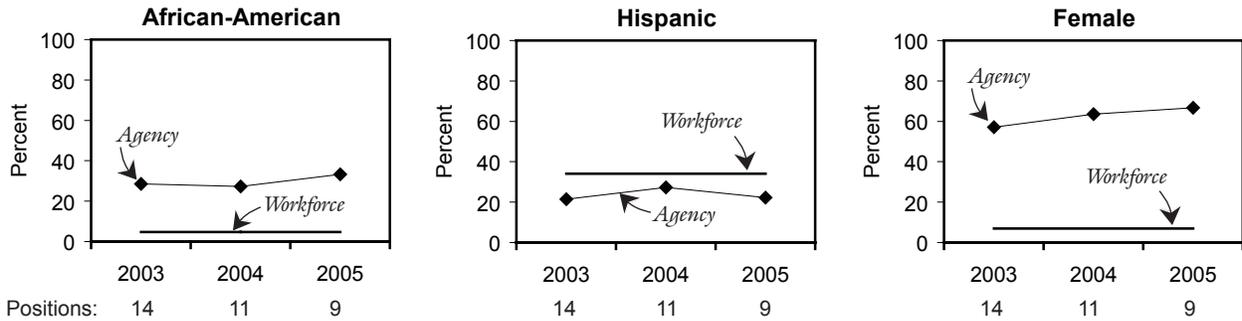
Appendix A

Service/Maintenance



The agency fell below percentages for Hispanics, and had mixed results with African-Americans and females.

Skilled Craft



The agency exceeded statewide percentages for African-Americans and females in this category, but consistently fell below for Hispanics.

¹ Texas Government Code, sec. 325.011(9)(A).

² Texas Labor Code, sec. 21.501.

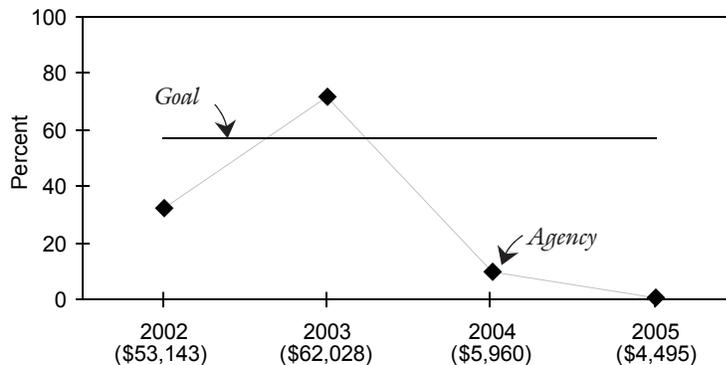
Historically Underutilized Businesses Statistics

2002 to 2005

The Legislature has encouraged state agencies to increase their use of Historically Underutilized Businesses (HUBs) to promote full and equal opportunities for all businesses in state procurement. The Legislature also requires the Sunset Commission to consider agencies' compliance with laws and rules regarding HUB use in its reviews.¹ The review of the Texas State Library and Archives Commission revealed that the agency is generally complying with state requirements concerning HUB purchasing.

The following material shows trend information for the Texas State Library and Archives Commission's use of HUBs in purchasing goods and services. The agency maintains and reports this information under guidelines in the Texas Building and Procurement Commission's statute.² In the charts, the flat lines represent the goal for HUB purchasing in each category, as established by the Texas Building and Procurement Commission. The diamond lines represent the percentage of agency spending with HUBs in each purchasing category from 2002 to 2005. Finally, the number in parentheses under each year shows the total amount the agency spent in each purchasing category. The agency has generally fallen short of state goals in all categories except commodities. However, most of the agency's expenditures in other services, its largest purchasing category, paid for proprietary databases that have no HUB vendors.

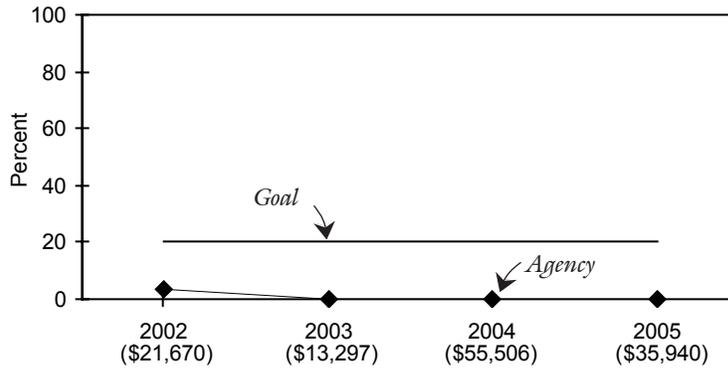
Special Trade



The agency generally failed to meet the goals in this category.

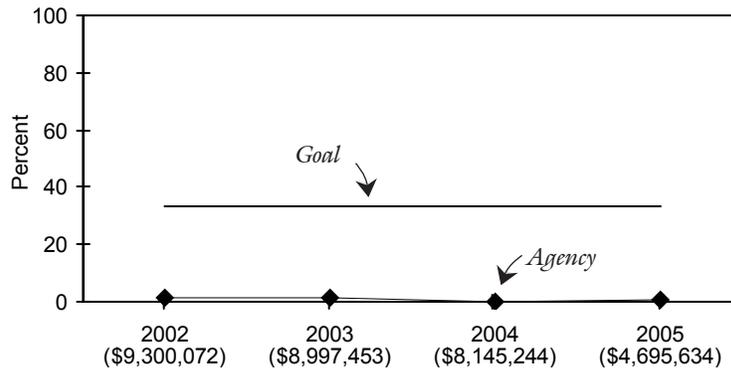
Appendix B

Professional Services



The agency has failed to meet goals in this category for the last four years.

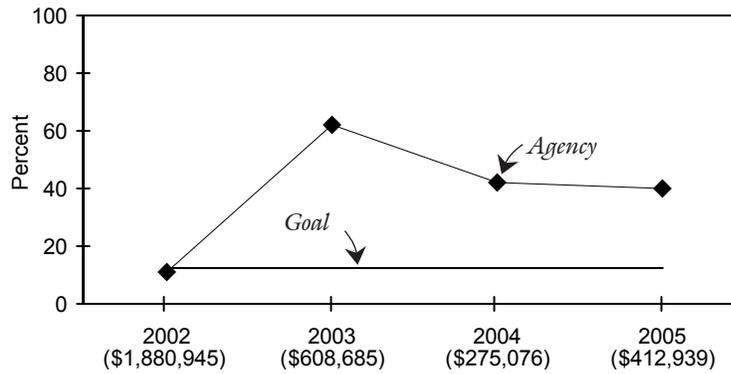
Other Services



The agency has failed to meet goals in this category for the last four years, but most of the agency's expenditures paid for proprietary online databases that have no HUB vendors.

Appendix B

Commodities



The agency has met or exceeded goals in this category for the last four years.

¹ Texas Government Code, sec. 325.011(9)(B).

² Texas Government Code, ch. 2161.

Staff Review Activities

During the review of the Texas State Library and Archives Commission, Sunset staff engaged in the following activities that are standard to all Sunset reviews. Sunset staff worked extensively with agency personnel; attended Commission meetings and interviewed Commission members, including the Chair; met with staff from key legislative offices, the Office of the Attorney General, and the Office of the Governor; conducted interviews and solicited written comments from interest groups and the public; reviewed agency documents and reports, state and federal statutes, legislative reports, and previous legislation; researched the organization and functions of similar agencies in other states; and performed background and comparative research using the Internet.

In addition, Sunset staff also performed the following activities unique to this review.

- ◆ Toured the State Archives and the archives of the General Land Office, the State Records Center, and the circulation facility and recording studio for the Talking Book Program.
- ◆ Visited the Commission's Sam Houston Regional Library and Research Center in Liberty, and public libraries in Buda, Wimberley, and Kyle.
- ◆ Participated in two focus groups with academic, school, and public librarians at the Texas Library Association's conference in Houston, and attended the Texas Library Association's annual assembly in Austin.
- ◆ Interviewed via telephone directors of the regional library systems, numerous local government and state agency records managers, members of the Texas Heritage Digitization Initiative, and directors of regional historical resource depository libraries.
- ◆ Spoke with staff from the federal Institute of Museum and Library Services and the Library of Congress.
- ◆ Observed meetings of the Commission's TexShare Advisory Board, Library Systems Act Advisory Board, Texas Historical Records Advisory Board, and Loan Star Libraries Task Force.
- ◆ Observed meetings of the Friends of Libraries and Archives of Texas, the Texas Heritage Digitization Initiative, the Central Texas Library System, and one of the Commission's records management trainings.
- ◆ Observed legislative committee and budget hearings.
- ◆ Reviewed reports and documents related to other agencies also undergoing Sunset review, the Texas Commission on the Arts, and the Texas Historical Commission.

SUNSET REVIEW OF THE
TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

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