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## Maintenance of Effort Waiver-Request Procedures

Public library funding in Georgia is a partnership between the Georgia Public Library Service, which is delegated the responsibility to disburse budgeted state funds, and local taxing authorities including, cities, counties and boards of education. Public libraries are fundamentally a local responsibility, governed by local boards of trustees appointed by local funding agencies. State funding is provided to enhance public library services, and is used to facilitate economy-of-scale activities that help ensure statewide equity.

The Official Code of Georgia assigns responsibility for utilizing authorized state and federal funds to enhance public library service to the Board of Regents, University System of Georgia:

OCGA § 20-2-305 (a) "Public library funds shall be apportioned to county and regional public libraries in proportion to the area and population to be served by such libraries in accordance with regulations and minimum public library requirements prescribed by the state board." (e)"The Board of Regents shall adopt policies and regulations to implement this Code section."

OCGA § 20-5-3 "The Board of Regents shall use such funds for the purpose of aiding and supplementing the establishment and development of public library services."

Primarily, state funding to public libraries takes the form of direct grants designated for professional librarian positions, library materials, and general grants to be used to enhance system services. These grant amounts are determined annually by formula. In continuing consultation with the state's public library systems, GPLS endeavors to insure that this distribution formula is as equitable as possible, recognizing the diversity in population, geography and system configuration among the 61 systems.

Extensive state on-behalf support for libraries includes a statewide data network, providing broadband service to every library facility in Georgia; group purchase of GALILEO databases; group access to OCLC cataloging and interlibrary loan services; provision and maintenance of the PINES ILS system; courier service, and E-Rate funding activities.

State grants are provided to libraries undertaking construction projects as matching grants. Federal library funds are utilized on behalf of public libraries for network



support, database services, vacation reading club grants, continuing education activities and library services for persons with disabilities.

State funding may not take the place of adequate, continuing local support for libraries. Local funding agencies bear the primary responsibility to maintain a reliable level of support for the on-going operation and upkeep of the communities' libraries.

A maintenance of effort (MOE) requirement ensures that state assistance to public libraries results in an *increased and enhanced* level of library-related activity and that a local government entity does not simply replace local dollars with state dollars over time. The MOE demonstrates funding agencies' commitment to library programs and acknowledgment that the public library is an essential component of local government service.

The Chancellor, University System of Georgia, the Board of Regents and the Georgia Public Library Service will consider a waiver of the MOE requirement in exceptional or uncontrollable circumstances such as a precipitous and unforeseen decline in the financial resources of a local government entity. When local funding agencies face extreme and serious financial downturns, necessitating reductions of funding to all funded departments and agencies, the Library System Board of Trustees may request a waiver of the MOE requirement. The request must originate with the Board of Trustees, and must be signed by the Board Chair, in such cases as detailed below:

1. Reduction of funding to the Library must be of an equal or small percentage to the reduction of other funded departments and agencies, with the exception of constitutionally-mandated or public safety agencies.
2. Restoration of original funding levels must occur no later than restoration of funding to other funded departments/agencies, and must be restored at the same percentage, with the exception of constitutionally-mandated or public safety agencies.
3. Waiver of MOE requirements will be granted upon evidence of specific economic hardship, and will be granted for a defined period of time with a clearly-specified time frame for restoration. Waiver will contain an expiration date, after which MOE requirements will be reviewed for extension if requested.
4. If a waiver is not granted, GPLS reserves the right to reduce state funding in proportion to the local funding reduction.



#### MOE Waiver Request Requirements:

- Waiver request must be initiated by the governing board of the Library System, and must be signed by the Board Chair. A majority vote of the governing board in favor of a waiver request must be reflected in the official board minutes.
- Evidence of economic hardship in local government and equal treatment of the library with respect to other local government departments being cut must be certified.
- Supporting documentation from local funding agency, if available, which explains the need for said reduction, should be submitted to GPLS with the waiver request.
- The governing Board must certify that it will expend all efforts possible to pursue the restoration of funding levels.
- On-behalf services offered by funding agency to mitigate reduction should be submitted with documentation, with dollar values specified.
- Service impacts that will be experienced by the library and its users in light of local funding reduction must be detailed.
- Any waiver granted is for a specific single state fiscal year. Library Board may request a waiver extension.