

Memo

To: Montana State Library Commission

From: Darlene Staffeldt, State Librarian

Date: April 2, 2009

Re: PEEL Scholarship employment requirements – Desiree Dramstad

Issue: Should an exception be made so that Desiree Dramstad's position at the Montana State Prison Library satisfies the employment requirement?

Background: When the Montana State Library applied to the federal Institute of Museum and Library Services for the Professional Education and Employment for Librarians (PEEL) scholarship monies we made a strong argument in our grant application that a significant percentage of Montana tribal college, public and school libraries do not employ professional librarians. We wanted to specifically help these libraries address this need so we set the employment qualifications to include only those three types of libraries.

Montana Public Libraries are defined in MCA 22-1-301; additionally the library professional community traditionally recognizes different types of libraries as: public, school (typically K-12), academic, and special (which includes such libraries as hospital, institutional, etc.).

Each scholarship recipient signed a scholarship program agreement before accepting the scholarship monies. The agreement states the following regarding employment:

"Upon completion of the MLIS degree, I will fulfill the employment requirement for receiving a scholarship. I agree to apply for a professional position in a Montana public library, public school library (elementary, middle or high school), or tribal library. I agree to accept any appropriate position offered to me no matter where it is located in the state of Montana, and to hold any such position for at least 24 months. I understand that failure to seek employment and to provide

proof to MSL that I have sought such employment, refusing an appropriate position, or not working in the state for 24 months in a professional position, will require that I repay the scholarship funds in full and with interest to MSL. If within six months of graduating I have not found employment due to unavailability of eligible positions or of eligible positions not being offered to me, I will contact MSL to provide documentation that I was unable to find or was not offered suitable employment. At that time, the Montana State Librarian will review the documentation and make a recommendation to the Montana State Library Commission about repayment of the scholarship.”

Options:

(1) Continue to move forward with the scholarship program as currently stated and intended.

Pros: Is consistent with the original intent of the grant application submitted to the Institute of Museums and Library Services;

Is consistent with the advice of the State Library’s attorney;

Is consistent with the PEEL Advisory Committee’s recommendation;

Is consistent with earlier actions taken by the State Library which required a scholarship recipient who accepted a position at a special library and did not seek a position in a public, school, or tribal library to repay scholarship funds awarded her;

Provides better opportunity for public, school, and tribal libraries in Montana to hire a professional librarian; and

If qualifying positions in public, school, or tribal libraries are not available or if a scholarship recipient applies but is not offered a job in a qualifying library the Commission has options available other than asking scholarship recipients to return the scholarship monies.

Cons: Could result in need for additional Commission action should current scholarship recipients not be able to obtain employment in public, school, or tribal libraries.

Although the State Library’s legal position in this matter appears solid, there is the possibility that any of the parties involved might turn to litigation in pursuit of a resolution deemed more favorable from the other party’s or parties’ perspective.

(2). Grant Desiree the exception to the scholarship program agreement.

Pros: Would satisfy the current concern from the Department of Corrections and Desiree.

Cons: Is not consistent with the original priorities set for the scholarship program

to help public, school, and tribal libraries hire more professionally trained librarians;
Is not consistent with the advice of the State Library's attorney;
Is not consistent with the PEEL Advisory Committee's recommendation;
Could expose the State Library to litigation from another scholarship recipient who accepted a job at a special library and was required by the State Library to repay her scholarship award; and
Could expose the State Library to litigation from individuals who because of the original stated requirements chose not to apply for a scholarship and therefore view themselves as having been denied an opportunity that would have been of significant benefit to their professional and personal well-being.

Recommendation: The State Librarian's recommendation to the State Library Commission is to continue to move forward with the scholarship program as currently stated and presented and to not grant an exception to Desiree. Desiree will not graduate from UW until May and has six months after that time to secure a position that would meet the employment requirements. If she does try to find another position, but is not successful after six months following graduation, she can then request to be released from the obligation to repay the scholarship and can remain at the prison library.

Please let me know if you have any questions on this item. Thank you.