

**Public Library Determination –
Eligible Public Library Determination –
Eligible Academic Library Determination –
Eligible Library Consortium Determination –
Eligible Library Kiosk Determination –
Eligible Bookmobile/Outreach Vehicle Determination**

The Kentucky Department for Libraries & Archives makes determination of “*public library*”, “*eligible public library*”, “*eligible academic library*”, “*eligible library consortium*”, “*eligible library kiosk*” and “*eligible library bookmobile/outreach vehicle*” status for LSTA, E-rate, state aid and other purposes based upon the following criteria. In case of doubt, the commissioner or his designates has final authority to issue such a determination.

Determination Criteria:

- 1) A "Public Library" provides free access to all residents of a county, district, or region, without discrimination. It also meets the following minimum criteria:
 - 1(a) the library is established under one of following statutory sections: KRS 65.182, KRS 65.210, KRS 65.810, KRS 67.715, KRS 173.010, KRS 173.310, KRS 173.470, or KRS 173.710.
 - 1(b) the library has an organized collection of printed or other library materials, or a combination thereof;
 - 1(c) the library has paid, trained staff;
 - 1(d) the library has an established schedule during which services of the staff are available to the public;
 - 1(e) the library has the facilities necessary to support such a collection, staff, and schedule;
 - 1(f) the library is supported in whole or in part with public funds.

- 2) An “Eligible Public Library” is an entity which:
 - 2(a) meets the definition of a “public library” in section one (1);
 - 2(b) has a Library Director who is properly certified by the Kentucky Board For the Certification of Librarians (725 KAR 2:060);
 - 2(c) at the time of application neither the board nor the other principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in federal financial assistance and non-financial assistance programs or activities by any federal department or agency;
 - 2(d) complies with all federal statutes relating to non-discrimination, including but not limited to Title VI of the Civil Rights Act of 1964 and they must further provide assurances that they will not discriminate on the basis of race, color, religion, age, gender, gender identity, sexual orientation, national origin, political affiliation or handicapping condition in providing space for public meetings or in the provision of services;
 - 2(e) is not delinquent in the repayment of any federal debt; and
 - 2(f) will refrain from using LSTA funds for lobbying efforts.

A public library meeting the above criteria shall be considered by KDLA to be an eligible entity for LSTA, E-rate and other purposes.

- 3) An “Eligible Academic Library” is an entity which meets the following criteria:
- 3(a) a library, which forms an integral part of a college, university or other academic institution for postsecondary education having a fixed location in Kentucky which is organized and administered to meet the learning and research needs of students, faculty, and staff of the institution;
 - 3(b) at the time of application neither the library nor the academic institution are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in federal financial assistance and non-financial assistance programs or activities by any federal department or agency;
 - 3(c) complies with all federal statutes relating to non-discrimination, including but is not limited to Title VI of the Civil Rights Act of 1964 and they must further provide assurances that they will not discriminate on the basis of race, color, religion, age, gender, gender identity, sexual orientation, national origin, political affiliation or handicapping condition in providing space for public meetings or in the provision of services;
 - 3(d) the library has is not delinquent in the repayment of any federal debt; and
 - 3(e) the library will refrain from using LSTA funds for lobbying efforts.

An academic library meeting the above criteria shall be considered by KDLA to be an eligible entity for LSTA, E-rate and other purposes.

- 4) An “Eligible Library Consortium” is an entity which meets the following criteria:
- 4(a) the consortium is legally established under one of the various methods available and appropriate within the Kentucky Revised Statutes;
 - 4(b) the consortium is composed entirely of eligible Kentucky based public or academic libraries, or a mixture of the types; and
 - 4(c) the consortium members comply with all criteria under “eligible public library” (section 2 of this document) or “eligible academic library” (section 3 of this document), as appropriate.

A consortium meeting the above criteria shall be considered by KDLA to be an eligible entity for LSTA, E-rate and other purposes.

- 5) An “Eligible Library Kiosk” is a facility which meets the following criteria:
- 5(a) it is operated by a recognized eligible public library as defined in section two (2) of this document;
 - 5(b) it is a library service point maintained outside of a normal library facility to provide access either virtually or in person to library services and resources;
 - 5(c) the facility has electronic equipment or other material physically available to provide access to library resources;
 - 5(d) the structure may be within another structure or stand alone and it may be temporary, semi-permanent or permanent;
 - 5(e) an Internet hot spot established by the library but providing no other services or equipment shall not be considered a library kiosk; and
 - 5(f) a selection of books or other material placed in a facility by the library which is unstaffed and there are no other services provided shall be considered a deposit collection but shall not be considered a kiosk.

A Kiosk meeting the above criteria shall be considered by KDLA to be an eligible entity and classified as a Branch Library or as a Service Outlet for LSTA, E-rate and other purposes.

6) An “Eligible Library Bookmobile/Outreach Vehicle” is a vehicle which meets the following criteria:

- 6(a) it is operated by a recognized eligible public library as defined in section two (2) of this document; or
- 6(b) it is operated independently of any established public library, but meets all other criteria found in this section and meets the requirements of 2(c) through 2(f) of this document;
- 6(c) it is operated by paid, trained staff;
- 6(d) the bookmobile/outreach vehicle staff is properly certified by the Kentucky Board for the Certification of Librarians (725 KAR 2:060);
- 6(e) it has either an organized collection of printed, electronic or other library materials, or a combination thereof; or it is utilized to conduct programming for eligible persons in the service area; and
- 6(f) it has an established schedule during which services of the staff are available to the public; and
- 6(g) the vehicle is supported in whole or in part with public funds.

Vehicles used solely for the delivery of material and which offer neither a standing collection nor provide programming or access to electronic resources are not classified as an eligible library bookmobile or outreach vehicle.

A vehicle meeting the above criteria shall be considered by KDLA to be an eligible entity for LSTA, E-rate and other purposes.