Texas State Library and Archives Commission

Special Projects Grant Program Guidelines

State Fiscal Year (SFY) 2014

Application Due Date:

Wednesday, February 27, 2013

Library Development & Networking Division
December 2012

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This grant program is administered by the Texas State Library and Archives Commission (TSLAC) and funded by the federal Library Services and Technology Act (LSTA) through the Institute of Museum and Library Services (IMLS).

Comments regarding the programs and services of the
Texas State Library and Archives Commission can be addressed to:
Director and Librarian

P. O. Box 12927 ◆ Austin, Texas 78711-2927
512-463-5460 ◆ 512-463-5436 fax

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Program Description

Goals and Purposes – 13 Texas Administrative Code (TAC) §2.410

This grant program provides funds for programs that expand library services to all members of the library's community. It enables libraries to develop programs for populations with special needs. Programs involving collaboration are encouraged. Programs must emphasize improved services by the library to its customers. These programs must meet the following LSTA goal as identified in the Texas LSTA 5 Year Plan (https://www.tsl.state.tx.us/sites/default/files/public/tslac/ld/pubs/lstaplan/LSTA2013_Final.pdf):

Need

Texans of all ages need access to services and resources to further their formal and informal learning goals.

Goal

Texans will have access to library services to build a strong foundation for early learning, success in school, and lifelong learning.

Programs may be in one of the following categories:

1) Target library services to individuals of diverse geographic, cultural, or socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills
2) Target library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children from families below the poverty line

The purpose is not for collection development, or other activities primarily focused on the acquisition of library materials or resources.

Eligible Applicants

Through their governing authority, major resource library systems, regional library systems, and libraries that are members of the TexShare Library Consortium or Texas Library System are eligible to apply for funds. These funds are awarded to major resource or regional library systems, or TexShare member libraries or Texas Library System members but may be used with all types of libraries as specified in the grant guidelines and application. Applicants must be members of the TexShare Library Consortium or the Texas Library System at the time of application and for the period of grant funding. Non-profit organizations may be awarded funds for projects that involve a number of TexShare or Texas Library System member libraries, as well as other types of libraries or organizations. Public school libraries that are not members of the Texas Library System may participate as partners in grants lead by eligible entities.

Successful applicants are eligible to apply for grant funds for the two years following the initial grant year. The second and third application will be evaluated with the same criteria as new applications. No applicant will be eligible for a fourth year of funding for the same project.

Funds Available

Approximately $300,000-400,000 is expected to be available for Special Projects grants, subject to approval by the Texas State Library and Archives Commission and the availability of funds.

Maximum Award

Applications of all sizes are encouraged. While the request may be part of a larger program, awards will not exceed $75,000.

Length of Funding

Funding will be for one state fiscal year (September 1, 2013–August 31, 2014). Successful applicants are eligible to apply for grant funds for the two years following the initial grant period.

Eligible Expenses

This grant program may fund costs for staff, equipment**, capital expenditures, supplies, professional services, and other typical operating expenses, as permitted by 13 TAC §2.116 (Uniform Grants Management Standards). The purpose of competitive grants is *not* for collection development, or other activities primarily focused on the acquisition of library materials or resources, except as noted in the grant guidelines.

***** *Equipment costing $5,000 or more per unit will require approval from IMLS before purchase.*

Ineligible Expenses

This grant program will NOT fund the following costs:

a. Building construction or renovation
b. Food, beverages, awards, honoraria, prizes, or gifts
c. Equipment or technology not specifically needed to carry out the goals of the grant
d. Transportation/travel for participants or non-grant funded personnel
e. Databases currently offered or similar to ones offered by the agency (i.e., a magazine index database may not be purchased if a comparable one is provided by the agency)
f. Collection development purchases not targeted directly to the grant goals nor integral to the service program
g. Advertising or public relations costs not directly related to promoting awareness of grant-funded activities
h. Performers or presenters whose purpose is to entertain rather than to educate
i. Indirect costs, overhead or Finance & Administration (F&A) costs

Criteria for Award

This grant program is competitive. The Library Services and Technology Act (LSTA) Grant Review Panel will score proposals on the eight criteria listed below (13 TAC §2.612). The maximum number of points for each category is shown.

See Appendix B for the detailed scoring rubric that will be used by the LSTA Grant Review Panel.

1. **Needs Assessment (15 points)**
   Describe why the program is needed, the program goals, and the targeted audience. Describe the greater community to be served using demographic statistics, library records, or surveys to support these statements. Attach letters of cooperation demonstrating commitment to the project from all agencies involved.

2. **Program Design (20 points)**
   Thoroughly describe the services, programs, and activities; describe the location where they will be offered; and explain how these services will attract shared library users. Collaborative projects have priority and inclusion of relevant community organizations is encouraged.

3. **Project Impact (15 points)**
   Describe the impact your project will have on library services and users regionally or statewide. This may include how the proposed project is a model program that would benefit other communities.

4. **Personnel (5 points)**
   Identify who will administer the funds and which positions will provide the services. List how much time will be spent in each position on assigned duties. List how the qualifications of each person relate to their job duties. Full job descriptions are required for new hires.

5. **Timetable (5 points)**
   Present a timetable for project activities within the project year (state fiscal year) (i.e., a list of actions with a date by which they will be accomplished). Provide verification that facilities will be available, equipment and materials delivered; and explain how staff will be hired and trained in time to carry out the services as planned.

6. **Evaluation (10 points)**
   Set achievable, measurable outcomes and present a reasonable method to collect data. Present a method to count users of the services, as well as the effectiveness of the service. Funded programs should expect to use outcomes-based evaluation methods. Applicants are strongly encouraged to use the IMLS Outcomes Logic Model, which is downloadable from the application screen in the online application system (GMS). Funded programs will also be required to evaluate their programs in accordance with Legislative Budget Board (LBB) measures.

7. **Budget (20 points)**
   Provide a complete budget for the proposed project and fully justify the budget by describing how budgeted items will contribute to the project; identify a source for the stated costs (e.g., city pay classification for staff, catalog, or city/county bid list for equipment); costs are reasonable to achieve project objectives. If new staff members are to be employed, grant applicants should take into account the time for a realistic hiring process to occur.

8. **Sustainability (10 points)**
   Describe the resources that will be used to support the services developed through the grant in the future. A written commitment of future support from governing bodies is desirable, but not required.

Instructions for Applying

Project Development and Draft Review

The Texas State Library and Archives Commission (TSLAC) recommends that applicants discuss their projects with TSLAC staff before developing a proposal. TSLAC consultants are available to help throughout application development and in determining the best grant program for your project. For more information, **contact Erica McCormick at 512-463-5527 or via e-mail at emccormick@tsl.state.tx.us**.

TSLAC also strongly encourages applicants to send a draft of the proposal to TSLAC for staff for review. To allow adequate time to review the draft proposal, submit the draft **by Friday, February 8, 2013.**

Grant Management System (GMS) Guidelines and Forms

TSLAC uses a Grant Management System or GMS that enables applicants to apply for grants electronically through a web portal. Applications must be submitted in GMS by the due date in order to be eligible for consideration. To submit your application online, you must register in GMS (https://gms.tsl.state.tx.us) and obtain a user name and password. Once approved, you will then be able to access and complete the application online. Step-by-step GMS instructions can be found at: https://www.tsl.state.tx.us/sites/default/files/public/tslac/ld/funding/lsta/gmsmanual.pdf

Application Components

The grant application consists of the following components:

1. Applicant Information — To be completed on GMS. Once you have completed the form, click the "Printer Friendly" button to print the form. The printout must be signed by an individual authorized to enter into contracts with the State of Texas (e.g., county judge, city manager, president/vice president, executive director, etc.).
2. Budget — To be completed in GMS.
3. Narrative — To be completed in GMS.
4. Children's Internet Act Protection Act Form (CIPA) — Available for download in GMS, but cannot be submitted in GMS; must be submitted by e-mail, mail, or fax. The form may be signed by the library director.
5. Letters of cooperation indicating commitment of time, funds, volunteers, or other resources must be submitted from all participating agencies if project is collaborative.

A maximum of three (3) letters of general support may also be submitted via email, fax, or mail.

Who can submit the online application?

The online Grant Management System (GMS) requires that the Grantee Official or Legal Entity Official submit the online application. Definitions of these roles are detailed in the GMS Manual.

Deadline and Submission

Completed applications (budget and narrative) must be submitted in GMS **by 11:59 p.m. Central Time, Wednesday, February 27, 2013.** *Please be advised that technical support will not be available after 5 p.m.*

The signed Applicant Information and CIPA forms must also be received **by 11:59 p.m. Central Time, Wednesday, February 27, 2013.** Please send to the attention of Erica McCormick via email to emccormick@tsl.state.tx.us, fax at 512-936-2306, or mail to Library Development & Networking Division, TSLAC, P. O. Box 12927, Austin, TX 78711, (Street address: 1201 Brazos, Austin, TX 78701).

Is your application complete? (checklist)

	All 3 sections of the application (Applicant Information form, Budget, Project Narrative) have been completed in the Grant Management System (GMS).
	The online application has been formally submitted by pressing the “Submit Application” button in GMS.
	A copy of the Applicant Information form (from GMS) has been printed and signed by a person legally authorized to enter into contracts with the State of Texas.
	The Children’s Internet Act Protection form (CIPA) has been printed and signed.
	The signed Applicant Information form, CIPA form, and any additional materials (i.e., letters of support, MOUs, outcomes logic model, etc.) have been submitted to the Grants Administrator via email/mail/fax on or before the due date.

Timetable

December 2012	Guidelines posted
February 8, 2013	Draft proposals due to TSLAC for review (recommended but not required)
February 27, 2013	Applications due in GMS; signed forms due to TSLAC
April/May 2013	Application packets evaluated by Grant Review Panel
July/August 2013	Commission meets and approves projects
August 2013	Contracts issued
September 1, 2013	Projects begin
August 31, 2014	Projects end

Appendix A: Grant Review and Award Process

Peer Review (13 TAC §2.113)

(a) The commission may use peer review panels to evaluate applications in competitive grant programs.

(b) The director and librarian may select professionals, citizens, community leaders, and agency and library staff to evaluate grant applications. Peer reviewers must have appropriate training or service on citizen boards in an oversight capacity and may not evaluate grant applications in which there is, or is a possible appearance of, a conflict of interest.

(c) The agency staff will distribute selected applications to reviewers and will provide written instructions or training for peer reviewers. Reviewers must complete any training prior to reviewing applications.

(d) The reviewers score each application according to the review criteria and requirements stated in the grant guidelines.

(e) Each peer review evaluation of an application for competitive grants shall be appropriately documented by the peer reviewer conducting the evaluation. The documentation shall include the scores assigned by the peer reviewer. The peer reviewer may also include comments that may be shared with the applicant.

(f) To be eligible for review, each application must be submitted by the specified deadline with all required components and all necessary authorization signatures.

Funding Decisions (13 TAC §2.114)

(a) The agency staff will submit a recommended priority-ranked list of applicants for possible funding. Final approval of a grant award is solely at the determination of the Texas State Library and Archives Commission.

(b) Applications for grant funding will be evaluated only upon the information provided in the written application.

(c) The agency staff may negotiate with selected applicants to determine the terms of the award. To receive an award, the applicant must accept any additional or special terms and conditions listed in the grant contract and any changes in the grant application.

(d) The agency staff will notify unsuccessful applicants in writing.

Awarding of Grants (13 TAC §2.115)

The commission has the right to reject applications or cancel or modify a grant solicitation at any point before a contract is signed. The award of any grant is subject to the availability of funds.

TSLAC Staff Responsibility (13 TAC §2.117)

The Texas State Library and Archives Commission (TSLAC) staff will review each application packet for the following:

- Legal eligibility of the institution to participate in this grant program and appropriate authorizing signature
- Conformance to the federal and state regulations pertaining to grants
- Inclusion of unallowable costs
- Errors in arithmetic or cost calculations
- Submission of all required forms
- Compliance with submission procedures and deadlines
- Relevance and appropriateness of the project design and activities to the purpose of the grant program

Agency staff will raise issues and questions regarding the needs, methods, staffing, and costs of the applications. Staff will also raise concerns regarding the relevance and appropriateness of the project design and activities to the purpose of the grant program. Staff comments will be sent to the grant review panel with the applications for consideration by the panel.

Applicants will be sent a copy of the staff comments to give applicants an opportunity to respond in writing. Applicants may not modify the grant proposal in any way; however, applicants' responses to staff will be distributed to the panel.

Applications with significant errors, omissions, or eligibility issues will not be rated.

Applications in which the project design and activities are not relevant and appropriate to the purpose of the grant program will be ineligible.

Agency staff will be available to offer technical assistance to reviewers.

Grant Review Panel Responsibility (13 TAC §2.117)

Applications will be scored using the following process:

(1) The peer reviewers will review all complete and eligible grant applications forwarded to them by agency staff and complete a rating form for each. Each reviewer will evaluate the proposal in relation to the specific requirements of the criteria and will assign a value, depending on the points assigned to each criterion.

(2) No reviewer who is associated with an applicant or with an application, or who stands to benefit directly from an application, will evaluate that application. Any reviewer who feels unable to evaluate a particular application fairly may choose not to review that application.

(3) Reviewers will consider and assess the strengths and weaknesses of any proposed project only on the basis of the documents submitted. Considerations of geographical distribution, demographics, type of library, or personality will not influence the assessment of a proposal by the review panel. The panel members must make their own, individual, decisions regarding the applications. The panel may discuss applications. The panel's recommendations will be compiled from the individual assessments, not as the result of a collective decision or vote.

(4) Reviewers may not discuss proposals with any applicant before the proposals are reviewed. Agency staff is available to provide technical assistance to reviewers. Agency staff will conduct all negotiations and communications with the applicants.

(5) Reviewers may recommend setting conditions for funding a given application or group of applications (e.g., adjusting the project budget, revising project objectives, modifying the timetable, amending the evaluation methodology, etc.). The recommendation must include a statement of the reasons for setting such conditions. Reviewers who are ineligible to evaluate a given proposal will not participate in the discussion of funding conditions.

(6) Reviewers will submit their evaluation forms to the agency. In order to be counted, the forms must arrive before the specified due date.

Decision Making Process (13 TAC §2.118)

To be considered eligible for funding by the commission, any application must receive a minimum adjusted mean score of more than 50 percent of the maximum points available. To reduce the impact of scores that are exceedingly high or low, or otherwise outside the range of scores from other reviewers, agency staff will tabulate the panel's work using calculations such as an adjusted mean score.

(1) Applications will be ranked in priority order by score for consideration by the commission.

(2) If insufficient funds remain to fully fund the next application, the staff will negotiate a reduced grant with the next ranked applicant.

(3) If the panel recommends funding an application that, for legal, fiscal, or other reasons, is unacceptable to the staff, a contrary recommendation will be made. The applicant will be informed of this situation prior to presentation to the commission and may negotiate a revision to the application. A positive recommendation to the commission will be contingent upon successfully completing these negotiations prior to the commission meeting.

(4) If the panel is unable to produce a set of recommendations for funding, the agency staff will use the same evaluation procedures to develop recommendations to the commission.

Multiple Applications (13 TAC §2.119)

Applicants for competitive grants may submit more than one grant application for different projects, in different grant categories. Applicants may not submit the same, or nearly the same, application in more than one grant category.

Appendix B: Scoring Rubric

Project Scoring Total in Eight Areas: 100 points		
Relevance and appropriateness of the project design and activities to the goals and purpose of the Library Cooperation grant program will be considered in the scoring of all criteria. Members of the LSTA Grant Review Panel may score each criteria as follows: **0 points:** Project does not meet the goals and purposes of the Cooperation grant program. **1-3 points:** Project partially meets the goals and purposes of the Cooperation grant program. **4-5 points:** Project is a clear fit for the goals and purposes of the Cooperation grant program.		
1. Needs Assessment (Points: Raw score = 5 max, weight = 3; Final score = 15 max)		
Applicants describe why the program is needed, the program goals and audience. They describe the greater community to be served. They include demographic statistics, library records, or surveys to support these statements. They attach letters of cooperation showing commitment to the project from agencies to be involved.		
0 points	1-3 points	4-5 points
• Provides no evidence of need for program. • Program goals and audience are not defined. • Does not describe needs assessment process and/or how need was determined (i.e., no description of community served, demographic statistics, library records or evidence or surveys). • If partners are part of the Project, no letters of support are provided.	• Provides partial/some evidence of need for program. • Program goals and audience are defined but show little to no connection to description of need. • Needs assessment process seems vague and incompletely describes how stated need was determined. • If partners are part of the Project, letters of support are provided.	• Provides clear and convincing evidence of need for program and why they are best suited to meet this need. • Program goals and audience are clearly connected to description of need. • Clearly describes needs assessment process including how stated need was determined (e.g., statistics, records, surveys). • If partners are part of the Project, letters of support are provided that clearly define roles and responsibilities of partnering agencies.
2. Program Design (Points: Raw score = 5 max, weight = 4; Final score = 20 max)		
Applicants thoroughly describe services, programs, activities; describe the location where they will be offered; and explain how these services will attract shared library users. Collaborative projects have priority and inclusion of relevant community organizations is encouraged.		
0 points	1-3 points	4-5 points
• Services, programs and activities lack definition and are unclear. Project appears to lack direction and planning, and does not relate to described needs. • Does not describe location(s) where project will be offered or is vague. • Does not describe how project services will attract library users.	• Services, programs and activities are defined. Project has direction and some relationship to described needs. • Location where services will be offered is described but does not clearly relate to project activities and described needs. • Describes how project services will attract library users.	• Services, programs and activities are clearly defined, including timelines and resources required. Project shows evidence of clear direction and planning and strong relationship to described needs. • Location where services will be offered is described and clearly relates to project activities and described needs. • Clearly describes how project

• Issue of collaboration not addressed.	• Issue of collaboration addressed, even if not a collaborative project.	services will attract library users and ties to project activities and described needs. • Collaborative project; collaboration clearly addressed and described in full.
3. Project Impact (Points: Raw score = 5 max, weight = 3; Final score = 15 max)		
Applicants describe the impact their project will have on library services and users locally, as well as regionally or statewide. This may include how the proposed project is a model program that would benefit other regions of the state.		
0 points	1-3 points	4-5 points
• Does not address any of the impacts the project may have on library services and library users. • Does not address larger issues that the project may address.	• Describes impact of the project but doesn't show an association with the library services and library users. • Addresses larger issues but does not tie these issues to local project.	• Describes both impact and measurable benefits the project will have on library services and library users. • Addresses larger issues clearly and ties them to local project.
4. Personnel (Points: Raw score = 5 max, weight = 1; Final score = 5 max)		
Applicants identify who will administer the funds and which positions will provide the services. List how much time will be spent in each position on assigned duties. List how the qualifications of each person relate to their job duties. Full job descriptions are required for new hires.		
0 points	1-3 points	4-5 points
• Does not identify fiscal agent and which positions will provide services. • No description of time spent in each position. on assigned duties • No description of qualifications of key personnel. • No job descriptions for new hires.	• Fiscal agent identified without explanation and positions briefly described. • Time spent on project by each staff member briefly identified. • Some description of qualifications of key personnel. • Partial or seemingly incomplete job descriptions available for new hires.	• Fiscal agent identified with full explanation and positions that will provide the services fully described. • Time spent on project by each staff member identified and justified. • Describes qualifications of key personnel in detail, including past experience with similar projects, and how each will contribute to the project's success. • Full job descriptions provided for new hires.

5. Timetable (Points: Raw score = 5 max, weight = 1; Final score = 5 max)		
Applicants present a timetable for project activities within the fiscal year (i.e., a list of actions with a date by which they will be accomplished); provide verification that facilities will be available, equipment and materials delivered; and explain how staff will be hired and trained in time to carry out the services as planned.		
0 points	1-3 points	4-5 points
• Timetable is missing or incomplete (i.e., does not include a list of actions with specific target dates for completion). • No verification regarding facilities, equipment and/or materials. • No explanation of hiring or training of staff to carry out project in project period.	• Timetable exists, but is not clearly relevant to achieving the project goals. • Timetable seems unachievable within the project period. • Some verification regarding facilities, equipment and/or materials, but not clearly related to project. • Brief or incomplete explanation of hiring or training of staff to carry out project in project period.	• Timetable includes a list of actions with specific target dates and is clearly relevant to achieving the established objectives. • Timetable seems achievable within the project period. • Use of facilities, equipment and/or materials fully explained and relevant to project and project goals. • Full explanation of hiring or training of staff that will allow project to be carried out during the project period.

6. Evaluation (Points: Raw score = 5 max, weight = 2; Final score = 10 max)		
Applicants set achievable, measurable outcomes, and present a reasonable method to collect data. Applicants present a method to count users of the services as well as the effectiveness of the service. **Note:** Some projects will not lend themselves to outcomes-based evaluation (OBE). While TSLAC strongly encourages the use of OBE, we do not require it for proposals, and points should not be deducted from strong evaluation plans that use outputs instead of outcomes when it is reasonable not to employ OBE.		
0 points	1-3 points	4-5 points
• Does not include either project outputs or outcomes. • No method to collect data provided. • No method to count users of services or effectiveness of service. • Will not determine success of the project.	• Provides project outputs and/or outcomes but do not clearly relate to project. • Method to collect data provided. • Method to count users of service provided but not effectiveness of service. • Provides some indication of the success of the project.	• Clearly describes appropriate project outputs and/or outcomes. • Method to collect data is provided that clearly relates to project services and documented need. • Method to count users of services and effectiveness of service provided. • Will effectively determine success of the project and its impact. • Project evaluation can be used as model for other similar projects. • Project evaluation incorporates “best practices” from other similar projects.

7. Budget (Points: Raw score = 5 max, weight = 4; Final score = 20 max)		
Applicants provide a complete budget for the proposed project and fully justify the budget by describing how budgeted items will contribute to the project; identify a source for the stated costs (e.g., city pay classification for staff, catalog or city/county bid list for equipment); the costs are reasonable to achieve project objectives. If new staff members are to be employed, applicants take into account the time for a realistic hiring process to occur.		
0 points	1-3 points	4-5 points
• Budget incomplete. • Provides no narrative description (justification), beyond the budget column, of how funds will be spent.	• Budget complete. • Budget narrative description exists but does not clearly relate to the project and sources for costs are not stated. • Items listed in the budget description do not match those in the budget form. • Costs do not seem reasonable and description is unclear. • No time given for staff to be hired, if applicable.	• Budget is complete and clearly describes how the dollars will be used for the project. • Clearly identifies source of stated costs and justification for their reasonableness. • Items listed in the budget description match those in the budget form. • Realistic timeline for hiring of new staff, if applicable.

8. Sustainability (Points: Raw score = 5 max, weight = 2; Final score = 10 max)		
Applicants describe the resources that will be used to support the services developed through the grant in the future. A written commitment of future support from governing bodies is desirable, but not required.		
0 points	1-3 points	4-5 points
• Description of resources used to support/sustain the project after grant completion is vague and unspecific.	• Some evidence of future support/ sustainability described.	• Clear evidence of sustainability described. • A written commitment of future support from governing bodies is provided, if applicable.

Appendix C: Protest Procedure

Texas State Library and Archives Commission, 13 TAC §2.55

(a) An aggrieved person who is not satisfied with a decision, procedure, or service received from the staff of the Texas State Library and Archives Commission or who is an actual or prospective bidder, grantee, or contractor aggrieved in connection with a solicitation, evaluation, or award may file a protest with the Director and Librarian in accordance with this rule.

(b) A protest must be submitted to the Director and Librarian within 21 days after the person knows or should have known of the matter which is protested. The Director and Librarian has the discretion to allow a protest filed after 21 days if the protestant shows good cause for the late filing or if the protest raises an issue significant to the general policies and procedures of the commission.

(c) The protestant shall mail or deliver a copy of the protest to all interested persons. The Director and Librarian will furnish a list of interested persons to a protestant. For protests of a competitive selection (bid, contract, or grant), interested persons shall include all persons who have submitted a bid, proposal, or application.

(d) A protest must be in writing and identified as a protest under this section, and contain the following:

(1) A description of the protestant's interest in the matter
(2) The issue(s) to be resolved and remedy(s) requested
(3) The protestant's argument supporting the protest, including a statement of relevant facts and applicable law, specifying the statutes, rules, or other legal authority alleged to have been violated
(4) The protestant's affirmation that facts set forth in the protest are true
(5) A certification that a copy of the protest has been mailed or delivered to all interested persons

(e) Upon receipt of a protest conforming to the requirements of this section, the commission shall not proceed with the solicitation, award, or contract until the protest is resolved, unless the Director and Librarian makes a written determination that delay would harm the substantial interests of the state.

(f) The Director and Librarian has the authority to decide, settle, or resolve the protest and will make a written determination. The Director and Librarian may solicit written responses to the protest from other parties. The Director and Librarian shall inform the protesting party and other interested parties by letter of his determination, and how to appeal the determination to the commission.

(g) An interested party may appeal the determination of the Director and Librarian. An appeal must be in writing and conform to paragraphs (1) - (3) of this subsection:

(1) The appeal must be received in the office of the Director and Librarian no later than 15 days after the date the determination is mailed to interested parties;
(2) A copy of the appeal must be mailed or delivered by the appealing party to all interested parties and contain a certification of mailing or delivery;
(3) The appealing party must state whether or not an opportunity is requested to make an oral presentation to the commission in open meeting.

(h) The Director and Librarian shall refer the matter to the commission for their consideration at an open meeting.

(i) The chair of the commission has the discretion to allow an appeal filed more than 15 days after the Director and Librarian's determination if the appealing party shows good cause for the late filing or if the appeal raises an issue significant to the general policies or procedures of the commission.

(j) An interested party may file a response to an appeal of the determination of the Director and Librarian no later than seven days after the appeal is mailed or delivered.

(k) Copies of the appeal and responses of interested parties, if any, shall be mailed to the commission by the Director and Librarian.

(l) The chair of the commission has the discretion to decide whether or not a request for oral presentations will be granted and will set the order and amount of time for oral presentations that are allowed. The chair also as the discretion to decide whether presentations and written documents presented by Commission staff and interested parties will be allowed.

(m) The commission will determine properly filed appeals and make its decision in open meeting. The commission shall vote to uphold or reverse the decision of the Director and Librarian. Failing a majority vote of a quorum of the commission, the Director and Librarian's decision is upheld. The commission's decision is final and not subject to judicial review under the statutes governing the commission.

(n) A decision issued either by the commission in open meeting or in writing by the Director and Librarian shall be the final administrative action of the commission.

(o) Documentation concerning a protest of a competitive selection is part of the commission's records series for that selection and is retained in accordance with the commission's approved records retention schedule.