

**CHAPTER 02 - DIVISION OF STATE LIBRARY**

**SUBCHAPTER 02A - DIVISIONAL RULES**

**SECTION .0100 - RULES OF ORGANIZATION**

- 07 NCAC 02A .0101**      **DIVISION OF STATE LIBRARY**  
**07 NCAC 02A .0102**      **LIBRARY SERVICES AND CONSTRUCTION ACT ADVISORY COUNCIL**

*History Note:*      *Authority G.S. 125-1; 125-2; 125-8; 143B-10; 20 U.S. Code 16; 34 C.F.R. 770.4;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Amended Eff. June 1, 1989; May 3, 1986;*  
*Repealed Eff. April 1, 2011.*

- 07 NCAC 02A .0103**      **TECHNICAL SERVICES SECTION**  
**07 NCAC 02A .0104**      **INFORMATION SERVICES SECTION**  
**07 NCAC 02A .0105**      **SPECIAL SERVICES SECTION**  
**07 NCAC 02A .0106**      **PUBLIC LIBRARY DEVELOPMENT SECTION**  
**07 NCAC 02A .0107**      **PUBLIC LIBRARIAN CERTIFICATION COMMISSION**  
**07 NCAC 02A .0108**      **STATE LIBRARY ADVISORY COMMITTEE**  
**07 NCAC 02A .0109**      **LIBRARY SERVICES AND CONSTRUCTION ACT**  
**07 NCAC 02A .0110**      **DEFINITIONS**

*History Note:*      *Authority G.S. 125-2; 125-7; 125-8; 125-9; 125-10; 125-11; 143B-10; 143B-53; 143B-67;*  
*143B-90; 45 C.F.R. 130-8(1975);*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Amended Eff. June 1, 1981;*  
*Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).*

**SECTION .0200 - DELEGATED AUTHORITY**

- 07 NCAC 02A .0201**      **PURCHASE AND CONTRACT**

*History Note:*      *Authority G.S. 125-2; 143B-10;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Amended Eff. June 1, 1989;*  
*Repealed Eff. April 1, 2011.*

- 07 NCAC 02A .0202**      **PERSONNEL**

*History Note:*      *Authority G.S. 125-2; 143B-10;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).*

**SUBCHAPTER 02B - TECHNICAL SERVICES**

**SECTION .0100 - STATE PUBLICATIONS CLEARINGHOUSE**

- 07 NCAC 02B .0101**      **SERVICES**  
**07 NCAC 02B .0102**      **DOCUMENTS CHECKLIST**

*History Note:* Authority G.S. 125-2; 125-11; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. June 1, 1989; June 1, 1981;  
Repealed Eff. April 1, 2011.

**07 NCAC 02B .0103      AGREEMENT AND COMMUNICATION**  
**07 NCAC 02B .0104      AGREEMENT FOR CENTRALIZED BOOK PROCESSING**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).

**SECTION .0200 - LIBRARY SERVICES TO STATE AGENCIES**

**07 NCAC 02B .0201      REQUESTS FOR SERVICES**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. June 1, 1989; June 1, 1981;  
Repealed Eff. April 1, 2011.

**07 NCAC 02B .0202      PLANNING OF AGENCY LIBRARY**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. June 1, 1981.

**07 NCAC 02B .0203      SERVICES**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. June 1, 1989; June 1, 1981;  
Repealed Eff. April 1, 2011.

**07 NCAC 02B .0204      LEGISLATIVE LIBRARY**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. February 1, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. June 1, 1981.

**SUBCHAPTER 02C - INFORMATION SERVICES**

**SECTION .0100 - CIRCULATION AND REFERENCE**

**07 NCAC 02C .0101      READING ROOM**  
**07 NCAC 02C .0102      CIRCULATION OF LIBRARY MATERIALS**  
**07 NCAC 02C .0103      PHOTOCOPYING**  
**07 NCAC 02C .0104      REFERENCE SERVICES**

**07 NCAC 02C .0105      BIBLIOGRAPHIES**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Amended Eff. June 1, 1989; June 1, 1981;  
                          Repealed Eff. April 1, 2011.

**07 NCAC 02C .0106      INFORMATION ABOUT NORTH CAROLINA**  
**07 NCAC 02C .0107      DOCUMENTS CHECKLIST**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Amended Eff. June 1, 1981;  
                          Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).

**SECTION .0200 - SELECTION AND ACQUISITION OF LIBRARY MATERIALS**

**07 NCAC 02C .0201      SELECTION POLICY**  
**07 NCAC 02C .0202      RECOMMENDATIONS**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Amended Eff. June 1, 1989; June 1, 1981;  
                          Repealed Eff. April 1, 2011.

**07 NCAC 02C .0204      GIFTS**  
**07 NCAC 02C .0205      COMPLAINTS CONCERNING A TITLE IN THE COLLECTION**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. June 1, 1981;  
                          Amended Eff. June 1, 1989;  
                          Repealed Eff. April 1, 2011.

**SECTION .0300 - GENEALOGICAL SERVICES**

**07 NCAC 02C .0301      THE COLLECTION**  
**07 NCAC 02C .0302      SERVICES TO INDIVIDUALS**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Amended Eff. June 1, 1989;  
                          Repealed Eff. April 1, 2011.

**SECTION .0400 - AUDIOVISUAL SERVICES**

This Section .0400 of Title 7, Subchapter 2C of the North Carolina Administrative Code (7 NCAC 2C .0400); AUDIOVISUAL SERVICES; has been transferred and recodified as Section .0300 of Title 7, Subchapter 2D of the North Carolina Administrative Code (7 NCAC 2D .0300) effective April 29, 1981.

**SECTION .0500 - INTERLIBRARY SERVICES**

**07 NCAC 02C .0501      INTERLIBRARY LOANS**

**07 NCAC 02C .0502 IN-WATS SERVICES**  
**07 NCAC 02C .0503 ELIGIBILITY FOR IN-WATS**  
**07 NCAC 02C .0504 IN-WATS PROCEDURE MANUAL**

*History Note: Authority G.S. 125-2; 125-12; 143B-10;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Amended Eff. June 1, 1989; June 1, 1981;*  
*Repealed Eff. April 1, 2011.*

## **SUBCHAPTER 02D - SPECIAL SERVICES**

### **SECTION .0100 - LIBRARY FOR THE BLIND AND PHYSICALLY HANDICAPPED**

**07 NCAC 02D .0101 ELIGIBILITY**  
**07 NCAC 02D .0102 APPLICATION**  
**07 NCAC 02D .0103 NEW READERS**  
**07 NCAC 02D .0104 SELECTION**  
**07 NCAC 02D .0105 CIRCULATION OF MATERIALS**  
**07 NCAC 02D .0106 SUSPENSION OF SERVICES**  
**07 NCAC 02D .0107 BRAILLIST**  
**07 NCAC 02D .0108 TAPING VOLUNTEERS**  
**07 NCAC 02D .0109 COPYRIGHT**  
**07 NCAC 02D .0110 REQUEST/LIBRARY PATRONS/REPRODUCE MATERIALS: SPECIAL FORMATS**  
**07 NCAC 02D .0111 SMALL COLLECTIONS**  
**07 NCAC 02D .0112 CATALOGS**  
**07 NCAC 02D .0113 SCOPE OF THE COLLECTION**

*History Note: Authority G.S. 125-2; 143B-10;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Amended Eff. June 1, 1989; June 1, 1981;*  
*Repealed Eff. April 1, 2011.*

**07 NCAC 02D .0114 MATERIALS SELECTION POLICY**  
**07 NCAC 02D .0115 RECOMMENDATIONS**

*History Note: Authority G.S. 125-2; 143B-10;*  
*Eff. June 1, 1981;*  
*Amended Eff. June 1, 1989;*  
*Repealed Eff. April 1, 2011.*

### **SECTION .0200 - SERVICES TO RESIDENTS OF STATE INSTITUTIONS**

**07 NCAC 02D .0201 STATE INSTITUTIONS**  
**07 NCAC 02D .0202 FUNDS FOR INSTITUTIONS**  
**07 NCAC 02D .0203 ELIGIBILITY**

*History Note: Authority G.S. 125-2; 143B-10;*  
*Eff. February 1, 1976;*  
*Readopted Eff. December 1, 1977;*  
*Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).*

### **SECTION .0300 - AUDIOVISUAL SERVICES**

<b>07 NCAC 02D .0301</b>	<b>LOAN OF MATERIALS</b>
<b>07 NCAC 02D .0302</b>	<b>REQUESTS AND SCHEDULING</b>
<b>07 NCAC 02D .0303</b>	<b>RETURN OF MATERIALS</b>
<b>07 NCAC 02D .0304</b>	<b>LATE OR DAMAGED FILM</b>
<b>07 NCAC 02D .0305</b>	<b>FILM SERVICE AGREEMENT</b>

*History Note:* Authority G.S. 125-2; 143B-10;  
 Eff. February 1, 1976;  
 Readopted Eff. December 1, 1977;  
 Transferred from T07: 02C .0400 Eff. April 29, 1981;  
 Amended Eff. June 1, 1989; June 1, 1981;  
 Repealed Eff. April 1, 2011.

<b>07 NCAC 02D .0306</b>	<b>MATERIALS SELECTION POLICY</b>
<b>07 NCAC 02D .0307</b>	<b>RECOMMENDATIONS</b>

*History Note:* Authority G.S. 125-2; 143B-10;  
 Eff. June 1, 1981;  
 Amended Eff. June 1, 1989;  
 Repealed Eff. April 1, 2011.

## **SUBCHAPTER 02E - LIBRARY DEVELOPMENT SERVICES**

### **SECTION .0100 - CONSULTING AND DEVELOPMENTAL SERVICES**

<b>07 NCAC 02E .0101</b>	<b>CONSULTANTS</b>
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*History Note:* Authority G.S. 125-2; 143B-10;  
 Eff. February 1, 1976;  
 Readopted Eff. December 1, 1977;  
 Amended Eff. June 1, 1989; June 1, 1981;  
 Repealed Eff. April 1, 2011.

<b>07 NCAC 02E .0102</b>	<b>WORKSHOPS</b>
<b>07 NCAC 02E .0103</b>	<b>BIBLIOGRAPHIES</b>
<b>07 NCAC 02E .0104</b>	<b>NEWS FLASH</b>
<b>07 NCAC 02E .0105</b>	<b>OUTREACH SERVICES</b>
<b>07 NCAC 02E .0106</b>	<b>COOPERATIVE ACTIVITIES</b>

*History Note:* Authority G.S. 125-2; 143B-10;  
 Eff. February 1, 1976;  
 Readopted Eff. December 1, 1977;  
 Repealed Eff. June 1, 1981.

### **SECTION .0200 - ORGANIZATION OF REGIONAL LIBRARIES**

<b>07 NCAC 02E .0201</b>	<b>REGIONAL LIBRARIES</b>
<b>07 NCAC 02E .0202</b>	<b>BOARD OF TRUSTEES</b>
<b>07 NCAC 02E .0203</b>	<b>POWER OF BOARD</b>
<b>07 NCAC 02E .0204</b>	<b>DIRECTOR</b>
<b>07 NCAC 02E .0205</b>	<b>TERMINATION</b>
<b>07 NCAC 02E .0206</b>	<b>FINANCE</b>
<b>07 NCAC 02E .0207</b>	<b>PROPERTY</b>

**07 NCAC 02E .0208      OTHER PROVISIONS/AGREEMENT ESTABLISHING/REGIONAL LIBRARY**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Amended Eff. January 1, 1992; June 1, 1989;  
                          Repealed Eff. April 1, 2011.

**SECTION .0300 – ALLOCATION OF STATE AID TO PUBLIC LIBRARY SYSTEMS**

**07 NCAC 02E .0301      QUALIFICATIONS FOR GRANT ELIGIBILITY**

**07 NCAC 02E .0302      STATE AID GRANTS**

*History Note:*    Authority G.S. 125-7; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Emergency Amendment Eff. July 1, 1979, for a period of 120 days to expire on October 29, 1979;  
                          Emergency Amendment Made Permanent Eff. October 29, 1979;  
                          Amended Eff. October 1, 2007; May 1, 1995; June 1, 1989; June 1, 1981;  
                          Repealed Eff. April 1, 2011.

**07 NCAC 02E .0303      REGIONAL GRANT**

*History Note:*    Filed as an Emergency Repeal Eff. July 1, 1979, for a period of 120 days to be reinstated  
                          on October 29, 1979;  
                          Statutory Authority G.S. 143B-10; 125-7, as amended by S.L. 1979, c. 578;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Repealed Eff. October 29, 1979.

**07 NCAC 02E .0304      LIMITATIONS ON AID**

*History Note:*    Authority G.S. 125-7; 143B-10;  
                          Eff. February 1, 1976;  
                          Readopted Eff. December 1, 1977;  
                          Emergency Amendment Eff. July 1, 1979, for a period of 120 days to expire on October 29, 1979;  
                          Emergency Amendment Made Permanent Eff. October 29, 1979;  
                          Amended Eff. June 1, 1989;  
                          Repealed Eff. April 1, 2011.

**SECTION .0400 - STATE INSTITUTIONS ELIGIBLE FOR FUNDS**

**07 NCAC 02E .0401      STATE INSTITUTION DEFINED**

**07 NCAC 02E .0402      FUNDS FOR INSTITUTIONS**

**07 NCAC 02E .0403      ELIGIBILITY**

*History Note:*    Authority G.S. 125-2; 143B-10;  
                          Eff. June 1, 1989;  
                          Repealed Eff. April 1, 2011.

**SUBCHAPTER 02F - NORTH CAROLINA PUBLIC LIBRARIAN CERTIFICATION COMMISSION**

**07 NCAC 02F .0101      PURPOSE OF THE COMMISSION**

**07 NCAC 02F .0102 FULL CERTIFICATION**  
**07 NCAC 02F .0103 APPLICATION PROCEDURE FOR PUBLIC LIBRARIAN CERTIFICATION**

*History Note:* Authority G.S. 143B-67;  
Eff. February 10, 1976;  
Readopted Eff. December 1, 1977;  
Amended Eff. August 1, 1995; June 1, 1989; June 1, 1981;  
Repealed Eff. September 1, 2011.

**07 NCAC 02F .0104 RENEWAL OF CERTIFICATE**

*History Note:* Authority G.S. 143B-67;  
Eff. February 10, 1976;  
Readopted Eff. December 1, 1977;  
Repealed Eff. June 1, 1981.

**07 NCAC 02F .0105 EXAMINATION**

*History Note:* Authority G.S. 143B-67;  
Eff. June 1, 1981;  
Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).

**SUBCHAPTER 02G - STATE LIBRARY OF NORTH CAROLINA**

**SECTION .0100 – DIVISIONAL RULES**

**07 NCAC 02G .0101 SCOPE OF RULES**  
**07 NCAC 02G .0102 ELIGIBILITY FOR STATE LIBRARY SERVICES**

*History Note:* Authority G.S. 125-2; 125-7; 125-8; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. February 1, 2018.

**SUBCHAPTER 02H - LIBRARY SERVICES**

**SECTION .0100 – GOVERNMENT AND HERITAGE LIBRARY**

**07 NCAC 02H .0101 SCOPE OF RULES**

The rules in this Subchapter apply to the Government and Heritage Library, a section of the State Library of North Carolina.

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.

**07 NCAC 02H .0102 LIBRARY COLLECTIONS**

(a) The State Librarian shall determine the scope and focus of the Library's collections. Library staff and users may recommend materials for Library collections.

(b) The Library shall collect and maintain resource collections in all relevant formats as budgets permit, including current and historical print and digital books, periodicals, newspapers, maps, state and federal documents, family

histories, indexes, and bibliographies; historical newspapers, census reports, and primary source materials on microfilm; audiovisual materials in analog and digital formats and media; and online databases.

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. May 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.

#### **07 NCAC 02H .0103 ACCESS AND CIRCULATION**

(a) Use of Library resource collections shall vary in accordance with resource format and circulation status, as set forth in the rules in this Subchapter.

(b) Printed collection materials shall be designated as circulating or non-circulating. Circulated materials may be used outside of the Library in accordance with the rules set forth in this Subchapter. Select printed materials designated as non-circulating shall not be used outside the Library. Non-circulating items include general reference materials, permanent depository copies of State documents, rare books, vertical file materials, periodicals, print newspapers, and the genealogy reference collection.

(c) If a borrower loses or damages Library materials charged in the borrower's name, the borrower shall be responsible for the cost of replacing the material. Library borrowing privileges shall be withheld in accordance with Rule .0109 of this Subchapter.

*History Note:* Authority G.S. 125-2;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. February 1, 2018.

#### **07 NCAC 02H .0104 REPRODUCTION SERVICES**

#### **07 NCAC 02H .0105 INFORMATION, REFERENCE AND RESEARCH SERVICES**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. February 1, 2018.

#### **07 NCAC 02H .0106 SERVICES FOR STATE AGENCIES**

(a) State agencies may receive library services, such as cataloging, classification, collection assessment, metadata, digitization, digital information management, reference research, or the preservation of print and digital resources by submitting a request in writing to the State Library, 4640 Mail Service Center, Raleigh, NC 27699. All requests shall include the following:

- (1) the name and address of the State agency;
- (2) a description of the service(s) needed; and
- (3) contact information for the State agency personnel overseeing the project.

(b) The State Librarian shall determine library services considering factors that include staff availability, work priorities, and accessibility of equipment and materials.

(c) The Library and the recipient State agency shall sign a memorandum of understanding that specifies the responsibilities and relationship between the two agencies for requests made under this Rule.

*History Note:* Authority G.S. 125-2;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. February 1, 2018.

#### **07 NCAC 02H .0107 BORROWING PRIVILEGES**

(a) Library materials and equipment shall be available to all registered borrowers in accordance with the rules set forth in this Subchapter.

(b) Circulated materials may be checked out by registered borrowers for 28 calendar days ("loan period").

(c) Registered borrowers may reserve circulated materials and have them placed on hold. Materials shall be reserved by:



- (1) visiting the library circulation desk;
- (2) online at [ncgov.nccardinal.org](http://ncgov.nccardinal.org);
- (3) calling the Government and Heritage Library at 919-814-6790; or
- (4) submitting an email to [slnc.reference@ncdcr.gov](mailto:slnc.reference@ncdcr.gov).

Materials placed on hold shall be held at the library circulation desk for five business days.

(d) Registered borrowers may renew loaned materials once per loan period. Renewals shall be made in the same manner as provided in Paragraph (c) of this Rule.

(e) Borrowed materials shall be returned by 5:00 p.m. on the last day of the loan period. Any borrowed materials not returned in accordance with this Paragraph shall be classified as overdue. An overdue notice shall be sent to the borrower by email or U.S. Mail for any materials that are not returned or renewed prior to the end of the loan period. Borrowers shall not be fined for overdue books.

(f) The status of borrowed items shall be changed to lost for items not returned after 90 calendar days. Borrowers shall be required to comply with Rule .0103 of this Section to replace lost items.

(g) Failure to comply with Paragraph (e) of this Rule may result in the restriction or suspension of a borrower's privileges as set forth in Rule .0109 of this Section.

*History Note: Authority G.S. 125-2(4); 143B-10;  
Eff. September 1, 2017;  
Amended Eff. March 1, 2023.*

#### **07 NCAC 02H .0108 REGISTRATION**

(a) The Government and Heritage Library shall maintain a collection of materials and equipment that shall be available for use to the public.

(b) Borrowing privileges shall only be granted to citizens of the State and State employees who have registered with the Government and Heritage Library.

(c) To register for borrowing privileges, each individual shall appear in person and provide the Library with the following information on a form provided by the Library:

- (1) name;
- (2) address;
- (3) telephone number;
- (4) email address;
- (5) date of birth;
- (6) physical driver's license, or state-issued photo identification, if over the age of 16; and
- (7) signature or signature of parent or guardian, if under the age of 16.

(d) The Library shall provide all registered borrowers with a Library card at no cost. The card may be presented in order to check-out materials in the Library's collection. If a borrower cannot present his or her card, the borrower's status may be confirmed by providing the librarian with his or her name and address. If a card is lost or stolen, the borrower may request a replacement card, at no charge, by providing the librarian with the information contained in Paragraph (c) of this Rule.

(e) Borrowers shall notify the Library of any change in their information required by Paragraph (c) of this Rule. Failure to inform the Library of these changes may result the restriction or suspension of borrowing privileges as set forth in Rule .0109 of this Section.

*History Note: Authority G.S. 125-2(4); 143B-10;  
Eff. September 1, 2017.*

#### **07 NCAC 02H .0109 RESTRICTION AND SUSPENSION OF PRIVILEGES**

(a) The Government and Heritage Library may restrict or suspend a patron's access to materials and equipment for violation of any rule set forth in this Subchapter.

(b) A borrower's check-out privileges shall be suspended for the following:

- (1) failure to return overdue materials within 15 days of the issuance of any overdue notice;
- (2) damage to any library materials or equipment; or
- (3) unauthorized use of materials or equipment, including loaning library materials to non-registered borrowers, using materials or equipment in a manner prohibited by its proper use, or removing non-circulating materials or equipment from the Library.

(c) The period of suspension shall not exceed one year. In setting the period of suspension, the State Librarian shall consider the Rule violated, the extent of harm to the Library's property, and any previous rule violations by the patron. The State Librarian shall send a letter of suspension to the borrower by email or U.S. Mail.

*History Note:* Authority G.S. 125-2(4); 143B-10;  
Eff. September 1, 2017.

## **SECTION .0200 - STATE DEPOSITORY LIBRARY SYSTEM**

### **07 NCAC 02H .0201 SCOPE OF RULES**

The rules in this Section, apply to the State Depository Library System and the North Carolina State Publications Clearinghouse, as administered by the State Library of North Carolina.

*History Note:* Authority G.S. 125-2; 125-11.9;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.

### **07 NCAC 02H .0202 PRINTED DOCUMENT FORMATS DEFINED**

As used in this Section, the term "format" is used to describe the medium used to publish and distribute State publication content, including tangible media such as paper, film, tape and electronic media such as digital files, websites, and data streams.

*History Note:* Authority G.S. 125-2; 125-11.9;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.

### **07 NCAC 02H .0203 DEPOSITORY REQUIREMENTS FOR STATE AGENCIES**

(a) State agencies in the executive, legislative, and judicial branches of State government and State-funded boards, commissions, and institutions shall submit all State publications and documents defined in the G.S. 125-11.6(2) and 125-11.6(4) to the North Carolina State Publications Clearinghouse for the permanent depository collection, distribution to depository libraries, and public access.

(b) State agencies in the executive, legislative, and judicial branches of State government and State-funded boards, commissions, and institutions shall submit 10 copies of documents and State publications as defined in G.S. 125-11.6(2) and 125-11.6(4) in tangible formats to the North Carolina State Publications Clearinghouse and one copy of publications published or distributed in electronic formats to the North Carolina State Publications Clearinghouse.

*History Note:* Authority G.S. 125-2; 125-11.9;  
Eff. May 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.

## **SECTION .0300 – ACCESSIBLE BOOKS AND LIBRARY SERVICES**

### **07 NCAC 02H .0301 SCOPE OF RULES**

The rules in Section, apply to Accessible Books and Library Services, a section of the State Library of North Carolina.

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. January 1, 2022.

### **07 NCAC 02H .0302 ELIGIBILITY**

Eligibility for the services of the Accessible Books and Library Services shall be determined by the Federal guidelines in 36 C.F.R. 701.6 which is incorporated by reference, including subsequent amendments and editions, and available for free at <https://www.ecfr.gov/cgi-bin/text->

idx?SID=56ff245ec016601b46b55f2331b4b7ee&mc=true&node=se36.3.701\_16&rgn=div8 and is applied to all applicants.

*History Note:* Authority G.S. 125-2;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. January 1, 2022; February 1, 2018.

#### **07 NCAC 02H .0303 APPLICATION**

(a) To obtain services from Accessible Books and Library Services, users shall submit an application to the Library, 1841 Capital Boulevard, Raleigh, North Carolina 27635. Applications shall be submitted on a form prepared by the Library and include the user's:

- (1) applicant's basic facts, such as applicant name and contact information;
- (2) name, address, and telephone number of an alternative contact;
- (3) status as an honorably discharged veteran of the Armed Forces of the United States;
- (4) qualifying disability, as outlined in 36 CFR 701.6(b)(1);
- (5) degree of hearing impairment, if any; and
- (6) language, reading and service delivery method preferences.

(b) Applications shall be certified by an individual authorized under 36 CFR 701.6 to certify an applicant's eligibility pursuant to 07 NCAC 02H .0302 and shall include the certifying individual's name, address and telephone number, title and occupation, and an original signature. The certifying individual shall not be a relative of the applicant, even if otherwise qualified.

*History Note:* Authority G.S. 125-2;  
Eff. April 1, 2011;  
Readopted Eff. February 1, 2018;  
Amended Eff. June 1, 2022.

#### **07 NCAC 02H .0304 LIBRARY COLLECTIONS**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. February 1, 2018.

#### **07 NCAC 02H .0305 CIRCULATION**

(a) The Library shall provide materials and playback equipment to users in accordance with the Library of Congress' NLS Network Library Manual hereby incorporated by reference, including subsequent amendments and editions, and accessible to users free of charge at <https://statelibrary.ncdcr.gov/blind-print-disabled/apply-services/loan-policies-and-handbook#nls-administrative-procedures>.

(b) The Director of Accessible Books and Library Services may suspend a user's Library services for one or more violations of the following:

- (1) failure to return materials within the borrowing period. The borrowing period for materials are as follows:
  - (A) six weeks for books;
  - (B) two weeks for magazines; and
  - (C) three weeks for DVD and VHS tapes;
- (2) damage to equipment or materials;
- (3) unauthorized use of materials or equipment, such as loaning materials or equipment to an ineligible person or modification of items owned by the Library; or
- (4) exhibiting verbal or physical behavior toward Library staff that is abusive, offensive, or threatening.

(c) The Director of Accessible Books and Library Services shall determine the period of suspension not to exceed six months. In determining whether a violation shall result in suspension, the Director shall consider the violation, the extent of harm to the Library's property, and any violations previously committed by the user. The Director shall send a letter of

suspension to the user via U.S. Mail. The letter shall specify the violation and the period of suspension. Upon expiration of the suspension period, the user may contact the Library for resumption of services.

*History Note:* Authority G.S. 125-2;  
Eff. May 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. June 1, 2022; January 1, 2022; February 1, 2018.

#### **07 NCAC 02H .0306 REPRODUCTION SERVICE**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. July 1, 2022.

#### **07 NCAC 02H .0307 VOLUNTEERS**

*History Note:* Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. June 1, 2022.

### **SUBCHAPTER 02I - LIBRARY DEVELOPMENT**

#### **SECTION .0100 - ORGANIZATIONAL RULES**

#### **07 NCAC 02I .0101 SCOPE OF RULES**

*History Note:* Authority G.S. 125-2; 125-7; 125-8; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Repealed Eff. February 1, 2018.

#### **SECTION .0200 - STATE AID TO PUBLIC LIBRARIES**

#### **07 NCAC 02I .0201 QUALIFICATIONS FOR GRANT ELIGIBILITY**

Libraries requesting funding from the Aid to Public Libraries Fund shall submit annually to the State Library of North Carolina an application for State Aid and supporting documentation including financial and statistical reports as required by this Rule and shall meet the following eligibility requirements:

- (1) Be established pursuant to Article 14, Chapter 153A of the North Carolina General Statutes;
- (2) Provide library services in compliance with applicable State and federal law to all residents of the political subdivision(s) supporting the library. Public library services shall be provided from at least one designated facility with a cataloged collection that is open to the public a minimum of 40 hours per week;
- (3) Employ a full-time library director having or eligible for North Carolina public librarian certification. For the purpose of this Rule, "full-time" means working a minimum of 35 hours per week;
- (4) Secure operational funds from local government sources at least equal to the average amount budgeted and available for expenditure for the previous three years. A grant to a local library system from the Aid to Public Libraries Fund shall not be terminated but shall be reduced proportionately by the Department if the amount budgeted and available for expenditure by local government is below the

- average of the previous three fiscal years. State funds shall not replace local funds budgeted and available for expenditure for public library operations;
- (5) Secure aggregate operational funds from local sources that are at least equal to State aid;
  - (6) Expend funds as authorized in the budget adopted by the Board of Trustees of a Regional Library, a County, or a Municipality. Any library having an unencumbered operational balance of more than 17 percent of the previous year's operating receipts shall have the difference deducted from its State allocation;
  - (7) Pay salaries for professional positions funded from the Aid to Public Libraries Fund at least at the minimum rate of a salary grade of GN10, or equivalent, as established by the Office of State Human Resources;
  - (8) Provide to the State Library of North Carolina an annual audit of the political subdivision(s) funding the library consistent with generally accepted accounting principles;
  - (9) Submit to the State Library of North Carolina a copy of the bylaws of the library system's Board(s) of Trustees;
  - (10) Submit a current long-range plan of service to the State Library of North Carolina. For the purpose of this Rule, a "long-range plan of service" is a plan of at least five years. Upon request, the library shall submit an assessment of a community's library needs to the State Library of North Carolina;
  - (11) Submit a copy of the agreement establishing the library system, if composed of more than one local governmental unit; and
  - (12) Meet the following when establishing a new library or re-establishing eligibility for the Aid to Public Libraries Fund:
    - (a) meet all requirements of this Rule on July 1 of the year prior to the fiscal year that the library plans to receive State aid;
    - (b) continue to meet all requirements of this Rule from July 1 to June 30 of that year, which shall be known as the "demonstration year"; and
    - (c) file a complete application for State Aid by the June 30 deadline at the close of the demonstration year in order to receive State aid in the next fiscal year.

*History Note:* Authority G.S. 125-7;  
 Eff. April 1, 2011;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
 Amended Eff. June 1, 2019.

**07 NCAC 02I .0202 STATE AID GRANTS FROM THE AID TO PUBLIC LIBRARIES FUND**

Libraries shall qualify for State Aid Grants by meeting the requirements listed in Rule .0201 of this Section. All grants shall be contingent upon appropriations budgeted by the General Assembly and subject to the approval of the Secretary of the Department of Natural and Cultural Resources. State Aid Grants may be used for materials, salaries, equipment, and operating costs.

*History Note:* Authority G.S. 125-7;  
 Eff. April 1, 2011;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
 Amended Eff. February 1, 2018.

**SECTION .0300 - ORGANIZATION OF REGIONAL LIBRARIES**

**07 NCAC 02I .0301 REGIONAL LIBRARIES**

As used in this Section, a regional library is a public library system that:

- (1) serves two or more contiguous counties;
- (2) is established by a regional agreement under a single administrative system;
- (3) is governed by a regional library board of trustees;
- (4) operates under the direction of a certified library director; and
- (5) has finances administered by a person or firm reporting to the library director and the regional library board of trustees.

*History Note: Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0302 REGIONAL AGREEMENT**

- (a) An agreement establishing a regional library shall contain:
- (1) the structure of the regional library board of trustees;
  - (2) the powers and duties of the regional library board;
  - (3) the financial structure of the regional library;
  - (4) the terms of property ownership and any conditions of joint ownership including property rights in the event of withdrawal from or dissolution of the regional library;
  - (5) provisions for amendment;
  - (6) provisions for withdrawal by a member county or dissolution of the regional library; and
  - (7) provisions for termination of the regional agreement.
- (b) Agreements establishing regional libraries shall comply with G.S. 160A, Article 20.

*History Note: Authority G.S. 125-2;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;  
Amended Eff. February 1, 2018.*

**07 NCAC 02I .0303 REGIONAL LIBRARY BOARD OF TRUSTEES**

- (a) The regional library board of trustees shall be the governing body of a regional library. It shall be composed of not more than 15 members as stipulated in the regional agreement. Each participating local governmental unit shall have representation on the board in proportions determined to be equitable by all participating local governmental units as stipulated in the regional agreement. Members of the regional library board shall be appointed as specified in the regional agreement.
- (b) Terms of officers and members shall be limited and staggered to assure continuity as well as change. No individual member shall be appointed to more than two consecutive terms, and no single term shall be longer than six years.

*History Note: Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0304 POWERS AND DUTIES OF THE REGIONAL LIBRARY BOARD**

The agreement establishing a regional library shall include the following powers delegated to the regional library board of trustees by the participating local governmental units:

- (1) to adopt such bylaws and rules for its own governance as may be necessary and in conformity with the law;
- (2) to adopt policies for the regional library system's administration and operation;
- (3) to appoint the regional library director and delegate to that person executive powers;
- (4) to adopt an annual budget for the regional library;
- (5) to appoint a regional library finance officer to ensure expenditure of funds consistent with the budget adopted by the regional library board;
- (6) to assure compliance with all applicable State and Federal law and eligibility requirements for the receipt of State and Federal funds;
- (7) to make recommendations to the governing bodies of the participating local governmental units concerning the construction and improvement of physical facilities of the libraries in the region;
- (8) to report to the participating local governmental units; and
- (9) to provide to the State Library of North Carolina an annual audit of the regional library system consistent with generally accepted accounting principles.

*History Note: Authority G.S. 125-2; 143B-10;  
Eff. April 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0305      DIRECTOR**

The director of a regional library shall be appointed by the regional library system board of trustees and is responsible for the administration of the regional library consistent with the policies adopted by the board. The director shall have a valid North Carolina Public Librarian Certificate.

*History Note:      Authority G.S. 125-2; 143B-10;  
                                 Eff. April 1, 2011;  
                                 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0306      FINANCE**

(a) All finances of a regional library shall be administered under the same provisions as units of local government (G.S. Chapter 159, The Local Government Finance Act) and shall be subject to an independent audit.

(b) State funds shall be administered by the regional library and shall be expended throughout the region as described in 07 NCAC 02I .0202.

*History Note:      Authority G.S. 125-2; 143B-10;  
                                 Eff. April 1, 2011;  
                                 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0307      ESTABLISHMENT OF A REGIONAL LIBRARY**

A regional library meeting the definition in 07 NCAC 02I .0301 may be established according to the following schedule:

- (1) On or before July 1 of the fiscal year prior to the establishment of the regional library, a representative of the participating local governmental units shall submit to the State Library of North Carolina a written notification of intent to form a regional library and establish eligibility for grants to public libraries.
- (2) On or before January 31 of the fiscal year prior to the establishment of the regional library, the representative shall submit to the State Library of North Carolina a copy of the agreement establishing the regional library consistent with 07 NCAC 02I .0302.
- (3) On or before June 1 of the fiscal year prior to the establishment of the regional library, the representative shall submit to the State Library of North Carolina a long-range plan of service and a proposed budget and shall provide evidence of eligibility to receive grants to public libraries according to 07 NCAC 02I .0201.

*History Note:      Authority G.S. 125-2; 143B-10;  
                                 Eff. April 1, 2011;  
                                 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

**07 NCAC 02I .0308      WITHDRAWAL FROM OR DISSOLUTION OF A REGIONAL LIBRARY**

(a) A county proposing to withdraw from a regional library shall give written notice on or before July 1 to the regional library board, the other participating local governmental units, and the State Library of North Carolina. The withdrawal shall be effective on the following June 30.

(b) The withdrawing county shall establish eligibility for grants to public libraries according to 07 NCAC 02I .0201 on or before the effective date of withdrawal.

(c) Capital expenditures by the withdrawing county that are necessitated by the withdrawal may not replace support for operating costs in establishing eligibility to receive grants to public libraries according to 07 NCAC 02I .0201.

(d) If withdrawal of a county results in the dissolution of the regional library, the remaining county must also establish eligibility to receive grants to public libraries according to 07 NCAC 02I .0201 by the effective date of withdrawal.

*History Note:      Authority G.S. 125-2; 143B-10;  
                                 Eff. April 1, 2011;  
                                 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

## SUBCHAPTER 02J - NORTH CAROLINA PUBLIC LIBRARIAN CERTIFICATION COMMISSION

### SECTION .0100 - COMMISSION RULES

#### **07 NCAC 02J .0101 PURPOSE OF THE COMMISSION**

(a) The North Carolina Public Librarian Certification Commission sets minimum standards for certification for public librarians to accomplish the following purposes:

- (1) Guarantee the best possible public library service for all North Carolinians;
- (2) Protect and maintain public library resources;
- (3) Assure professional management and administration of library programs; and
- (4) Provide certified professionals to meet the Department of Cultural Resources' personnel requirements for State and other aid administered by the State Library of North Carolina.

(b) The Commission shall review applications and certify those librarians who meet the certification requirements enumerated in Rule .0102 of this Subchapter.

*History Note: Authority G.S. 143B-67;  
Eff. September 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

#### **07 NCAC 02J .0102 FULL CERTIFICATION**

(a) The North Carolina Public Librarian Certification Commission shall issue public librarian certificates to applicants who have received graduate degrees in library and information science from programs accredited by the American Library Association or from regionally-accredited programs of higher education in North Carolina.

(b) Coursework must include the following core courses:

- (1) cataloging,
- (2) reference,
- (3) collection development, and
- (4) library management.

(c) Courses specifically designed for school, media center, academic, or special librarianship, must reflect general principles of librarianship.

*History Note: Authority G.S. 143B-67;  
Eff. September 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

#### **07 NCAC 02J .0103 APPLICATION PROCEDURE FOR PUBLIC LIBRARIAN CERTIFICATION**

Applicants shall send a completed application form for public librarian certification, accompanied by an official transcript which contains the date of conferral of the degree, to the Library Development Section of the State Library of North Carolina.

*History Note: Authority G.S. 143B-67;  
Eff. September 1, 2011;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*