



RULES OF

Elected Officials

Division 30—Secretary of State

Chapter 200—State Library

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TITLE 15 – ELECTED OFFICIALS
Division 30 – Secretary of State
Chapter 200 – State Library

15 CSR 30-200.010 State and Federal Grants – Definitions

PURPOSE: This rule defines terms utilized in connection with the requirements, procedures, and administration of state and federal grants administered by the state librarian under the direction of the secretary of state.

(1) As used in 15 CSR 30-200.010 to 15 CSR 30-200.100, the following terms shall mean:

(A) Academic library is a library which is controlled and operated by a two- (2-) or four- (4-) year college or university, either publicly supported or private, and which is designated primarily to serve faculty and students of that college or university;

(B) Appropriation is state or federal funding specifically set aside for the state library;

(C) Grant is a non-repayable fund distributed by the state or federal government, a public or private corporation, a public or private foundation, or a trust;

(D) Institutional library is a library that serves the residents of an institution supported with state funds. These institutions include, but are not limited to, correctional, youth, veteran, and health organizations;

(E) Library consortium is any local, statewide, regional, interstate, or international cooperative association of library entities which provides for the systematic and effective coordination of the resources of school, public, academic, and special libraries and information centers and for improved services for the clientele of such library entities;

(F) Public library is a library established and maintained under the provisions of the library laws or other laws of the state related to libraries, primarily supported by public funds and designed to serve the general public;

(G) School library is a library controlled and operated by elementary or secondary schools, either publicly supported or private, and designated to serve faculty and students of that school;

(H) Secretary is the Missouri secretary of state;

(I) Secretary's Council on Library Development is a committee established by the secretary of state made up of representatives from all areas of the state which may include legislators, public library trustees, citizens, and librarians from all types of libraries. This committee advises the state librarian and the secretary of state on statewide library concerns, federal grant programs, state aid to public libraries, and all matters that relate to Missouri libraries and library service to Missouri citizens; recommends policy and programs; and communicates the value of libraries to people in the state and to those responsible for libraries;

(J) Signature, for purposes of appropriations and grants and the paperwork associated with them, may include an electronic signature, electronic facsimile of the original signed document, or a pdf of the original signed document which shall be *prima facie* evidence for all purposes that the document actually was signed by the person whose signature appears on the page, facsimile, or pdf document. An electronic facsimile of a signature that is attached to an electronic file shall also be considered a signature under this definition;

(K) Special library is a library established by an organization and designed to serve the special needs of its employees or clientele; and

(L) State aid to public libraries is a sum appropriated by the legislature for distribution among the public libraries of the state as specified in section 181.060, RSMo.

AUTHORITY: sections 28.700, 181.021, and 181.060, RSMo 2016.
Emergency rule filed Nov. 18, 1996, effective Nov. 28, 1996, expired May 26, 1997. Original rule filed Nov. 18, 1996, effective May 30, 1997. Amended: Filed Oct. 31, 2011, effective April 30, 2012. Amended: Filed Nov. 13, 2015, effective April 30, 2016. Amended: Filed Feb. 7, 2019, effective July 30, 2019.*

**Original authority: 28.700, RSMo 2001; 181.021, RSMo 1955, amended 1991, 1995, 2004 and 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991, 2011.*

15 CSR 30-200.015 Library Certification Requirement for the Protection of Minors

PURPOSE: For the protection of minors defined in 15 CSR 30-200.030(1)(E), this rule establishes a certification requirement for any library defined in 15 CSR 30-200.010 that receives funds pursuant to 15 CSR 30-200.020 and 15 CSR 30-200.025.

(1) Notwithstanding any provision of 15 CSR 30-200.020 and 15 CSR 30-200.025 to the contrary, the state librarian shall not distribute any funds to any library defined in 15 CSR 30-200.010 that receives funds pursuant to 15 CSR 30-200.020 and 15 CSR 30-200.025 unless such library certifies in writing each of the following:

(A) The library has or will adopt a written, publicly accessible collection development policy addressing how selections are made in considering the appropriateness by age of any minor, as defined in 15 CSR 30-200.030;

(B) No funds received shall be used to purchase or acquire material that constitutes "child pornography," is "pornographic for minors," or is "obscene," as those terms are defined in section 573.010, RSMo;

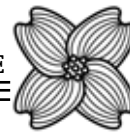
(C) The library has or will adopt a written, publicly accessible policy allowing a minor's parent or guardian to determine what materials and access will be available to that minor, and no person employed by or acting on behalf of the library shall knowingly grant access to a minor to any material in any form not approved by that minor's parent or guardian;

(D) No age-inappropriate materials in any form, as defined in the library's collection development policy, shall be knowingly displayed in the library in areas designated by the library as containing materials predominantly for minors;

(E) No event or presentation shall be held at the library without an age-appropriate designation affixed to any publication, website, or advertisement for such event or presentation; and

(F) The library has or will adopt a written, publicly accessible library materials challenge policy by which any parent or guardian of a minor within the library district may dispute or challenge the library's age-appropriate designation affixed to any presentation, event, material, or display in the library, and the results of any such dispute or challenge shall be disclosed to the public and published on the library's website.

(2) The library shall submit a copy of its written policies to the state librarian annually by July 31, and shall submit, within thirty (30) days, any revisions to such policies to the state librarian.



AUTHORITY: sections 181.021, 181.060, and 182.812, RSMo 2016.
Original rule filed Oct. 14, 2022, effective May 30, 2023.*

**Original authority: 181.021, RSMo 1955, amended 1991, 1995, 2004; 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991, 2011; 182.812, and RSMo 1983, amended 1995.*

15 CSR 30-200.020 State and Other Grants-in-Aid

PURPOSE: This rule establishes eligibility requirements and procedures for the administration of state and other types of grants-in-aid appropriated to the state library for the improvement of library services, including state aid for public libraries. These funds are administered by the state librarian under the direction of the secretary of state.

(1) The state librarian will administer and distribute moneys appropriated by the general assembly for state grants-in-aid, including state aid for public libraries, in accordance with the provisions set forth herein and applicable state laws.

(2) Each of the following requirements must be met for participation in state grants-in-aid:

(A) A public library must be legally established according to the provisions of Chapter 182, RSMo, or other laws of the state related to libraries;

(B) A public library must receive from tax funds an amount equal to ten cents per one hundred dollars (10¢:\$100) assessed valuation authorized in accordance with the applicable provisions within Chapter 182 or section 137.030, RSMo. A city library which is not supported by a library tax must receive an appropriation from the city of an amount equal to ten cents per one hundred dollars (10¢:\$100) assessed valuation. The requisite funds must be assessed and levied, or in the case of a city library not supported by a library tax, otherwise expended, for the fiscal year preceding that in which the grant is made. No grant shall be affected because of a reduction in the rate of levy which is required by the provisions of section 137.073, RSMo, or because of a voluntary reduction in the levy following the enactment of a district sales tax under section 182.802, RSMo, if the proceeds from the sales tax equal or exceed the reduction in revenue from the levy;

(C) The rate of tax levy or appropriation for the public library must be maintained at the rate in force on December 31, 1946, or on the date of its establishment; and

(D) Additional eligibility requirements and local funding matches appropriate to the project may be established for state grants-in-aid awarded under section 181.021(7), RSMo, and for other grants-in-aid appropriated by the general assembly. Where applicable, and if approved by the secretary of state, such additional eligibility requirements will be defined in the call for applications for each type of grant-in-aid.

(3) Per Capita Grants of State Aid for Public Libraries.

(A) During each fiscal year, the state librarian will distribute to eligible public libraries on a per capita basis at least fifty percent (50%) of all moneys appropriated by the general assembly as state aid to public libraries, the allocation of which shall be made in accordance with section 181.060.2, RSMo.

(B) All eligible public libraries shall file the certification required by section 181.060.3, RSMo, with the state library no later than July 31 of each year. The state library will provide certification forms with instructions to all public libraries annually and upon request.

(C) All certification forms will be examined by state library staff for completeness, compliance with eligibility criteria, and adherence to instructions. Requests to the applying library for additional information or verification of information must be responded to within the time frames specified by state library staff.

(D) Failure of a public library to timely file the requisite certification forms or to timely respond to requests for or verifications of additional information, upon notice of the state librarian, shall cause the library to forfeit its per capita state aid.

(E) After review by state library staff, the certification forms shall be presented to the state librarian who shall then certify to the commissioner of administration the appropriate amount to be paid to each eligible library.

(F) Per capita state aid grants will be remitted to all certified libraries.

(G) All libraries receiving per capita grants of state aid shall report to the state librarian in connection with the annual survey of services the expenditures made from the per capita grant of state aid.

(4) Other Grants of State Aid To Public Libraries Under Section 181.060, RSMo.

(A) For each fiscal year, the state librarian, in his or her discretion, shall administer and supervise grants to public libraries of the balance of all moneys appropriated by the general assembly pursuant to, in accordance with, and for the purposes set forth in section 181.060.4, RSMo.

(B) State aid grants to newly established library districts may be made in accordance with the certification process in section 181.060.4, RSMo.

(5) Audit Requirements.

(A) Grantees must comply with the audit requirements set forth in Missouri statutes for local governmental units. The grantee is responsible for ensuring that the state library receives copies of the audit report in a timely fashion.

(B) Specific accounting requirements for competitive grants awarded under the administration of the state library are –

1. Grant money must be deposited in an auditable account. When grant funds are deposited in an interest-bearing account, all interest over one hundred dollars (\$100) must be applied to the project;

2. Grant work will be monitored in progress. State library staff may visit the project site(s) for review at any time during the grant cycle;

3. The grantee must submit report(s) on the grant project, by the date and using the form(s) provided by the state library. The report shall indicate the work completed, and include a financial status report;

4. Any items or services purchased by the grantee must conform to the competitive bid requirements of section 34.040, RSMo. Proof of bid solicitation on all such items must be submitted with the financial reports;

5. Projects using in-kind contributions as local matches will need to include appropriate proof (for example, records of hours worked) with the financial reports;

6. Requests for extension of the grant period, budget changes, or other modifications to the project shall be made in writing to the state library no later than three (3) weeks prior to the end of the grant period. The state librarian may, at his or her discretion, allow an amendment subject to the appropriation and availability of funds;



7. In the event of default on the grant project by the grantee, the grant will be revoked and all funds must be returned to the state library. The grantee will be notified by letter by the state library and will receive thirty (30) days written notice of noncompliance before the grant is revoked; and

8. The grantee shall prepare a final report on the grant project. Forms will be provided for both segments of the final report, 1) project summary and evaluation and 2) final financial report.

(6) Federal and Other Types of Grants to Libraries. Unless otherwise expressly provided for, any appropriations made by the general assembly other than appropriations made under section 181.060, RSMo, with respect to which the state library is designated as the administering agent shall be distributed pursuant to applications or requests for proposals governed to the greatest degree practicable by the procedures set forth in sections (4) through (5) hereinabove with the following exceptions:

(A) Funds received from federal sources will follow the federal statutes and regulations of the program involved in addition to applicable state and local statutes and regulations; and

(B) Funds received from other private or public sources will follow program guidelines and regulations from the funding source in addition to applicable state and local statutes and regulations.

AUTHORITY: sections 181.021, 181.060, 182.802, and 182.812(3), RSMo 2016. Emergency rule filed Nov. 18, 1996, effective Nov. 28, 1996, expired May 26, 1997. Original rule filed Nov. 18, 1996, effective May 30, 1997. Amended: Filed Oct. 31, 2011, effective April 30, 2012. Amended: Filed Feb. 7, 2019, effective July 30, 2019.*

**Original authority: 181.021, RSMo 1955, amended 1991, 1995, 2004; 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991, 2011; 182.802, RSMo 2011; and 182.812(3), RSMo 1983, amended 1995.*

15 CSR 30-200.025 Application and Payment Procedures for Appropriations or Grants

PURPOSE: This rule establishes the application and payment procedures followed by the state library for appropriations and grants.

(1) For appropriations or grants which designate a directed distribution of funds to libraries which meet specific eligibility criteria (such as meeting the definition of an academic library, institutional library, library consortium, public library, school library, or special library, as defined in 15 CSR 30-200.010), the state library shall request information from the institutions to determine which ones are eligible for participation. In some instances, additional published data from various sources, including state and federal agencies, may be used to determine eligibility.

(2) For appropriations or grants with funds awarded on a competitive basis, the following application process will be used:

(A) Applications must be submitted in the form and manner prescribed by the state library and must include all required signatures;

(B) Additional information may be requested by the state library as appropriate to the type of applications;

(C) All applications will be examined by state library staff for completeness, compliance with regulations and eligibility criteria, and adherence to instructions, but meeting these elements does not obligate the state librarian or secretary of state to award any grant; and

(D) The state librarian shall review the applications and provide the secretary of state with recommendations for grant awards. The secretary of state shall make the final decision on approving, in whole or in part, or denying a grant.

AUTHORITY: sections 181.021, 181.060, and 182.812(3), RSMo 2016. Emergency rule filed Feb. 7, 2019, effective Feb. 17, 2019, expired Aug. 15, 2019. Original rule filed Feb. 7, 2019, effective July 30, 2019.*

**Original authority: 181.021, RSMo 1955, amended 1991, 1995, 2004; 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991, 2011; and 182.812(3), RSMo 1983, amended 1995.*

15 CSR 30-200.030 Public Access Computers in Public Libraries

PURPOSE: This rule establishes procedures for the administration of public library public access computers for the purposes of limiting access to material that is pornographic to minors. These procedures are administered by the state librarian under the direction of the secretary of state.

(1) Definitions. As used in this rule, the following terms shall mean:

(A) "Public library" is a library established and maintained under the provisions of the library laws or other laws of the state related to libraries, primarily supported by public funds and designed to serve the general public. A public library must be legally established according to the provisions of current or other laws of the state related to libraries;

(B) "Secretary" is the Missouri secretary of state;

(C) "State librarian" is the Missouri state librarian;

(D) "Pornographic for minors," as that term is defined in section 573.010, RSMo;

(E) "Minor," as that term is defined in section 573.010, RSMo;

(F) "Public access computer," as that term is defined in section 182.825, RSMo.

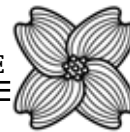
(2) The state librarian will administer procedures in accordance with the provisions set forth herein and in applicable state laws.

(3) One (1) of the following requirements must be met by a public library in regards to limiting access to material that is pornographic to minors:

(A) A public library must equip any public access computer with software that will limit minors' ability to gain access to material that is pornographic for minors or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is pornographic for minors; or

(B) Develop and implement by January 1, 2003, a policy that is consistent with community standards and establishes measures to restrict minors from gaining computer access to material that is pornographic for minors.

(4) Certification of Compliance.



(A) In order to be found in compliance with the state library's rule, a public library must certify itself to be in compliance –

1. By filing a certification form, designated by the state library and posted on the state library's website, with the state librarian or his/her designee and by demonstrating at least one (1) of the following:

A. The Library has an Internet usage policy in accordance with section 182.827.3(2), RSMo; or

B. The Library uses filtering software on its public access computers.

(B) This certification is to be submitted –

1. In the first year of certification, by the date set by the Missouri State Library.

2. Each subsequent year, by the date state aid forms are required to be filed.

(5) Noncompliance.

(A) Any "public library or public library board member, officer, employee or trustee" not willing to submit such certification of compliance will be found noncompliant with this rule.

(6) Compliance forms, designated by the state library and available on the state library's website <http://www.sos.state.mo.us/library/>, should be filed with the State Library, which is located in Room 200 of the James C. Kirkpatrick State Information Center, 600 West Main Street, Jefferson City, Missouri.

*AUTHORITY: sections 182.825 and 182.827, RSMo 2016. * Emergency rule filed Nov. 13, 2002, effective Nov. 23, 2002, expired April 29, 2003. Original rule filed Nov. 13, 2002, effective April 30, 2003. Amended: Filed Feb. 7, 2019, effective July 30, 2019.*

**Original authority: 182.825, RSMo 2002 and 182.827, RSMo 2002.*

15 CSR 30-200.100 State Publications Access Program

PURPOSE: This rule establishes the requirements for state agencies and participating libraries to comply with the State Publications Access Program.

(1) State Agencies.

(A) The director of each state agency shall assign a designee or designees as a contact for this program. Designee information shall be updated annually by the agencies to the Missouri State Library via the designee form provided by the Missouri State Library. The form shall include the following information: the name of the agency, the name of the agency director, the director's office telephone number and e-mail address, the name of the division, the name of the division designee for this program, and the designee's office telephone number and e-mail address.

(B) It shall be the responsibility of the designees and agencies to –

1. Submit a single digital file for each requested publication to the Missouri State Library;

2. Submit five (5) paper copies, of those publications still produced in paper, for each requested publication to the Missouri State Library, free of charge;

3. Submit requested publications to the Missouri State Library in an accessible format chosen by the Missouri State

Library and within forty-five (45) days of publication;

4. Review the list of requested publications and update the Missouri State Library with information about new publications, discontinued publications, and other relevant publication information;

5. Inform the Missouri State Library of any designee changes, and promptly assign a new designee within thirty (30) days when the designee needs replacement; and

6. Contact the Missouri State Library for further guidance in submission procedures and policies.

(C) Each state agency digitizing older publications previously issued in paper shall provide a digital copy to the Missouri State Library.

*AUTHORITY: section 181.110, RSMo Supp. 2018. * Original rule filed Feb. 16, 2006, effective Sept. 30, 2006. Amended: Filed Feb. 7, 2019, effective July 30, 2019.*

**Original authority: 181.110, RSMo 1976, amended 1983, 1991, 2004, 2014, 2018.*