

**In the state of Florida, the following definitions are used to determine whether an institution qualifies as a library and may be eligible for E-Rate reimbursement.**

- I. The Universal Service Administrative Company (USAC) provides guidance on E-Rate [School and Library Eligibility](#). Under the USAC “Definition of a Library” section the following guidance is found:

Libraries must meet the statutory definition of library or library consortium found in the *Library Services and Technology Act of 1996* (LSTA) (20 U.S.C. Section 9122) and must be eligible for assistance from a state library administrative agency under that Act.

- II. Under *US Code, Title 20, Chapter 72, Subchapter II, § 9122*:

The term “library” includes –

- A. a public library;
- B. a public elementary school or secondary school library;
- C. a tribal library;
- D. an academic library;
- E. a research library, which for the purposes of this subchapter means a library that—
  - 1. makes publicly available library services and materials suitable for scholarly research and not otherwise available to the public; and
  - 2. is not an integral part of an institution of higher education; and
- F. a private library or other special library, but only if the state in which such private or special library is located determines that the library should be considered a library for purposes of this subchapter.

Library consortium

- A. The term “library consortium” means any local, statewide, regional, interstate, or international cooperative association of library entities that provides for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers, for improved services for the clientele of such library entities.

- III. In Florida, the Division of Library and Information Services is the state library administrative agency that administers funds allocated under the federal Act. See *Library Services and Technology Act [guidelines \(PDF\)](#)*. Excerpts from the eligibility information are repeated below for ease of reference:

To receive an LSTA grant:

- A. The library’s services program must be headed and administered by a librarian who has completed a library education program accredited by the American Library Association; and

- B. The library must agree to make their resources available to the public either onsite or by participation in the Florida Library Information Network (FLIN). Circulation of the library's collection to the public is not a requirement of making collections available to the public; however, the public must be allowed to enter the library to use its resources. Participation in FLIN means that the library must have a letter of agreement on file with the Division of Library and Information Services to make the library's resources available via interlibrary loan to other libraries.

The following entities are eligible to apply for LSTA funds:

**Public libraries.** Public libraries are all libraries eligible to receive State Aid to Libraries grants, and city, county or nonprofit association-funded libraries that provide free library services to their legal service areas. This category also includes state-supported institutions and Native American tribal libraries.

- IV. To be eligible for State Aid, a library must meet [Florida's State Aid guidelines \(PDF\)](#):

A library shall meet the following requirements in order to be eligible to receive a State Aid to Libraries Grant:

- A. A county or municipality shall designate one of the following eligible political subdivisions as the single library administrative unit:
  - 1. A county that establishes or maintains a library or that gives or receives free library service by contract with a municipality, nonprofit library corporation or association within such county;
  - 2. A county that joins with one or more counties to establish or maintain a library or that contracts with another county, a special district, special taxing district, or one or more municipalities in another county to receive free library service;
  - 3. A special district or a special taxing district, that establishes or maintains a library and provides free library service; or
  - 4. A municipality that establishes or maintains a library or that gives or receives free library service by contract with a nonprofit library corporation or association within the municipality.
- B. Once an eligible political subdivision has been designated by a county or municipality as the single library administrative unit, that eligible political subdivision shall designate a governing body to provide service. That governing body shall be:
  - 1. The governing body of the county or another county;
  - 2. A legally established administrative board established by the eligible political subdivision for the purpose of governing the library;
  - 3. The governing body of a special district or special taxing district;
  - 4. The board of a nonprofit library corporation or association; or
  - 5. A municipality.

- C. When two or more participating local governments join to establish a library, contracts or interlocal agreements outline the decision-making power given to the library's governing body and the power retained by the participating local government. Consolidated library and public library cooperative are the two types of library governance that can be established through those agreements. Interlocal or other agreements for a public library cooperative shall clearly outline:
1. How the single administrative head will be selected or designated as required by Section 257.17(2)(a), Florida Statutes for the public library cooperative and the powers, duties and responsibilities of that position;
  2. The role that each participating local government and its library shall have in the development and implementation of the long-range plan;
  3. The way in which funds will be paid to the public library cooperative from participating local governments to support activities carried out by the public library cooperative on behalf of the participating local governments; and
  4. Agreement by all participating local governments to spend funds in accordance with the public library cooperative's long-range plan, annual plan of service and budget for those funds a public library cooperative will report on a State Aid application as having been expended centrally, whether such funds are maintained and expended at the local level, or by the public library cooperative's governing body.
- D. The library shall have a single administrative head employed full time by the library's governing body, with authority to manage or coordinate the operations of the library.
1. The library's governing body shall adopt a position description for the single library administrative head.
  2. The single administrative head shall have completed a library education program accredited by the American Library Association and shall have had at least two years of full-time paid professional experience, after completing the library education program, in a public library that is open to the public for a minimum of 40 hours per week.
  3. The single administrative head is responsible for the overall management or coordination of the library within the framework established by interlocal or other agreements, plans, policies and budgets. Responsibility for managing or coordinating the following activities may not be delegated through interlocal or other agreements:
    - (a) Development of a single long-range plan for all library outlets;
    - (b) Development of a single annual plan of service;
    - (c) Development of a budget;
    - (d) Implementation of the long-range plan, an annual plan of service and the budget; and
    - (e) Preparation of reports on behalf of the library.

- E. The library shall expend its funds centrally. To meet the requirement for central expenditure:
  - 1. Requirements for activities of the single administrative head listed in Section V, Subsection D.3 shall be met; and
  - 2. All State Aid to Libraries Grants in a consolidated county or municipal library and a single county public library cooperative shall be expended by the library's single administrative head; or
  - 3. If the library is a multicounty public library cooperative, Operating and Equalization Grants may be expended by the individual county awarded these grants. Multicounty Library Grants shall be maintained and expended by the library's single administrative head; and
  - 4. Funds from local sources shall be expended in one of the following ways: (a) Under the control of the library's single administrative head; or (b) By participating local governments, with authority for such expenditure delegated by the library's governing body through an interlocal or other agreement.
  - 5. All local funds, including donations, shall be expended through the library's budget in order to qualify as local expenditures for State Aid Grants. Only these local funds may be used in the calculations of the grants.
- F. All public libraries within a county that receives Operating Grants shall extend borrowing privileges without charge to residents of each other's service areas. Borrowing privileges must apply to all materials in a fixed physical format that are available to be borrowed by residents of the library service area receiving an Operating Grant. Agreements for interlibrary loan do not meet this requirement. The reciprocal borrowing requirement only applies to a county and the independent municipal libraries within the same county that are applying for State Aid.
- G. The library shall provide free library service. At a minimum, free library service requires that a library lend library materials that are made available for circulation free of charge and provide reference and information services free of charge.
- H. All public libraries within a county that receive Operating Grants shall participate in joint planning for the coordination of library services to residents.
- I. The library shall provide access to materials, information and services for all residents of the area served.
- J. At least one library, branch library or member library shall be open 40 hours or more each week.
- K. The library shall have a long-range plan, annual plan of service and an annual budget.
- L. The designated governing body of a library that has established public library service for the first time during the two previous years shall report in the State Aid application the total amount of local funds appropriated for the operation and maintenance of the library in the year for which the application is made and shall certify that such amount will be:

1. Expended centrally;
2. Expended on operation and maintenance of a library and not for the purchase or construction of a library building or library quarters;
3. Appropriated for expenditures through the library's budget; and
4. Expended in accordance with the accounting control procedures provided for in any interlocal or other agreements, the library's long-range plan, Chapter 257, Florida Statutes and the State Aid to Libraries Grant Guidelines.

- V. If a library system intends to apply for E-Rate coverage for branches or bookmobiles in their system, the entity must meet the definitions detailed in [Florida's Annual Statistical Report for Public Libraries \(PDF\)](#) to qualify as a branch of a library system:

Central Libraries: the single unit library or the unit where the principal collections are kept and handled; also called Main Library. A library system may or may not have a central library. Some systems may have an administrative center separate from the principal collection that is not open to the public. This type of building should not be reported as a central library.

A branch library is an auxiliary unit of an administrative entity that has at least all of the following:

1. Separate quarters;
2. An organized collection of library materials;
3. Paid staff; and
4. Regularly scheduled hours for being open to the public.

A bookmobile is a traveling branch library that consists of at least all of the following:

1. A truck or van that carries an organized collection of library materials;
2. Paid staff; and
3. Regularly scheduled hours (bookmobile stops) for being open to the public.

Note: Count the number of vehicles in use, not the number of stops the vehicle makes.