



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	The Library of Virginia
Virginia Administrative Code (VAC) citation	17 VAC 15-100-10
Regulation title	Certification of Librarians
Action title	Continuing Education Requirements For Certification of Public Librarians
Document preparation date	

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 21 (2002) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.

The Library of Virginia Board intends to amend 17 VAC 15-100-10, which states that librarians must hold a graduate degree in library science from an accredited institution. This action is contemplated to respond to changes in the profession and to implement continuing education requirements.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.

Under the Code of Virginia Title 42.1-15.1 the Library of Virginia Board sets qualifications for professional librarians. Public libraries must have certified librarians in positions as required by state law. Public libraries with service area populations greater than 13,000 that fail to have a certified librarian in the position of director will have their by 25 percent.

Substance

Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed. Include the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. Delineate any potential issues that may need to be addressed as the regulation is developed.

Rapid changes and advances in information technology are common. The amount of available information is increasing exponentially. Librarians need to be current on new technologies and knowledgeable in order to provide effective service to the citizens of Virginia.

The Library of Virginia Board will issue Professional Librarians' Certificates to applicants who have received either a master's or doctoral degree in library or information science from a school that had a program accredited by the American Library Association at the time the degree was awarded.

It is proposed that the regulation be amended to specify that certification be granted for a five-year period.

Certificates will be renewable upon evidence that the holder has participated in activities that produce 100 professional development points within a five-year period.

At the close of the five-year period, the certificate holder will apply to the Library of Virginia Board for renewal of certification based on documentation of professional development activities.

One issue that will need to be resolved is the status of current certified librarians. The Office of the Attorney General will need to determine the implication of the certification "for life."

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action.

A 14-member task force assisted in the development of the proposed changes in the certification regulations. The task force considered other models in addition to the currently required Master's degree in library science including provisional certification, certification based on classifications of librarians and certification based on an alternative to the graduate degree.

The task force recommended that the graduate degree be retained as the standard for certification. The Library of Virginia Board accepted the recommendation in November 2003.

Family impact

Assess the potential impact of the proposed regulatory action on the institution of the family and family stability.

High quality public library service enhances lifelong learning, especially the preparation of young children in getting ready to learn.