

07 NCAC 02I .0201 is amended ~~without notice or hearing pursuant to G.S. 150B-21.5(a)(4)~~ with changes as follows:

07 NCAC 02I .0201 QUALIFICATIONS FOR GRANT ELIGIBILITY

~~(a)~~—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 ~~consistent with the provisions of~~ pursuant to Article 14, Chapter 153A of the North Carolina General Statutes;
- (2) Provide library services in compliance with applicable State and ~~Federal~~ 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 “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 ~~which that~~ are at least equal to ~~state~~ 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~~ 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 ~~69-GN10, or equivalent,~~ as established by the Office of State ~~Personnel;~~ 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 ~~annually~~ to the State Library of North Carolina a copy of the bylaws of the library system's Board(s) of Trustees;
- (10) Submit ~~annually~~ a current long-range plan of service to the State Library of North Carolina. For the purpose of this Rule, A long-range a “long-range plan of ~~service~~ 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;

- 1 (11) Submit a copy of the agreement establishing the library system, if composed of more than one local
2 governmental unit; and
- 3 (12) Meet the following ~~stipulations~~ when establishing a new library or re-establishing eligibility for the
4 Aid to Public Libraries Fund:
- 5 (a) meet all requirements of this ~~Section Rule~~ on July 1 of the year prior to the fiscal year that
6 the library plans to receive ~~state-State~~ aid;
- 7 (b) continue to meet all requirements of this ~~Section Rule~~ from July 1 to June 30 of that year,
8 which shall be known as the ~~demonstration year~~; "~~demonstration year~~"; and
- 9 (c) file a ~~full-complete~~ application for ~~state-aid State Aid~~ by the June 30 deadline at the close of
10 the demonstration year in order to receive ~~state-State~~ aid in the next fiscal year.

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12 *History Note:* *Authority G.S. 125-7;*

13 *Eff. April 1, 2011;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017;*

15 *Amended Eff. June 1, 2019.*