

Pennsylvania Department of Education  
Office of Commonwealth Libraries  
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### **Guidelines for Negotiating Agreements for District Library Center Services**

In partnership with the Office of Commonwealth Libraries, Pennsylvania’s District Library Centers (DLCs) identify and support the resource and service needs of residents and libraries in designated areas across the state. They do this by negotiating priorities with local libraries and collaborating with those libraries to provide cost-effective ways to deliver modern library service, in accordance with the provisions of the Public Library Code.

#### **A) NEGOTIATION TEAM**

1. The following parties will negotiate the agreement:
  - a. The Office of Commonwealth Libraries (OCL) district liaison and/or other staff designated by the Deputy Secretary of Education, Commissioner for Commonwealth Libraries.
  - b. The DLC administrator, the consultant librarian and other staff designated by the DLC administrator.
  - c. Representatives of the member libraries. This may be:
    - i. The directors of each member library and the county library system administrator(s); or
    - ii. The District Advisory Council; or
    - iii. In larger districts, a representative body may be selected to conduct negotiations. This body may be called the District Executive Committee (DEC), to distinguish them from advisory groups such as the District Advisory Council (DAC). (22 Pa.Code§141.22(b)(3)) The DEC negotiates with the DLC representatives to create an agreement that will be approved by OCL and to which the DLC and local libraries will be bound.

#### **B) RESPONSIBILITY OF DISTRICT LIBRARY CENTER**

1. The DLC must provide the negotiators with all pertinent information regarding the costs of district services, quantitative measures of the amount of service delivered during the previous year and a proposed district budget at least two weeks in advance of the initial negotiation session.

2. Each DLC sets the salaries and benefits for personnel employed by the DLC who provide district services. The pay schedule and individual staff responsibilities of district library center personnel are not to be included in district negotiations.
3. The DLC must provide service in accordance with the terms of the agreement to all member libraries in the district, regardless of whether they ratified the agreement, so long as they comply with member library responsibilities.
4. The DLC must maintain state aid eligibility and must meet standards for public library and District service as required by the Public Library Code and the Pennsylvania Code.

### **C) RESPONSIBILITY OF MEMBER LIBRARIES**

1. A member library is a public library that meets all standards, receives state aid and is located within the geographic service area of the district.
2. Member libraries must maintain state aid eligibility and shall meet standards for public library service as required by the Public Library Code and the Pennsylvania Code.
3. Member libraries are responsible for filing all annual reports and documents required by OCL or by the DLC in a timely fashion.
4. Member libraries must agree to comply with interlibrary loan, delivery and other procedures, as appropriate within a district, and as included in the negotiated agreement.
5. Member libraries must actively support and participate in the district program.
6. In the event a member library fails to comply with the responsibilities listed above, the DLC, working in consultation with the OCL liaison, has the right to limit or suspend district services.

### **D) CONTENT OF THE AGREEMENT**

1. The agreement is to be based on the template as provided by OCL. Other agreed-to provisions may be added to address local needs.
2. The level of district services provided to different libraries or geographic areas of the district is left to individual districts to negotiate, working with the advice and counsel of their OCL liaisons.
3. The agreement must provide for some level of service to non-state-aided public libraries. The Public Library Code does not specify this service must be on a par with the service provided to state-aided libraries.

4. Each DLC may designate up to five percent of district funds to support administrative costs. If so designated, administrative costs must be itemized in the budget. Examples of administrative costs are supplies used to support the district program, a portion of utilities and portions of the salaries of administrative staff, such as the director and secretary.

**E) PROCESS**

1. A draft agreement will be developed by the DLC.
2. All three parties will take an active part in negotiations. The initial meeting shall include a review and evaluation of the DLC's Five Year Plan.
3. Negotiators and their roles
  - a. DLC administrator and consultant librarian  
Role: To ensure the agreement is feasible within the amount of district aid projected; to ensure the needs of the DLC as a resource are addressed; to work for an agreement that meets local and state priorities for the improvement of public library service.
  - b. Library system administrators, directors or representatives of local member libraries  
Role: To articulate the needs of member libraries; to prioritize those needs within the context of available funds; to recognize and agree to member library responsibilities in accomplishing the goals of the district program.
  - c. Office of Commonwealth Libraries liaison  
Role: To represent the interests and policies of the OCL; to bring a broader perspective and a knowledge of what may or may not have worked in other districts; to act as a mediator, if necessary; to work for a document that can be approved by the Deputy Secretary.
4. Full membership in the district is limited to state-aided public libraries. Only full members are permitted to negotiate and/or vote upon the agreement.
5. Ratification
  - a. The agreement is first approved by the District Administrator, which may include board review.
  - b. The agreement is then voted on by those named in E(3)(b) above. A simple majority is required to move the agreement process to the next step.
  - c. The agreement is then sent to state aided libraries in the District for signatures, which may include board review. While consensus is the goal, ratification is achieved when a simple majority of eligible libraries have signed the agreement. NOTE: In some districts, steps (b) and (c) may be

combined.

- d. Ratified agreements are not final until approved by the Deputy Secretary. The DLC must send the agreement to the OCL for review and approval as part of the process of applying for district aid.
  - e. When the DLC receives a letter of approval, the agreement is final.
6. Modifications to the agreement may take place in the event of changes in state aid, unanticipated budget balances, or emergency needs. The process for addressing modifications may be addressed in the agreement. Any modifications shall be reviewed and approved by the DEC and OCL.
  7. In the event of an impasse in the ratification process:
    - a. The OCL liaison will act as mediator and engage all parties to attempt to resolve the impasse.
    - b. If the OCL liaison cannot resolve the impasse, the Library Development Director and then the Deputy Secretary may intervene to work with the parties to find a solution. Decisions by the Deputy Secretary will be final.
    - c. Either party may appeal the decision to the Governor’s Advisory Council on Library Development (GAC). The GAC shall review the situation, including a review of the status of the DLC itself.
    - d. If no District Aid is paid due to lack of an approved agreement, the DLC will have the option of withholding all or part of District services until an agreement is reached.

## **F) FAILURE TO PERFORM**

1. In the event a member library or libraries feel the DLC is failing to perform in accordance with the terms of the agreement, the following procedure may be used to register and, if necessary, appeal a complaint:
  - a. A representative of the member library or libraries first discusses the complaint with the district consultant and/or the DLC administrator.
  - b. If the DLC is unable or unwilling to resolve the issue to the satisfaction of the member library, the library shall submit a formal complaint, in writing, to the OCL liaison. The liaison meets with the complainant, the DLC administrator and, if appropriate, the group that negotiated the agreement to try and reach consensus.
  - c. If the OCL liaison cannot resolve the dispute, the Library Development Director and then the Deputy Secretary may intervene to work with the parties to find a solution. Decisions by the Deputy Secretary will be final.

- d. If a DLC fails to perform in areas mandated by standards or to meet other conditions of state aid eligibility, those complaints may be appealed to the GAC by either the district library center or the complainant.
2. Among the consequences of DLC nonperformance may be the OCL withholding district aid, the DLC being required to return district aid previously received, and the possible loss of DLC designation.