

**Organizational Agreement
For Member Libraries
and
Southcentral Minnesota Inter-Library Exchange (SMILE)**

PREAMBLE

In accordance with the provisions of Minnesota State laws, 1979 ch.334, art.IX, ss10 & 12 (Minnesota Statutes, Section 134.351-134.36), the Southcentral Minnesota Inter-Library Exchange (SMILE) is hereby established.

MISSION

SMILE seeks to support, encourage and facilitate cooperative activities among all types of libraries and information centers in a continuing effort to improve services to the people in its region.

PURPOSE

The purpose of the multicounty, multitypes library cooperation program is to encourage and develop sharing of resources among all types of libraries within a multicounty area. In the spirit of the purpose stated above, the organization of the Southcentral Minnesota Inter-Library Exchange (SMILE) is based on the concept of "universal access"; that is, the resources of all libraries in the region should be shared to the greatest possible extent with all users in the region. Universal access in no way implies that any library will be required to alter its current circulation policy or rules. As a matter of principle, the network exists to improve library access. If improvement in access to one group of users results in reduced access for another group of users, then the purpose of SMILE is not being served.

SERVICES OF SMILE

Member libraries shall be free to use any, all, or none of SMILE's services.

Although all SMILE services are dependant upon adequate funding, SMILE shall provide services to the greatest extent possible with funds granted for SMILE's operation. The following areas must be addressed in SMILE's service programs: long range planning, delivery, resource sharing, communication, and bibliographic database development.

ELIGIBILITY FOR MEMBERSHIP IN SMILE

Libraries meeting the definition of a "library" as described below and located in the geographic region of south-central Minnesota, which includes the counties of Blue Earth, Brown, Faribault, LeSueur, Martin, Nicollet, Sibley, Waseca and Watonwan are eligible for membership in SMILE.

A. ACADEMIC LIBRARY

An academic library is any library that is organizationally part of a post-secondary education institution.

B. PUBLIC LIBRARY

A public library is any library that provides access to all residents of a city or a county without discrimination, receives at least half of its financial support from public funds, and is organized under the provisions of Minnesota Statutes Chapter 134, Section 375.33. It does include libraries organized as a combination of a public library and another type of library. Each public library participating in SMILE shall also participate in the Traverse des Sioux Library System, and a public library which is independent of the Traverse des Sioux Library System shall not participate in SMILE.

C. SCHOOL LIBRARY/MEDIA CENTER

A school library or media center is organized to serve pre-school through twelfth grade by implementing the curricular goals and objectives of the school district or organization and provides instructional programs for students and staff in the utilization of media.

D. SPECIAL LIBRARY/INFORMATION CENTER

A special library/information center is one that is part of a larger organization; its services are determined by the objectives of the sponsor; and the collection of the library is delimited by the subject areas of particular interest to the sponsor. A number are non-profit institutions such as hospitals and museums. Law libraries, county extensions, and historical societies, which because of their unique and special focus also are considered special libraries/information centers.

FEES

There shall be no membership fee to member libraries for services. Fees, if any, shall be determined by SMILE and covered by special and separate agreements.

OTHER COOPERATIVE AGREEMENTS

Libraries participating in SMILE shall not be prohibited from entering into other cooperative agreements, networks or consortia, or contracts with other libraries or group of libraries for service; and memberships in other such cooperative agreements, networks or consortia, or contracts with other libraries or groups of libraries for service shall not restrict membership in SMILE.

TERMINATING MEMBERSHIP

This agreement shall continue in force from the date of signing until superseded by another agreement. Any participating library may terminate its membership in SMILE at any time by so stating in a letter from its governing body to the director of SMILE at least 30 days in advance. The Governing Board of SMILE reserves the right to terminate the membership of any SMILE participating library if a participating library fails to abide by the provisions and requirements of the organizational agreement. A two-thirds majority by roll call vote of the entire Governing Board is required for expulsion. When a participating library's membership in SMILE terminates for whatever reason, the library agrees to immediately return all materials, items and equipment provided to it through SMILE auspices and agrees to return all materials, items and equipment borrowed from other participating libraries. When a participating library's membership in SMILE terminates for whatever reason, it can make no claims against SMILE.

MAINTENANCE OF EFFORT

- A. Participation in SMILE does not diminish the responsibility of the appropriating authority of each participating library to provide adequate financial support to meet current and ongoing needs. Where evidence suggests that an appropriating authority is providing inadequate financial or has reduced financial support because a library is participating in SMILE, the SMILE Governing Board shall investigate and determine whether or not the participating library shall have its membership terminated. The Governing Board shall use as its standard of measurement of maintenance of effort the standards established in the following federal programs: (1) Higher Education Act Title IIA for academic libraries, (2) Library Services and Construction Act Title I for public libraries, (3) Elementary and Secondary Education Act Title IV-B for school libraries or media centers. Special libraries/information centers shall be measured by similar standards developed by the Governing Board.
- B. Member libraries recognize that SMILE and cooperative service is intended to be a supplementary library resource.

Approved by the SMILE Advisory Committee, December 12, 2002

Approved by the Governing Board, December 19, 2002

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SIGNATORY PAGE

We, the undersigned, agree to the above requirements for participation and provisions for service in the Southcentral Minnesota Inter-Library Exchange (SMILE)

1.

SMILE Board President

Date

2.

Signature/Title of person directly in charge of library(ies)

Date

3.

Signature/Title of administrator or other authority

Date

4.

Signature/Title of administrator or other authority IF signatory
On line 3 does not have sole authority to sign contracts

Date

Please provide the following information for each library covered by this agreement (e.g. each school building within a district)

Name of Library/Media Center

Phone

Name of Librarian or Media Specialist

Fax

Street Address

City State Zip Code

E-mail Address

Check One:

- Academic Library, publicly supported
- Academic library, privately supported
- Public library
- School library/media center
- Special library/information center