

Texas State Library and Archives Commission
TexShare Advisory Board
May 1, 2020, 10:00AM

AGENDA

<https://global.gotomeeting.com/join/259033653>
or call in at: 1 (669) 224-3412, Access Code: 259-033-653

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, the May 1, 2020 meeting of the TexShare Advisory Board will be held by videoconference, as authorized under Texas Government Code §551.1275.

Members of the public will have access and a means to participate in this meeting, by two-way audio/video by logging into the meeting using the information above. A recording of the meeting will be available after May 10, 2020. To obtain a recording, please contact Russlene Waukechon at texshare@tsl.texas.gov.

For public participants, after the meeting convenes the Chairperson will call the roll. Please identify yourself by name and state whether you would like to provide public comment. You may also email texshare@tsl.texas.gov in advance of the meeting if you would like to provide public comment. When the Committee reaches the public comment item, the Chairperson will recognize you by name and give you an opportunity to speak. All public comments will be limited to 5 minutes. All participants are asked to keep their microphones muted when they are not providing public comment.

The TexShare Advisory Board may deliberate on and/or take action on any of the following agenda items.

1. Welcome and Introductions
2. Roll Call for Members
3. Roll Call for Public Participants
4. Public Comment
5. Approve Minutes
6. Discuss TexShare E-Books Working Group report
7. Discuss and Recommend Action: E-Read Texas Collection Development Policy and Request for Reconsideration form

8. Discuss TexShare Electronic Information Working Group report
9. Discuss TexShare Policy on Fee Waivers Related to Natural Disasters
10. Discuss and Recommend Action: FY21 TexShare Databases Program participation fees
11. Discuss and Recommend Action: Application for TexShare affiliate membership from Stark College and Seminary
12. Agency Update
13. Administrative Update

**TEXSHARE ADVISORY BOARD ROSTER
SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2020**

Mikail McIntosh-Doty (2021) – Chair
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jenniferrike@misdmail.org

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Independent Consultant
FSalas-Isnardi@live.com

Jeanne Standley (2020)
Academic librarian (retired)
jeannerene55@gmail.com

Sharon Stover, Ph.D. (2020)
Philip G. Warner Regents Professor in
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Department of Radio-Television-Film
The University of Texas at Austin
512-471-6652
sstover@mail.utexas.edu

Mark Smith (TSLAC Liaison)
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**Texas State Library and Archives Commission
TexShare Advisory Board**

Tocker Learning Center, 2nd Floor
Lorenzo de Zavala State Archives and Library Building
1201 Brazos Street
Austin, TX

November 22, 2019
10:00 AM

Meeting Minutes – Draft

Meeting held by teleconference. Recording Available.

1. Welcome and Introductions

Vice-chair Karen Blankenship called meeting to order at 10am.

2. Elect Officers

Karen Blankenship opened the floor to nominations.

Jeanne Standley nominated Dan Burgard for Chair. Jennifer Rike seconded. Dan Burgard declined the nomination.

Jeanne Standley nominated Mikail McIntosh-Doty for Chair. Jennifer Rike seconded.

Karen Blankenship nominated herself to continue serving as Vice-chair. Kate Horan seconded.

Cody Gregg moved to accept both nominations by acclamation. Jennifer Rike seconded. The motion carried.

3. Public Comment

Christine Peterson of Amigos Library Services gave an update on the TExpress Courier and E-Read Texas programs. Amigos recently switched courier companies, which led to some disruptions in deliveries. Libraries who experienced losses during the transition period were given a credit, with an average credit of \$71 per participating library.

Fifty Texas libraries have now joined the E-Read Texas program through Amigos and are in the process of testing and implementation. Libraries have been asking for promotional materials and Amigos is looking into ways to meet this need. Now that the first round of applicants have begun, Amigos is looking ahead to the second wave of libraries interested in the program.

Danielle Plumer added that the Texas State Library is in the process of hiring an Ebook Coordinator to manage the E-Read Texas program, and she expects the agency to do more outreach once that position is filled.

Jennifer Rike asked about the kinds of libraries involved in the program. Danielle Plumer responded that E-Read Texas is currently limited to small public libraries, but TSLAC hopes to expand the program to other sizes and types of libraries in the future. Mikail McIntosh-Doty added that academic libraries would be very interested in SimplyE, particularly once single sign-on is fully implemented.

4. Approve Minutes from June 10, 2019 meeting

Karen Blankenship moved to accept the minutes from the previous meeting. Dan Burgard seconded. The motion carried.

5. Discuss and Recommend Action: TexShare Databases Participation Fee Appeals

Two TexShare members submitted requests to appeal their State Fiscal Year 2020 TexShare Databases participation fees. Danielle Plumer presented their cases to the board.

Jacksonville College submitted a protest to their fee based on two factors: unexpected expenses arising from a natural disaster, and that their fee in previous years had constituted more than 5% of their annual collection expenditure (which is the cap placed on TexShare fees). The library had not yet paid their membership fee at the time of the meeting. The requested action for the board was to waive Jacksonville College's fee for the current fiscal year.

Jeanne Standley moved to waive Jacksonville College's TexShare Databases participation fee for fiscal year 2020. Karen Blankenship seconded. Jeanne Standley and Federico Salas-Isnardi abstained. The motion carried.

The next library to submit an appeal was Vidor Public Library, which sustained major damage from Tropical Storm Imelda. TSLAC staff were unable to reach Vidor Public Library before the appeals deadline, and by then the library's FY2020 fee had already been received and processed. Vidor Public Library later requested a refund of their participation fee, but the state is unable to refund processed payments except in extraordinary circumstances. TSLAC proposed instead granting a credit towards the library's FY2021 TexShare fee, which the director said would be acceptable.

Karen Blankenship moved that the board recommend that TSLAC refund Vidor Public Library's FY2020 participation fee. Kate Horan seconded the motion. TSLAC staff advised the board that they can only offer recommendations, and refunds cannot be issued in this case because the fiscal year budget has been officially closed. Mark Smith added that the vote could go forward,

and if passed TSLAC would handle the refund in whatever way it could. The board voted and the motion carried.

Federico Salas-Isnardi moved to recommend that TSLAC develop an official policy to address fee waivers for TexShare member libraries affected by natural disasters. Danielle Plumer agreed to develop a policy and bring it to the next board meeting. Sharon Strover seconded the motion. The motion carried.

Federico added a codicil requesting that TSLAC share a draft policy to the board a minimum of 30 days prior to the next meeting for review and recommendations. Danielle Plumer agreed.

6. Discuss and Recommend Action: TexShare Membership Applications

TexShare received two new requests for membership and requested that the board recommend whether to approve these applications.

The first application for review came from Cook Children's Health Care System, which applied for membership in the TexShare Consortium as a Library of Clinical Medicine. Suzanne Beckett spoke to the board about the organization. In addressing the area of concern that the organization's library resources is predominantly electronic, she explained that this is the result of how widely distributed their organization is. Dan Burgard pointed out that this is increasingly the case with many academic libraries and suggested that TSLAC and the board might consider updating membership standards at a later date to clarify how electronic library resources count towards an organization meeting those standards.

Jeanne Standley moved to accept Cook Children's Health Care System's application for TexShare Membership. Jennifer Rike seconded. The motion carried.

The second application came from The Reformed Theological Seminary Dallas Campus, which applied for TexShare Affiliate Membership. The organization did not previously qualify for TexShare Affiliate membership because their parent institution is based in Missouri. However, after the TexShare Affiliate membership requirements were updated to allow a unit of an out of state organization to join so long as the unit is based in Texas and limits its services to Texas residents, the Dallas campus chose to apply.

Jeanne Standley moved to accept the Reformed Theological Seminary Dallas Campus' application for TexShare Affiliate membership. Jennifer Rike seconded. The motion carried.

7. Discuss and Recommend Action: E-Read Texas Collection Development Policy

Danielle presented the board with a collection development policy for the E-Read Texas program, developed by the TexShare E-Books Working Group.

Gloria Meraz asked whether language could be added to the policy allowing the State Library to call in outside experts for consultation in cases where titles are challenged.

Federico Salas-Isnardi moved to table the agenda item and possible amendments until a form for challenging titles had been developed and the policy had been updated. Jennifer Rike seconded.

The motion to table was rejected 10-1 with Federico Salas-Isnardi voting for and no abstentions.

Jeanne Standley moved that the board approve the draft collection development policy, pending revision to include Gloria Meraz' requested language and the development of an official reconsideration form, both to be presented at the next board meeting for review. Jennifer Rike seconded the motion.

The motion carried 10-1 with Federico Salas-Isnardi voting against and no abstentions.

8. Discuss and Recommend Action: TexShare membership in ReadersFirst

ReadersFirst is an organization of libraries working to improve e-book access for library patrons. Its membership is made up of nearly 300 libraries, including 10 Texas libraries and 3 other state libraries. Danielle Plumer requested a recommendation from the board about the TexShare program joining ReadersFirst.

Karen Blankenship moved to approve TexShare joining ReadersFirst. Dan Burgard seconded. The motion carried.

Edward Melton and Federico Salas-Isnardi left the meeting.

9. TexShare FY2019 Program Reports

Danielle Plumer gave an update on the TexShare Card, Database, and Courier programs.

10. Agency Update

Mark Smith presented the board with an agency update. He praised staff and Amigos for their work on the E-Read Texas program and said that TSLAC is keeping a close eye on national e-book trends, particularly with regards to publisher embargoes. The Broadband program has helped 145 dramatically increase the speed of their broadband, and the agency is looking at ways to make the initiative available on a larger scale, possibly through partnerships with ESCs or other related organizations.

TSLAC hired a general counsel, Sarah Swanson, who started on September 3rd. She will be assisting with upcoming TexShare contracts.

11. Administrative Report

Jennifer Peters reported on recent developments in the Library Development and Networking division, touching on interlibrary loan, competitive grants, continuing education and consulting, Libraries Connecting Texas, and TexQuest.

Kate Horan, McAllen Public Library, left the meeting.

12. Advisory Board meeting dates for 2020

A poll will be sent to board members about availability for the next meeting date.

The meeting was adjourned at 12:28 PM.

In Attendance via Conference Call:

Board Members

Mikail McIntosh-Doty (Chair), Concordia University Texas
Karen Blankenship (Vice-Chair), San Jacinto College
Cody Gregg, Del Mar College
Edward Melton, Harris County Public Library (*left meeting at 12pm*)
Federico Salas-Isnardi, FSI Diversity and Education (*left meeting at 12pm*)
Jeanne Standley, Academic Librarian (retired)
Jennifer Rike, Mansfield ISD
Sharon Stover, The University of Texas at Austin
Shawna Kennedy-Witthar, West Texas A&M University
Daniel Burgard, University of North Texas Health Science Center
Kate Horan, McAllen Public Library (*left meeting at 12:25pm*)

Other Attendees

Linda Thomas, Jacksonville College
Suzanne Beckett, Cook Children's Medical Center

In Attendance On Site:

Texas State Library and Archives Staff

Mark Smith, State Librarian
Gloria Meraz, Assistant State Librarian
Jennifer Peters, Library Development and Networking
Danielle Plumer, Library Development and Networking
Ann Griffith, Library Development and Networking
Kate Reagor, Library Development and Networking

Other Attendees

Christine Peterson, Amigos Library Services

Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet

May 1, 2020

Agenda Item 6: TexShare E-Books Working Group report

Contact Person: Danielle Plumer

The TexShare E-Books Working Group met on Thursday, April 9. Co-chairs Miranda and Dana Hendrix convened the meeting at 10:00 a.m.

The E-Books Working Group discussed proposed revisions to the E-Read Texas Collection Development Policy, specifically section 10, Reconsideration of Materials. The group voted to accept the revisions as presented so that they could be sent to the Advisory Board in accordance with their conditional approval on November 22, 2019.

The group also reviewed the proposed Request for Reconsideration Form and agree that it was complete. They expressed a desire that the form be placed on the TexShare website as an online questionnaire rather than a Word document or PDF to prevent changes to the questions.

The group reviewed an offer of electronic books made by BiblioBoard. BiblioBoard provides e-books with perpetual, unlimited simultaneous access through the DPLA Exchange. The collection offered was the Indie Authors Program Select collection of 400 top indie-published books across multiple genres. The books are curated by *Library Journal* and library editorial boards in 14 regions across North America and were chosen by editors and librarians from over 12,000 submissions.

The group next plans to review and select content from the DPLA Open Bookshelf collection, consisting of public domain and Open Access content. The E-Read Texas Collection Development Policy will be used to guide selection. All content from this collection allows perpetual, unlimited simultaneous access.

Action Requested: None.

**Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet**

May 1, 2020

Agenda Item 7: E-Read Texas Collection Development Policy and Request for Reconsideration form

Contact Person: Danielle Plumer

At its meeting of November 22, 2019, the TexShare Advisory Board voted to approve the draft E-Read Texas Collection Development Policy, pending revision to the Reconsideration of Materials section and the development of an official reconsideration form. TSLAC drafted a revised section 10, Reconsideration of Materials, and developed a Request for Reconsideration form. The TexShare E-Books Working Group met on April 9 and approved the revised language and form, attached. The form will be converted to an online questionnaire available on the TSLAC website.

Action Requested: Approve E-Read Texas Collection Development Policy as revised and Request for Reconsideration form.

Attachments: E-Read Texas Collection Development Policy draft dated April 9, 2020
E-Read Texas Request for Reconsideration form



E-Read Texas
Collection Development Policy

DRAFT

April 9, 2020

Texas State Library and Archives Commission
1201 Brazos St.
Austin, TX 78701

I. Introduction

The Texas State Library and Archives Commission (TSLAC) promotes and encourages literacy through the E-Read Texas Program. This program provides library e-books and an e-reader application that will make it possible for all Texans served by public libraries to access e-books. The E-Read Texas e-book collection is primarily designed to meet the needs of readers of fiction and popular non-fiction e-books. Additional reference and non-fiction e-books are available through the TexShare and TexQuest e-resource programs. The purpose of this collection development policy is to provide a statement of commitment to a collection that meets the needs of libraries in Texas and to provide guidelines for the TexShare E-Books Working Group in selection of materials.

This collection development policy will also guide the TexShare E-Books Working Group in the consistent and careful expenditure of funds. These guidelines will align with ideals published by the American Library Association (ALA) in the [Library Bill of Rights](#) and [Freedom to Read Statement](#) as well as [ReadersFirst](#) principles.

II. Collection Scope

The E-Read Texas collection is designed to support the educational, cultural, informational, and recreational needs of Texas library patrons as well as to grow the e-book expertise of library staff. This electronic collection will be complementary to collections maintained by small and medium-sized community libraries in Texas.

The TexShare E-Books Working Group will select titles for the E-Read Texas collection that will be popular among patrons and will recommend purchase of enough copies to reduce wait times. Initially, only adult fiction, young adult crossover and classic fiction, and popular adult non-fiction will be selected. The collection will include English and Spanish language e-books. The collection will not include erotica or reference materials.

In order to ensure that the E-Read Texas Collection is available to all libraries in the state, titles that offer unlimited simultaneous use and perpetual access are preferred. Books with single users licenses will be accepted if necessary. Metered and term-limited access licenses are strongly discouraged.

The E-Books Texas program supports [ReadersFirst principles](#) to achieve a better user experience for library patrons. Library patrons should be able to:

- Search and browse a single comprehensive catalog with all of a library’s offerings at once, including all e-books, physical collections, programs, blogs, and donor opportunities. Currently, content providers often only allow searches within the products they sell, depriving users of the comprehensive library experience.
- Place holds, check-out items, view availability, manage fines and receive communications within individual library catalogs or in the venue the library believes will serve them best, without having to visit separate websites (libraries, not distributors, should be enabled to manage all interactions with users).
- Seamlessly enjoy a variety of e-content. To do this, libraries must be able to choose content, devices and apps from any provider or from multiple providers, without bundling that limits a library’s ability to serve content they purchase on platforms of their choice.
- Download e-books that are compatible with all readers, from the Kindle to the Nook to the iPad and so on, perhaps leading to a standard library eBook format that will work on many devices.

Any e-book vendor wishing to provide content for the E-Read Texas program should provide evidence that these principles will be respected and note any exceptions.

III. Collection Funding

Funds for the acquisition and licensing of materials for E-Read Texas are provided by the Texas State Library and Archives Commission (TSLAC). Sources of these funds include allocations in TSLAC’s budget and Library Services and Technology Act grant appropriations from the Institute for Museum and Library Services.

Participating libraries that wish to contribute financially to the program may contact TSLAC.

IV. Intellectual Freedom

Patron privacy is of the utmost importance to E-Read Texas and extreme care and caution will be taken when dealing with any personal information. The ALA Intellectual Freedom Committee addresses patron privacy in a series of [guidelines](#) focused on library technology and digital content. These guidelines “attempt to balance the need to protect reader privacy with the needs of libraries to collect user data and provide personalized services, while respecting and protecting the individual’s right to make their own informed decisions in regards to how much privacy they are willing to trade for convenience or added benefits.”

In order to protect the privacy of all E-Read Texas users, TSLAC will:

- Strive to educate all staff members on best practices to protect patron privacy
- Collect as little personal information as necessary
- Know the laws of the state of Texas regarding record retention and only keep what the library has to and only for the time period required
- Limit the amount of personal information needed from library users when accessing E-Read Texas content
- Educate patrons on their privacy rights and how to protect themselves
- Work closely with software and digital resource vendors to ensure their privacy guidelines and practices match the library's standards before implementing any new technology and resources
- Have clear policies for staff in regard to helping patrons with computer tasks; TSLAC employees should never access or help enter personal information onto paper or electronic forms

The ALA [Intellectual Freedom and Censorship Q&A](#) defines intellectual freedom (also known as free speech, freedom to read, and open access to information) as the right of every individual to both seek and receive information from all points of view without restriction. TSLAC and the E-Read Texas Program support the individual's right to access information representing a variety of points of view regardless of the individual views or biases of TSLAC personnel and will adhere to the principles of intellectual freedom adopted by the American Library Association as expressed in the [Library Bill of Rights](#), the [Freedom to Read Statement](#), and the [Freedom to View Statement](#).

E-Read Texas strives to provide a broad collection of materials in a variety of formats that represents all points of view, regardless of individual views or biases. TSLAC trusts that users can choose materials they and their children will access based on their own interests and standards. E-Read Texas therefore will not limit access to any item or resource based on an account-holder's age as it is the right of each individual person and family to decide what items are appropriate for use by themselves and their minor children.

V. Accessibility

All content available through the E-Read Texas Program must be accessible to users with a wide range of disabilities, including blindness and low vision, deafness and hearing loss, learning disabilities, and cognitive limitations.

TSLAC is required to follow Texas Administrative Code, Title 1, Part 10, Chapter 206, Accessibility and Usability of State Web Sites, Texas Administrative Code, Title 1, Part 10, Chapter 213, and the Federal Section 508, Accessibility Standards.

To improve the accessibility and interoperability of e-books purchased through the E-Read Texas Program, TSLAC strongly prefers the EPUB3 format, using the [EPUB Accessibility specification](#) to improve accessibility conformance. For more information, please also see the [DAISY Accessible Publishing Knowledge Base](#).

VI. Selection Criteria

General criteria for selecting materials for the E-Read Texas Collection will be left to the judgment, expertise, and experience of the TexShare E-Books Working Group and Texas State Library and Archives Commission staff. All decisions will be made as objectively as possible. To build and maintain a collection of merit and value, materials will be evaluated according to the following criteria:

- Format of and method of access to the offered material
- Collection scope and subject priorities set in Section II of this policy
- Timeliness of the material/date of publication
- Current and potential relevance to the needs of the communities served
- Author expertise
- Publisher reputation and editorial model
- Placement in a series
- Awards the title has received
- Language of the publication
- Suitability of material for the intended audience
- Reviews from professional journals and reviewers
- Existing gaps and strengths of the collection
- Representation of diverse points of view
- Significance of the work to local, regional, or state interests
- Licensing model

All materials are considered in terms of these criteria and an item need not meet all of these standards in order to be added to the collection.

VII. Responsibility for Selection

Titles in the E-Read Texas collection will be selected by members of the TexShare E-Books Working Group. The Working Group is composed of professional librarians with experience in collection development and e-resource acquisition (with experience working with e-book collections preferred). The current Working Group roster is available at <https://www.tsl.texas.gov/texshare/ebooksworking.html>.

Subscription e-book collections that are part of the TexShare and TexQuest electronic resources programs will be reviewed by the respective TexShare or TexQuest electronic information working groups. Such supplementary e-book content may be proposed by TSLAC staff for review by the TexShare E-Books Working Group.

TSLAC staff will be responsible for the acquisition and licensing of selected content.

VIII. Deselection and Replacement Criteria

Titles in the E-Read Texas collection will be weeded using the [CREW Manual](#), especially the Addendum on e-books, as guidance. Most superseded titles will be replaced by newer editions as they are issued. Subject areas with information that rapidly goes out of date, like legal and medical resources, will be regularly weeded if at all possible. Titles that purport to be factual but turn out to be fraudulent may be weeded or reclassified.

Titles with a limited number of uses will be replaced when the license expires only if there is sufficient demand to justify the repurchase.

IX. Wait List Management and Duplicates

A portion of the e-book budget will be reserved for the purpose of wait list management. When the funds are exhausted, no additional titles will be purchased.

Default hold ratio thresholds:

- 6 holds per copy for e-books until a maximum of 250 copies is purchased.
- 9 holds per copy for digital recordings until a maximum of 250 copies is purchased

The threshold may be pushed to as high as 15 holds per copy as a spending control measure or to manage titles with high demand but transient interest. When the total number of copies exceeds the limits above, TSLAC may investigate options for providing unlimited simultaneous access.

Duplicates of existing titles may also be purchased when additional formats or compatibility with additional devices are needed.

X. Reconsideration of Materials

E-Read Texas provides a collection that includes differing points of view on controversial or debatable topics. E-Read Texas does not promote a specific belief or viewpoint, and selection of an item or resource does not express or imply agreement or endorsement of an author's belief or viewpoint.

The Texas State Library and Archives Commission welcomes feedback from the public who may request the reconsideration of a selection decision by completing the "Request for Reconsideration of Library Materials" form located on the TSLAC website. The form must be completed in its entirety and returned to the program coordinator at TSLAC. An acknowledgement of receipt will be sent within five business days. Upon receipt of the completed reconsideration form, the item in question will be reviewed by the TexShare E-Books Working Group, TSLAC staff, and additional reviewers if particular expertise is needed for any reason. The item will remain in circulation while it is being reviewed. Recommendations will be made based on this policy, the material, and a careful review of professional standards that guide our library collection development. All recommendations will be reviewed by the TexShare Advisory Board, which includes two members of the public, at an open meeting for final decision by the Director and State Librarian. An initial response to any request for reconsideration will be provided in writing within twenty business days of receipt of the original reconsideration request, in accordance with TSLAC's [Compact with Texans](#) and Texas Administrative Code ([Title 13, Section 2.53](#)).



E-Read Texas Program
Request for Reconsideration Form



The Texas State Library and Archives Commission has adopted a Collection Development Policy to establish selection criteria and processes for the E-Read Texas Program. This policy includes a process for Reconsideration of Materials. Completion of this form is the first step in that process.

Please complete this form and return it to:

E-Read Texas Program Coordinator
Texas State Library and Archives Commission
PO Box 12927
Austin, TX 78711-2927
texshare@tsl.texas.gov
Fax: 512-936-2306

Your name: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Date: _____

Do you represent an organization? [] No [] Yes

If yes, provide the organization name: _____

1. Book for which you are requesting reconsideration:

Title: _____

Author/Creator: _____

2. How did you access this book? [] SimplyE app [] Other

If other, please provide URL or name of app: _____

3. What brought this book to your attention?

4. Have you read the entire book? [] No [] Yes

If not, what sections did you read? _____

5. What specific concerns do you have about the book?



**E-Read Texas Program
Request for Reconsideration Form**



6. List any resource(s) that can provide additional information related to your request and/or other viewpoints on the topic(s) addressed by this book.

7. What action(s) are you requesting that the program consider?

Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet

May 1, 2020

Agenda Item 8: TexShare Electronic Information Working Group report

Contact Person: Russlene Waukechon

The TexShare Electronic Information Working Group met on Monday, February 3 at the Lorenzo de Zavala State Archives and Library Building. Russlene Waukechon convened the meeting at 10:00 a.m. The topic of the meeting was long-term planning for TexShare e-resources.

- Russlene Waukechon and Danielle Plumer gave some background on the TexShare Databases contracts and bid process and went over some plans under considering for TexShare bids going forward. The discussion centered around consolidating all resources into one bid cycle and the pros and cons of merging the TexQuest and TexShare bids into one Request for Offer (RFO).
- The working group discussed the cost/benefit of various resources for what they contain, and how feasible it would be for libraries to purchase those resources on their own.
- It was agreed that having a common set of resources between public and K12 resources could be extremely beneficial. This decision though would have ramifications for academic libraries and the resources they provide to their students.
- TSLAC is also looking at authentication over the next five years. Some types of authentication currently being used are likely to be phased out, and TexShare will have to consider how to support other forms of authentication for the TexShare portal and libraries who can't manage their own authentication. Discovery is also under consideration.
- Danielle Plumer gave an overview of the current budgets for TexShare, TexQuest, and E-Read Texas. Federal and state funding levels were reviewed, and the possibility of decreased funding was discussed.
- The working group discussed the statement of work for the next RFO and what content needs to be included in the bid package.
- The timeline for the bid was discussed along with the recommendation to synch both TexQuest and TexShare to the same contract start date.
- Danielle Plumer discussed the survey instrument for the upcoming bid and the creation of a new sub-committee to score the bid packages.

Action Requested: None.

**Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet**

May 1, 2020

Agenda Item 9: TexShare Policy on Fee Waivers Related to Natural Disasters

Contact Person: Danielle Plumer

At its meeting of November 22, 2019, the TexShare Advisory Board asked TSLAC staff to develop an official policy to address fee waivers for TexShare member libraries affected by natural disasters. TSLAC staff have determined that the Cost Sharing Working Group should be involved in the development of the policy, and that group has not had a chance to meet. The policy on fee waivers for TexShare member libraries affected by natural disasters will be presented to the TexShare Advisory Board at its next meeting.

Action Requested: None.

**Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet**

May 1, 2020

Agenda Item 10: FY21 TexShare Databases Program participation fees

Contact Person: Danielle Plumer

At its meeting on May 5, 2017, the TexShare Advisory Board approved changes to the TexShare Cost Sharing Fee Formula. Those changes include a maximum amount of any year to year fee increase of 10%. They also direct TSLAC to calculate TexShare Core Databases Participation Fees in May, with review by the Cost Sharing Working Group and the TexShare Advisory Board as needed, with initial fee estimates provided to institutions in June.

For FY2021, TSLAC proposes to keep participation fees the same as in FY2020, except as needed to accommodate caps based on collection expenditures. The total cost of TexShare e-resources for FY20 has increased only \$65,478.80 from FY19, less than 1%. The additional cost will be covered by other funding or TexShare operating reserves.

Action Requested: Approve TexShare Databases participation fees for FY2021 at FY2020 levels.

Texas State Library and Archives Commission
TexShare Advisory Board Fact Sheet

May 1, 2020

Agenda Item 11: Application for TexShare affiliate membership from Stark College and Seminary

Contact Person: Danielle Plumer

The TexShare Advisory Board is asked to review and make recommendations on the following application for TexShare Affiliate Membership:

Stark College and Seminary has applied for membership in TexShare as an Affiliate Member. Stark College is an ABHE (Association for Biblical Higher Education Commission on Accreditation)-accredited institution in Corpus Christi, Texas.

Their application for affiliate membership is complete. Although they state that they are an institution holding a current certificate of authorization from the Texas Higher Education Coordinating Board, in fact they have a letter from THECB attached to their application exempting them from this requirement as a religious institution, as well as a letter from the Texas Workforce Commission exempting them from regulation as a career school or college. TSLAC has done a legal review and determined on the basis of case law and Texas Government Code §2400.002 that we cannot deny affiliate membership in TexShare on the basis of their lack of a certificate of authorization when the relevant exemptions have been obtained.

TexShare Affiliate members may participate in the TexShare Card program. They may not participate in the TexShare Databases Program. When vendor contracts allow, Affiliate members may participate in the TexSelect electronic resources discount program. TexShare Affiliate members are not eligible for TSLAC grants and subsidies.

Action Requested: Recommend whether to approve or deny Stark College and Seminary's application for Affiliate membership in TexShare.

Attachments: Stark College Application for Affiliate Membership in TexShare
Exemption letter from Texas Higher Education Coordinating Board
Exemption letter from Texas Workforce Commission



TexShare Consortium Affiliate Membership Application



The Texas State Library and Archives Commission administers the TexShare Consortium of academic libraries, public libraries, and libraries of clinical medicine. Membership in the TexShare Consortium is established by statute ([Section 441.224](#) of the Government Code) and administrative rule ([13 TAC 8.3](#)). Eligibility requirements for Affiliate Membership are defined in [13 TAC 8.1](#).

Lorenzo de Zavala
State Archives and
Library Building

1201 Brazos Street
Austin, Texas
78701

P.O. Box 12927
Austin, Texas
78711-2927

www.tsl.texas.gov

Commission Chairman
Michael C. Waters

Members

David C. Garza
F. Lynwood Givens
Larry G. Holt
Arthur T. Mann
Darryl Tocker
Martha Wong

Director and Librarian
Mark Smith

Assistant State Librarian
Gloria Meraz

Please complete this application form so that we can determine if your institution is eligible for TexShare Affiliate Membership. If your membership is approved, you will be asked to complete and sign a membership agreement. It may take up to six months for your membership to be approved.

1. Name of Library

Earl & Ohuita Hill Library

2. Name of parent institution

Stark College & Seminary

3. Library address

Requirement: Library must be physically located in Texas, or if physically located outside of Texas, be capable of providing online library services exclusively to Texas residents.

Street address: 7000 Ocean Drive		
City: Corpus Christi	State: TX	ZIP: 78412
URL: https://stark.edu/students/library/		

If library is not physically located in Texas, explain how you will provide online services exclusively to Texas residents.

4. Legal establishment

Requirement: Library is established as a nonprofit organization or administrative subdivision of a nonprofit organization.

i. Is library or parent institution incorporated under the Texas Nonprofit Corporation Law (Texas Business Organizations Code §22.001)? <i>If yes, attach certificate of incorporation.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ii. Is library or parent institution recognized as exempt from federal income tax under section 501(c)(3) of the U.S. Internal Revenue Code? <i>If yes, attach determination letter.</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
iii. Is library operated by a unit of local, state, or federal government? If yes, provide name of unit: _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
iv. Is library a designated tribal library? If yes, provide name of federally recognized tribe: _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

5. Please indicate your institution type, or the institution type of your parent institution.

Requirement: Library is a component of an eligible institution type.

TSLAC

Preserving yesterday
Informing today
Inspiring tomorrow

i. An institution holding a current certificate of authorization from the Texas Higher Education Coordinating Board as specified in 19 TAC §7.7	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
ii. An "other agency of higher education" as defined by Education Code, §61.003 (6).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
iii. A full member of the National Network of Libraries of Medicine, South Central Region	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
iv. A component of the National Archives and Records Administration	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
v. A U.S. Department of Defense installation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
vi. A non-public school accredited by an agency recognized by the Texas Private School Accreditation Commission	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

6. Library services.

Requirement: *Library provides services typical of a public or academic library.*

i. Do services provided by library include the following?

• Circulation of physical materials	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• Reference services	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• Patron/Public Access Computers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• Other library services (explain below) Writing help, research training, scanning and copying, access to databases	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

ii. Hours.

• Is the library open to patrons and staffed at least 20 hours per week?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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iii. Library Director.

• Does the library have a designated director employed at least 20 hours per week on library-related duties?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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By signing below, you agree that the information above is accurate.

Earl & Ohuita Hill Library

Library Name

Krissy Nichols

Library Director's Name

Signature of Library Director

Director of Theological Library Services

Title

4/9/2020

Date

Return this form to TexShare (texshare@tsl.texas.gov) when complete.
If you have any questions, please contact us at 512-463-5465.



TEXAS HIGHER EDUCATION COORDINATING BOARD

Academic Quality and Workforce

P.O. Box 12788 Austin, Texas 78711 • 1200 East Anderson Lane 78752

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February 11, 2019

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Stark College & Seminary
7000 Ocean Drive
Corpus Christi, TX 78412

Garry Tomerlin, Ed.D.
Deputy Assistant Commissioner
Workforce
garry.tomerlin@theccb.state.tx.us

Dear Dr. Dunn:

Stark College & Seminary, located in Corpus Christi, Texas, has notified the Texas Higher Education Coordinating Board of its status as a religious postsecondary educational institution that will only offer programs in religious studies. The institution has held a religious exemption since 2012 under its former name, South Texas School of Christian Studies.

In *H.E.B. Ministries v. Texas Higher Education Coordinating Board*, 235 S.W.3d 627 (2007), the Texas Supreme Court held that sections 61.304 and 61.313(a) of the Texas Education Code, which regulates the activities of degree-granting institutions, may not constitutionally be "applied to a religious institution's program of religious instruction." Provided that Stark College & Seminary's activities are, as you have informed us, entirely religious in nature, they are outside the purview of the Texas Higher Education Coordinating Board. The use of a protected term, such as "college," by a religious institution is also outside the purview of the Texas Higher Education Coordinating Board.

As a reminder, it is also necessary that Stark College & Seminary apply for and receive a license, exemption or exclusion from Chapter 132 of the Texas Education Code through the Texas Workforce Commission.

If you have any questions, please contact Cathie Maeyaert, Special Projects Director, by phone at 512.427.6527 or via email at cathie.maeyaert@theccb.state.tx.us or me.

Sincerely,

A handwritten signature in black ink that reads "Rex C. Peebles".

Rex C. Peebles

AQW/CAM

Texas Workforce Commission

A Member of Texas Workforce Solutions

Ruth R. Hughs, Chair
Commissioner Representing
Employers

Julian Alvarez
Commissioner Representing
Labor

Robert D. Thomas
Commissioner Representing
the Public

Edward Sema
Interim Executive Director

February 20, 2019

Jena Dunn, Ed. D.
Stark College & Seminary
7000 Ocean Drive
Corpus Christi, Texas 78412

Dear Dr. Dunn:

Your request for exemption under Texas Education Code, Section 132.002 (a) (2) is granted.

Stark College & Seminary is granted exemption based on your letter and attachments. These are courses provided by a non-profit school owned, controlled, operated, and conducted by a bona fide religious, denominational, eleemosynary, or similar public institutions exempt from property taxation.

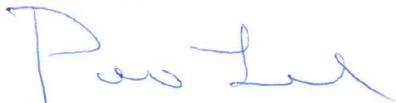
You should inform this agency of any changes in your method of operation, programs, school name or location, since a change may jeopardize this exemption. In that case, you may need to secure a Certificate of Approval in advance of any advertising, soliciting or operating as a proprietary school. Be advised that you are responsible for adhering to the provisions of your exempt status and violation of these provisions could result in revocation of the exemption, recommendation of penalties and referral to the Office of the Attorney General for further action.

Exemption status means Stark College & Seminary is not approved or regulated by the Texas Workforce Commission. This means we have not approved the curriculum, classrooms, teachers, or any other matters related to this school. On-site visits will not be conducted at Stark College & Seminary.

Furthermore, this letter of exemption does not constitute approval, accreditation, or licensure of the school's courses under Texas law.

Thank you for your cooperation and assistance in this matter. If you have any further questions or require additional assistance, please do not hesitate to contact me at (361) 885-3007 or by E-mail at polo.leal@twc.state.tx.us.

Sincerely,



Polo Leal
Integrated Services Area Manager

E-4486