

Detailed Analysis of Proposed Changes to Administrative Rules
August 2014

The Illinois State Library (ISL) is inviting comments on proposed changes to the administrative rules and standards for Illinois library systems. The proposed changes will impact the programs and services RAILS is able to offer members in the future. Many of the proposed changes will also have a direct impact on our individual member libraries as well. For these reasons, RAILS strongly encourages staff members from all types of libraries (academic, public, school, and special) to comment on the proposed changes at www.illibrarysystemstandards.wordpress.com. The deadline for comments is August 18, 2014.

To help our members better frame their comments, the changes we believe will have the most significant impact on RAILS services and/or our member libraries appear below, along with our comments on those changes. Items are presented in the order they appear in the proposed changes document.

SUBPART B: MULTITYPE LIBRARY SYSTEM

Section 3030.200 – Membership in a Multitype Library System

Proposed rule a., 2C: *The library must comply with the ILLINET Interlibrary Loan Code...*

RAILS comment: The interlibrary loan code was revised in 2014, and is attached to the proposed rules document as Exhibit A. RAILS members should review the revised code to make sure they understand all of its provisions.

Proposed rule a., 2M: *The library shall strongly consider participation in a Local Library System Automation Program in order to readily expand access to resources for the library's patrons...*

RAILS comments: RAILS believes there is too strong an emphasis in the proposed rules on system member libraries joining an LLSAP, or Local Library System Automation Program.

RAILS encourages all our members to join one of the four RAILS system-supported, shared online catalogs or LLSAPs (MAGIC, PrairieCat, RSA, and SWAN). The LLSAPs have proven to be a very effective way for libraries to join together to share resources and automation costs. However, resource sharing within RAILS is not a “one size fits all” approach, and the LLSAP model does not work for all libraries. The majority of RAILS members do not currently belong to an LLSAP, including libraries that belong to independent consortia and libraries with standalone integrated library systems. These libraries are as committed to resource sharing as LLSAP member libraries.

RAILS also questions why this proposed rule is included in the system membership section. LLSAP membership is one of the services ISL has designated as a “core” service that systems must offer to members. It should not be a requirement for system membership. While the language in the proposed rule does not require libraries to join an LLSAP, it is unclear what will happen to libraries that do not “strongly consider” this option. Many RAILS members have made a huge investment in their automation system of choice and have signed long-term vendor contracts. They have found effective ways to share resources throughout Illinois (and beyond), and have no plans to “strongly consider” LLSAP membership. These libraries should not be penalized in any way or considered as separate or “less-than.”

In addition, RAILS plans to develop a discovery layer/overlay product that will allow a single point of access to all four RAILS LLSAP catalogs, as well as the online catalogs of other RAILS consortia and standalone libraries. This product will help facilitate an even stronger level of resource sharing among RAILS members. Libraries that participate in this project should be considered equal players on the resource sharing field as well.

Proposed rule a., 2N: *The library shall develop plans within seven years from the effective date of this Part to provide and maintain access to its new acquisitions via a Local Library System Automation Program or a national bibliographic database.*

RAILS comments: In addition to the concerns about the overemphasis on LLSAP membership described above, RAILS questions the definition of “national bibliographic database.” While we strongly believe in the need for libraries to develop a way to share their holdings online and beyond their own institutions, there are other ways to achieve this goal. Participation in the discovery layer/overlay product RAILS is working on (see above) is one example.

Section 3030.215 – Standards for Core Services to Members

Administration Standards

RAILS comments: There is a much stronger planning component in the current system standards, with more opportunity for member feedback. For example, there is no mention of systems developing a long-range plan in the proposed changes. RAILS believes that this type of planning is critical to the success of any organization. In other states, libraries and library systems are required to have written, multi-year plans to be eligible for state grants and system services and we would like to see this added to the proposed rules changes. We also believe that systems should be required to involve their members in planning activities – another provision in the current rules that has been removed from the proposed changes.

Bibliographic Access Standards

Proposed rule c., 1: *Encourage full member libraries to participate in a Local Library System Automation Program...*

RAILS comments: RAILS would like to see this rule expanded to include independent consortia and other projects that facilitate resource sharing between system members, for example, the proposed RAILS discovery layer/overlay product that will allow a single point of access to the four RAILS LLSAPs, the online catalogs of other RAILS consortia, and standalone libraries. RAILS top priority is that our member libraries participate in resource sharing as widely and completely as possible. We do not believe there is only one way to accomplish this goal.

(See above for additional concerns about focusing too heavily on LLSAP membership.)

Proposed rule c., 2: *Explore the potential of emerging integrated library system software and other resource discovery tools that facilitate resource sharing and participate in the creation of a regional and/or statewide Local Library System Automation Program.*

RAILS comments: The discovery layer/overlay product described above would be an example of a resource discovery tool that would greatly facilitate resource sharing. The successful creation of this tool would make the need for a regional or statewide LLSAP obsolete.

Other Core Member Services

Proposed rule f., 1: *Additional core member services may be designated by the State Librarian.*

RAILS comments: The system core services specified in the revised rules are administration; resource sharing; bibliographic access; delivery; and interlibrary loan and reciprocal access. RAILS strongly believes that this list of core services is too limiting. RAILS strongly recommends adding the following to the core services section:

- Consulting/Continuing Education (CE)
- Cooperative purchasing programs
- Encouragement for innovation

In visiting libraries throughout our 27,000 square mile area, RAILS has heard how important CE and consulting are to member library staff. This was also verified in the member-wide survey conducted during RAILS' strategic planning process. Members were asked to choose system services (beyond the core services) that were most important to them. CE ranked higher than any other service, with consulting following close behind.

Providing consulting/CE on topics such as trustee training, keeps library issues from escalating into much larger problems. In addition to providing consulting on topics of importance to our member libraries, RAILS also provides consulting on topics the Illinois State Library has asked us to cover, such as the Edge Initiative.

Another service of great importance to RAILS member libraries of all types is the establishment of cooperative purchasing programs and discounts for electronic and other resources. These programs allow member library dollars to stretch as far as possible and a library system is in the perfect position to garner the purchasing power of its members to negotiate for good deals with service providers and product vendors.

RAILS shares the Illinois State Library's concern about the uncertain future of system funding. To alleviate this concern, RAILS recommends the addition of consulting/continuing education and cooperative purchasing programs as additional core services, with language indicating that only systems with a 12 month or more reserve in their General Fund shall be able to provide these services.

Unless consulting/CE and cooperative purchasing are specifically mentioned in the system rules and have the "weight of the law" behind them, RAILS is concerned that they could be taken away at any time. The Illinois State Library has advised us many times in the past that unless a service is specifically stated in the system rules, we are not able to provide it. A specific mention of consulting/CE and cooperative purchasing will ensure that members continue to receive these two priority services. Adding language indicating that these services can only be provided if at least a 12 month reserve is available will alleviate any budgetary concerns.

In addition to the lack of specific standards for continuing education/consulting and cooperative purchasing programs, there is no encouragement provided anywhere in the revised rules for systems to offer innovative services that will help meet member libraries' changing needs in the future and help ensure our libraries' relevance and survival. A library system is most in touch with member needs and is in the best position to suggest new services to meet those needs.

Section 3030.220 – Reciprocal Borrowing

Proposed rule a.: *Public libraries are required to participate in statewide reciprocal borrowing under the terms of this Section. Any limitations the library imposes on reciprocal borrowing, as allowed by this Section, shall be disclosed on the library's website and kept up-to-date.*

RAILS comments: RAILS wants to ensure that our members are aware of this new requirement (public libraries were previously required to participate in system-wide, not statewide reciprocal borrowing). In addition, many RAILS public libraries do not currently publish reciprocal borrowing limitations on their library's website. This will be a requirement for system membership if the proposed rules become law.

Proposed rule b.: *Public libraries shall provide statewide reciprocal borrowing without charge to any person in good standing who has a valid library card from a full member public library. Public libraries cannot sell library cards to patrons of other public libraries.*

RAILS comments: RAILS wants to ensure that our members are aware of this new statewide requirement for system membership.

Proposed rule c.: *Public libraries shall circulate materials in any format for reciprocal borrowers under the same conditions they circulate materials to their own patrons including the same fee schedule, if any, for special materials. However, a library that experiences a sizable imbalance as a net lender in reciprocal borrowing may restrict the quantity of loans, but not terminate or set to zero. Such restrictions shall only be imposed as absolutely necessary, and within the parameters of the library system's approved resource sharing plan or unless contractual licensing restrictions to access certain materials may apply. Any approved restrictions must apply equally to all reciprocal borrowers.*

RAILS comments: The language in this rule differs from the language in the RAILS Resource Sharing Policy (<https://www.railslibraries.info/sites/default/files/resourcesharingpolicy.pdf>), which was approved by ISL and became effective on June 1, 2013. The RAILS policy reads: "Each RAILS public library member is encouraged to share as widely as possible. Given that there may be situations where libraries need to impose reasonable restrictions in order to meet the demands of local taxpayers and residents, the lending library may restrict reciprocal borrowing but not set to zero. Restrictions shall only be imposed as absolutely necessary and all restrictions must apply equally to all reciprocal borrowers..."

There was a concern on the part of many RAILS members at the time the RAILS policy was developed that the public library's primary mission is to its taxpayers and that a library should be able to place reasonable limits on the number of materials available to reciprocal borrowers. The RAILS policy was developed in response to that concern.

Proposed rule d.: *Libraries issuing a valid library card are responsible for materials lost or damaged by their patrons when using reciprocal borrowing.*

RAILS comments: The language in this rule does not match the RAILS Resource Sharing Policy which was approved by the Illinois State Library and became effective in June 2013. RAILS added the following provision to our resource sharing policy: “However, if the lending library chooses to work with the card issuing library on alternative means to resolve the loss, the home/card issuing library of the patron responsible for the loss may work with the lending library to resolve the issue in a matter consistent with the lending library’s policy.”

The RAILS policy was developed in direct response to member concerns about the card issuing library having no control over what materials its patrons borrowed from other libraries through reciprocal borrowing. In addition, many RAILS libraries do not charge other RAILS libraries at all, preferring to consider any losses “a wash.”