

**South Central Kansas Library System
Membership Eligibility Standards (May 2013)
Applicable State Statutes and Regulations**

Type of Library	KSA 75- 2549b	KAR 54-1-19	KAR 54-1-18	KAR 54-1-3	KAR 54-1-8	KAR 54-1-17, 21, 22	KAR 91-31-32 (c) (9)(e)	SCKLS Membership Eligibility Policy	SCKLS Policy Temporary Discontinua- tion Services
Public	X	N/A	N/A	X	X	X	N/A	X	X
School District	X	X	N/A	X	X	N/A	X	X	X
Academic	X	X	N/A	X	X	N/A	N/A	X	X
Special*	X	N/A	N/A	X	X	N/A	N/A	X*	X
Outlet	N/A	N/A	N/A	X	N/A	N/A	N/A	X	X
Other	X	N/A	X	X	N/A	N/A	N/A	X	X

* Combined School/Public Libraries must be established in accordance with KSA 12-2904 Interlocal Agreement

Kansas Statutes Annotated 75-2549. Same; certain regional systems of cooperating libraries validated. The following regional systems of cooperating libraries are hereby validated and established with names and territory, except territory excluded pursuant to law as specified by the state board, as follows: South Central Kansas Library System, comprised of the counties of Kiowa [non-participating] Stafford, Pratt [non-participating], Barber, Rice, McPherson, Reno, Harvey, Kingman, Harper, Sedgwick, Sumner, Butler, and Cowley.

Kansas Administrative Regulations 54-1-19. School, community, junior college and college or university library. The governing body of any school district, community junior college district or any college or university desiring to participate in a regional system of cooperating libraries may file a petition to participate in a regional system of cooperating libraries in the manner set forth in the rule and regulation 54-1-3. The library of such institution shall meet standards of the north central association of colleges and secondary schools. The board of the regional system of cooperating libraries shall, if it approves such petition, file a petition and amendment to its plan as approved by the state library advisory commission, thereby requesting the state library advisory commission to approve said petition and plan permitting participation in the regional system of cooperating libraries. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969).

Kansas Administrative Regulations 54-1-18. Club or private libraries. Any club or private library desiring to participate in a regional system of cooperating libraries shall participate in like manner as required for a public library established and operating under Kansas law; however, such club or private library shall participate only under provisions of K.S.A. 12-2904 as amended by chapter 221 of the 1968 Laws of Kansas, and such contracts as are required shall be subject to the approval of the attorney general and the state librarian. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

Kansas Administrative Regulation 54-1-3. Admission to regional system of cooperating libraries. Any library desiring to participate in a regional system of cooperating libraries which has theretofore been established by the state library advisory commission shall file a petition [Resolution and Petition for Admission to A Regional System of Cooperating Libraries] to participate in said regional system of cooperating libraries with the regional system of cooperating libraries' board of trustees, and said board shall, if it approves the petition to participate, petition the state library advisory commission to include said library as a participating library in such regional system of cooperating libraries. If such petition is approved by the state library advisory commission, the petitioning library shall become an official participant in the regional system of cooperating libraries and shall have regional system of cooperating libraries board of trustees representation. Such library shall be entitled to services of the regional system of cooperating libraries one year from the 1st day of January following the approval of said petition by the state library advisory commission, unless financial contribution or other agreement by such library is agreed upon between the board of trustees of the regional system of cooperating libraries and the petitioning library and approved by the state library advisory commission to

Kansas Administrative Regulations 54-1-8. Provision for free service. Libraries participating in a regional system of cooperating libraries shall permit any citizen of the territory comprising the system to borrow materials or receive services without charge, subject to reasonable library rules.

Kansas Administrative Regulation 54-1-17. Exclusion from regional system of cooperating libraries. Whenever (1) a public library is established according to law after the date of establishment of a regional system of cooperating libraries in which such public library is included as a part of the taxing district of the regional system of cooperating libraries and (2) if the governing body of such public library has regularly levied one-fourth mill or more of tax for support of said public library for a period of not less than two years, then, such governing body may petition the state library advisory commission for exclusion from the regional system of cooperating libraries taxing district. Such petition for exclusion shall be presented to the state library advisory commission not later than November 15 of each year. Such petition shall include but shall not be limited to the following: (a) The official name of the public library; (b) The official name of the governing body and the name of the county in which such public library is located; (c) The number of persons served by the public library within the taxing district supporting such public library; (d) Official evidence of support by tax levy for a period of not less than two years; (e) Evidence of adequacy of service by such public library; (f) Evidence of the legality of establishment of such public library; (g) Any other information as may be required by the state library advisory commission. The state library advisory commission shall within thirty (30) days after the receipt of a petition for exclusion set a date for a hearing to consider said petition. If the petition meets the requirements for making such petition and if exclusion will do no manifest harm to the regional system of cooperating libraries, the state commission may enter its order excluding such taxing district from the regional system. Such order shall be filed with the state librarian and the governing body of the regional system of cooperating libraries. (Authorized by K.S.A. 1968 Supp. 75-2552; effective Jan. 1, 1969.)

Kansas Administrative Regulation 54-1-21. Exclusion from regional system of cooperating libraries. When a public library taxing district, regularly levies one-fourth mill or more of tax for a period of not less than two consecutive years for the support of a public library, and which taxing district has been included in a regional system, the governing body of the taxing district may petition for exclusion from the taxing district of the regional system of cooperating libraries in the manner prescribed under K.A.R. 54-1-17. (Authorized by K.S.A. 75-2552; implementing K.S.A. 75-2550; effective Jan. 1, 1970; amended May 1, 1982.)

Kansas Administrative Regulation 54-1-22. Inclusion in regional system of cooperating libraries. When the governing body of a taxing district which has been excluded from the taxing district of a regional system of cooperating libraries fails to levy one-fourth or more mills of tax for public library support for a period of two consecutive years, the state library advisory commission shall enter its order to include such taxing district as a part of the regional system of cooperating libraries taxing district. (Authorized by K.S.A. 1969 Supp. 75-2552; effective Jan. 1, 1970.)

Kansas Administrative Regulations 91-31-32(c) (9) (e) Library Services, Quality Performance Assessment Manual p.28 (2013) The services of a library must be made available to all the students in all grades elementary through high school. The goal is to provide school library services, directed by a licensed library media specialist, to meet the instructional and informational needs of students and teachers.

- Under some circumstances, where library services are not available, the use of the public library may be considered as a substitute.
- A library media specialist may serve more than one building and be supported by a person who does not hold a library media specialist license.
- A person who does not hold a library media specialist license cannot provide instruction to students, but can provide logistical services, such as checking out books, shelving books, providing clerical assistance at a book fair, and non-technical assistance such as opening and/or closing computers. The library services must be made available to all students in all grades elementary through high school.

Temporary Discontinuation of Service Policy. SCKLS reserves the right to temporarily discontinue service or services to any member library subject to the following conditions: The SCKLS Director has determined that a member library is not operating in accordance with (1) Member Library Responsibilities as outlined in the SCKLS Annual Plan and Tentative Budget, (2) *any terms or conditions as required by the proposed SCKLS Membership Eligibility policy*, (3) any current grants and services policies or procedures of SCKLS or the State Library of Kansas, Topeka, (3) any applicable state or federal laws, (4) any situation that might expose an SCKLS staff member to danger or harm. The SCKLS Director will inform the member library in writing of the issue(s) and the requested resolution(s) as well as determine any required documentation and reasonable amount of time for the SCKLS service or services to be reinstated (Authorized April 2011).

Kansas Statutes Annotated 12-2904. Interlocal agreements by public agencies; specifications; approval of attorney general, exceptions. (a) Subject to the limitations of subsection (g), any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state including but not limited to those functions relating to economic development, public improvements, public utilities, police protection, public security, public safety and emergency preparedness, including but not limited to, intelligence, antiterrorism and disaster recovery, libraries, data processing services, educational services, building and related inspection services, flood control and storm water drainage, weather modification, sewage disposal, refuse disposal, park and recreational programs and facilities, ambulance service, fire protection, the Kansas tort claims act or claims for civil rights violations, may be exercised and enjoyed jointly with any other public agency of this state or with any private agency, and jointly with any public agency of any other state or of the United States to the extent that the laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public or private agency may exercise and enjoy all of the powers, privileges and authority conferred by this act upon a public agency.(b) Any public agency may enter into agreements with one or more public or private agencies for joint or cooperative action pursuant to the provisions of this act. Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force. (c) Any public agency may enter into agreements with Native American Indian tribes for joint or cooperative actions. Such agreements shall be considered to be an interlocal agreement and shall be subject to the procedures and limitations of the interlocal cooperation act. The provisions of this subsection shall not be construed as authorizing a public agency to enter into a gaming compact pursuant to the interlocal cooperation act. (d) Any such agreement shall specify the following: (1) Its duration. (2) The precise organization, composition and nature of any separate legal or administrative entity created thereby together with the powers delegated thereto. (3) Its purpose or purposes. (4) The manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget therefor. (5) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon such partial or complete termination. (6) Any other necessary and proper matters. ...