



**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 30-200.030, 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) 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;

(C) Library advisory committee 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;

(D) 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;

(E) 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;

(F) Secretary is the Missouri secretary of state;

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

(H) 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 (1994).

AUTHORITY: sections 181.021, RSMo Supp. 1996 and 181.060, RSMo 1994. * Emergency rule filed Nov. 18, 1996, effective Nov. 28, 1996, expired May 26, 1997. Original rule filed Nov. 18, 1996, effective May 30, 1997.

*Original authority: 181.021, RSMo 1955, amended 1991, 1995; 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991.

15 CSR 30-200.020 State Grants-in-Aid

PURPOSE: This rule establishes eligibility requirements and procedures for the administration of state 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 1994, as amended, 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 1994, as amended. 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 otherwise appropriated in the case of a city library not supported by a library tax, for the 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 1994, as amended;

(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 applica-

ble, 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 1994, as amended.

(B) All eligible public libraries shall file the certification required by section 181.060.3, RSMo 1994, as amended, with the state library no later than June 30 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 in quarterly payments.

(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/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 1994, as amended.

(B) State aid grants to newly established library districts will be made in accordance



with the certification process in section 181.060.4, RSMo 1994, as amended.

(C) For appropriations which designate a directed distribution of funds to libraries which meet specific eligibility criteria, the state library will solicit information from the libraries to determine which ones are eligible for participation.

(D) For appropriations for which the funds are awarded on a competitive basis, the following application process will be used:

1. Applications must be submitted in the form and manner prescribed by the state library, and must include all required signatures;

2. Applications shall include the following information, at a minimum. Additional information and supporting documentation may be requested as appropriate to the type of applications:

A. Description of the project that includes the benefit to be provided to users of the library, project goals, action plan, and a schedule of implementation;

B. Staffing level and expertise sufficient to accomplish the project;

C. Project budget, including specification of any required local matching funds;

D. Indication that the project can be completed within the specified grant period; and

E. Plan for the evaluation of the project;

3. All applications will be examined by state library staff for completeness, compliance with regulations and 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. Completeness, compliance with regulations and eligibility criteria do not obligate the state librarian or the secretary of state to award any grant. However, applications that are incomplete, substantively inaccurate, or received after the deadline shall be rejected; and

4. 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 ruling on funding of specific applications. Applications may be granted in whole or in part.

(E) Grant Period.

1. The grant period begins and ends on the dates specified in the grant letter. Grants must be completed within the fiscal year (July 1 to June 30) in which the grant is awarded. Grant moneys may take longer to issue than the official grant notification letter. While the grantee cannot charge expenses

incurred before the grant period begins, appropriate charges incurred after the grant period begins but before the moneys are available, are allowed.

2. Grantees receiving twenty thousand dollars (\$20,000) or less shall receive seventy percent (70%) of the grant funds as soon after the awarding of the grant as practicable. The remaining thirty percent (30%) of the grant shall be paid to the grantee after successful project completion and submission of all required reports.

3. Grantees receiving more than twenty thousand dollars (\$20,000) shall receive a first payment of thirty-five percent (35%) as soon as practicable after the awarding of the grant. A second payment of thirty-five percent (35%) shall be made after one-third (1/3) of the project completion is verified through an interim report; with the remaining thirty percent (30%) paid upon successful project completion and submission of all required reports.

(5) Appeal Procedures.

(A) Any library denied funding may inform the state library in writing of its intent to seek a hearing. This letter of intent must be received by the state library within fifteen (15) days following notice of the funding decisions.

(B) The state library shall convene a meeting of an independent committee to consider the library's appeal. The state library, the appellant, and the president of the Missouri Library Association or his/her designee shall each choose one (1) person to serve on the committee.

(C) Unless extended by written agreement of the state library and the appellant, the appeals committee shall meet no later than fifteen (15) days following the receipt of the appeal by the state librarian. The appellant library and the state library may, but need not, be represented by counsel and may, through staff, appear before the committee to testify.

(D) The committee shall make written recommendation to the secretary of state regarding the appeal. The decision of the secretary of state is final.

(6) 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 state

aid to public libraries and state grants-in-aid programs are—

1. Grant money must be deposited in an auditable interest-bearing account and interest 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 an interim report on the grant project, in the form provided by the state library. The report shall include a narrative of work completed, and a financial status report;

4. Any items or services purchased by the grantee in excess of three thousand dollars (\$3,000) must be competitively bid and require the solicitation of at least three (3) bids. If three (3) bids are not received, proof of bid solicitation is sufficient. 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 submit appropriate proof (for example, records of hours worked), with the financial reports;

6. Any changes in the project, including changes in budget allocations and project director, must be requested in advance in writing to the state library;

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.

(7) Other 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 (6) hereinabove with the following exceptions:

(A) Applications for appropriations of funds awarded on a competitive basis will be reviewed by an independent committee appointed by the state librarian. Committee members may include, but are not limited to, members of the library advisory committee and representatives of the library community.



The independent committee shall receive copies of all eligible applications and selection criteria prior to the review meeting. The independent committee shall evaluate each application and make its recommendations on funding. The state librarian shall review the committee recommendations, and provide the secretary of state with recommendations for grant awards. The secretary of state shall make the final ruling on the applications to be funded; and

(B) The state librarian may, in his/her discretion, allow extensions for grant project completion, subject to the appropriation and availability of funds. Requests for extension of the grant period must be made in writing to the state librarian at least one (1) month prior to the end of the grant period.

AUTHORITY: sections 181.021, RSMo Supp. 1996 and 181.060, RSMo 1994. Emergency rule filed Nov. 18, 1996, effective Nov. 28, 1996, expired May 26, 1997. Original rule filed Nov. 18, 1996, effective May 30, 1997.*

**Original authority: 181.021, RSMo 1955, amended 1991, 1995; 181.060, RSMo 1945, amended 1955, 1959, 1981, 1987, 1991.*

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 <http://www.sos.state.mo.us/library/>, with the state librarian or his/her designee; and

2. One or the other of the following:

A. Attaching a copy of the library's Internet usage policy; or

B. Naming the filtering software to be used.

(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.

(7) Public libraries filing certification should include in their filing a signed and dated copy of the appropriate compliance form as well as all required paperwork which includes the following—

(A) Compliance form available on the state library's website <http://www.sos.state.mo.us/library/>;

(B) Copy of:

1. Library's Internet Usage Policy; or
2. Name of the Internet filtering software in place on public access computers in the library.

AUTHORITY: sections 182.825 and 182.827, RSMo Supp. 2002. Emergency rule filed Nov. 13, 2002, effective Nov. 23, 2002, expired April 29, 2003. Original rule filed Nov. 13, 2002, effective April 30, 2003.*

**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.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) State Agencies.

(A) Each state agency shall submit to the Missouri State Library an electronic copy, in one (1) file, of each publication created for general distribution. The electronic formats and their preferred order are:

1. Hypertext Markup Language (HTML);

2. Portable Document Format (PDF);

or

3. Extensible Markup Language (XML).

(B) An electronic version must be submitted to the Office of the Secretary of State, Missouri State Library via one (1) of the following delivery mechanisms:

1. File Transfer Protocol (FTP);

2. E-mail;

3. Optical storage media; or

4. Upload and submission facility to be provided by the Office of the Secretary of State.



(C) Each state agency producing publications for distribution to the public in paper shall submit five (5) paper copies, to the Missouri State Library, of each publication which is produced in paper.

(D) Each state agency digitizing older publications previously issued in paper must provide an electronic copy to the Missouri State Library.

(E) The director of each state agency shall assign a designee or designees as a contact for this program. Designee information shall be forward to the Missouri State Library by July 1 each year via the “Agency Designee Form” on the secretary of state’s website at <http://www.sos.mo.gov/library/reference/statepubs/designee/>. 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, the designee’s office telephone number and e-mail address.

(F) It shall be the responsibility of the designees to send the five (5) paper copies and the single electronic file for each publication to the Missouri State Library.

(2) Participating Libraries.

(A) An entity shall meet the following criteria to be designated as a Participating Library for this program:

1. The entity shall be recognized as a library by the Missouri State Library, as defined in the *Missouri Five-Year State Plan 2003–2008 Library Services and Technology Act*, as incorporated by reference and published by the Office of the Secretary of State, Missouri State Library, 600 W. Main St., Jefferson City, MO 65101, November 2002. This reference does not include any later amendments or additions to this plan;

2. The library shall employ staff qualified to provide patrons with assistance in using state publications;

3. The library shall provide high-bandwidth electronic access to the publications in the secure, trusted repository;

4. The library shall require at least one (1) staff member to attend training in the use of state publications, when offered by the Missouri State Library;

5. The library shall require trained staff members to provide training for other libraries;

6. The library shall include the bibliographic record created by the Missouri State Library, on Online Computer Library Center (OCLC), in the library’s online catalog, including links to the electronic version of the publication;

7. The library shall accept and house publications which are still produced in paper, if required by the secretary of state; and

8. The library shall maintain a historical collection of paper state publications distributed prior to January 1, 2005 for a minimum of five (5) years which, shall include:

- A. Annual reports of agencies;
- B. Statistical reports of agencies;
- C. Policy reports of agencies; and
- D. Strategic plans for agencies.

(B) The director of a library wishing to have the designation of Participating Library in the State Publications Access Program shall complete the Participating Library form on the secretary of state’s website <http://www.sos.mo.gov/library/reference/statepubs/library/>. This application shall include, but not be limited to, the following information: the name of the institution, the name of the library, the mailing address of the library, the type of library, the name of library director, director’s office telephone number and e-mail address.

(C) The secretary of state reserves the right to approve candidates for the designation of Participating Library to provide statewide geographic coverage.

AUTHORITY: section 181.110, RSMo Supp. 2005. Original rule filed Feb. 16, 2006, effective Sept. 30, 2006.*

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