

1 07 NCAC 02H .0106 is amended with changes as published in 32:08 NCR 736 as follows:

2

3 **07 NCAC 02H .0106 SERVICES FOR STATE AGENCIES**

4 ~~(a) State Library staff shall consult with State agencies requesting assistance with projects, programs, or situations~~
5 ~~requiring professional library knowledge and expertise. Library staff may consult on issues related to cataloging,~~
6 ~~classification, metadata, access, digitization, digital information management, and preservation of print and digital~~
7 ~~resources, based on staff availability and consideration of higher priority work as approved by the State Librarian.~~

8 ~~(b) Cataloging staff shall perform classification, cataloging, and processing of library materials and resources for~~
9 ~~state government agencies on a priority basis. Before services are provided, the Library and the recipient State~~
10 ~~agency shall sign a memorandum of understanding that specifies the responsibilities and relationship between the~~
11 ~~two agencies and any costs required for library systems access and technologies.~~

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

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

19 (b) The State Librarian shall determine [assistance] library services considering factors [which may] that include staff
20 availability, work priorities, and accessibility of equipment and materials.

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

23

24 *History Note: Authority G.S. 125-2; ~~143B-10;~~*

25 *Eff. April 1, 2011;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22,*
27 *2017;*

28 *Amended Eff. February 1, 2018.*

1 07 NCAC 02H .0303 is amended with changes as published in 32:08 NCR 736-737 as follows:

2

3 **07 NCAC 02H .0303 APPLICATION**

4 ~~All users must complete an official application form and be certified in accordance with 36 C.F.R. 701.10 as eligible~~
5 ~~and meeting requirements established by the Library of Congress.~~

6 (a) To obtain services [under Rule .0302 of this Section,] from the Library for the Blind and Physically Handicapped,
7 users shall submit an application to the Library, 1841 Capital Boulevard, Raleigh, North Carolina 27635. Applications
8 shall be submitted on a form prepared by the Library and include the user's:

9 (1) name, [address] address, and telephone number;

10 (2) county of residence;

11 (3) date of birth;

12 (4) gender;

13 (5) name, address, and telephone number of a friend or relative;

14 (6) status as an honorably discharged veteran of the Armed Forces of the United States;

15 (7) qualifying disability including:

16 (A) blindness;

17 (B) visual handicap;

18 (C) physical handicap;

19 (D) reading disability; or

20 (E) deaf and blind;

21 (8) degree of hearing impairment of either:

22 (A) moderate – some difficulty understanding speech; or

23 (B) profound – cannot hear or understand speech;

24 (9) preferred items such [as:] as books recorded on digital cartridge with digital [player:] player, braille
25 [books:] books, large print [books:] books, or music;

26 (10) necessity for special attachments such [as: headphones; amplifier; breath switch:] as headphones,
27 amplifier, breath switch, or remote control;

28 (11) language preference;

29 (12) service preference such as:

30 (A) requested materials only; or

31 (B) materials requested by the Library based upon selected reading preferences;

32 (13) reading preferences such [as:] as Fiction, Non-Fiction, Adventure, Aging/Retirement, Animal
33 Stories, Arts, Best Sellers, Biography, Black Literature, Technology/Computers, Classics,
34 Cooking/Homemaking, Current Events, Disabilities, Family Stories, Fantasy, Folklore/Fairy Tales,
35 General Fiction, Health/Medicine, Historical Fiction, History-US, History-World, Humor,
36 Marriage/Family, Mysteries, Nature, North Carolina, Occult/Horror, Plays, Poetry,
37 Politics/Government, Psychology, Religious Inspiration, Religion (scholarly), Romance, Science,

1 Science Fiction, Sea Stories, Short Stories, Sports, Spy Stories, Business, Travel, War Stories, or
2 Western; and

3 (14) reading restrictions such [as:] as strong language, violence, or explicit descriptions of sex.

4 (b) Applications shall be certified by a competent authority and shall include the competent authority's name, address
5 and telephone number, title and occupation, and an original signature. [In cases of blindness, visual impairment,

6 physical handicap, or reading disability from organic dysfunction, a] A competent authority shall be defined as

7 provided in 36 CFR [701.6(b)(2)(i); 701.6(b)(2), which is incorporated by reference, including subsequent

8 amendments and editions, and available for free at <https://www.ecfr.gov/cgi-bin/text->

9 idx?SID=56ff245ec016601b46b55f2331b4b7ee&mc=true& node=se36.3.701_16&gn=di8. A competent authority

10 shall not be relatives of the applicant, even if otherwise qualified.

11
12 *History Note: Authority G.S. 125-2; ~~143B-10;~~*

13 *Eff. April 1, 2011;*

14 *Amended Eff. February 1, 2018.*

1 07 NCAC 02H .0305 is amended with changes as published in 32:08 NCR 737 as follows:

2

3 **07 NCAC 02H .0305 CIRCULATION**

4 ~~(a) The Library shall provide materials and playback equipment according to the Library of Congress lending~~
5 ~~policies.~~

6 ~~(b) The Library shall furnish deposit collections to libraries, hospitals, rest homes, and other institutions serving~~
7 ~~eligible visually and physically handicapped persons.~~

8 ~~(c) The following practices by any Library patron shall result in the suspension of Library services:~~

9 ~~(1) repeated failure to return materials within the borrowing period;~~

10 ~~(2) willful and negligent damage to equipment or materials;~~

11 ~~(3) unauthorized use of materials or equipment, such as loan to an ineligible person or modification of~~
12 ~~equipment; or~~

13 ~~(4) repeated abusive verbal attacks or behavior toward Library staff that is offensive or threatening.~~

14 (a) The Library shall provide materials and playback equipment to users in accordance with the Library of Congress'
15 NLS Network Library Manual hereby incorporated by reference, including subsequent amendments and additions,
16 and accessible to users free of charge at <http://www.loc.gov/nlsold/nlm/>.

17 (b) The following violations by any Library user shall result in the suspension of Library services:

18 (1) failure to return materials within the borrowing period. The borrowing period for materials are as
19 follows:

20 (A) six weeks for ~~[books,] books;~~

21 (B) two weeks for ~~[magazines,] magazines;~~ and

22 (C) three weeks for DVD and VHS tapes;

23 (2) damage to equipment or materials;

24 (3) unauthorized use of materials or equipment, such as loaning materials or equipment to an ineligible
25 person or modification of items owned by the Library; or

26 (4) exhibiting verbal or physical behavior toward Library staff that is abusive, offensive, or threatening,
27 as determined by the Director of the Library for the Blind and Physically Handicapped.

28 (c) The period of suspension shall not exceed six months as determined by the Director of the Library for the Blind
29 and Physically Handicapped. In setting the period of suspension, the Director shall consider the violation, the extent
30 of harm to the Library's property, and any violations previously committed by the user. The Director shall send a letter
31 of suspension to the user via U.S. Mail. The letter shall specify the violation and the period of suspension. Upon
32 expiration of the suspension period, the user ~~[shall] may~~ contact the Library for resumption of services.

33

34 *History Note: Authority G.S. 125-2; ~~143B-10;~~*

35 *Eff. May 1, 2011;*

36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22,*
37 *2017;*

1 07 NCAC 02I .0202 is amended with changes as published in 32:08 NCR 738 as follows:

2

3 **07 NCAC 02I .0202 STATE AID GRANTS FROM THE AID TO PUBLIC LIBRARIES FUND**

4 Libraries shall qualify for State Aid Grants by meeting the requirements listed in Rule .0201 of this Section. All grants
5 are shall be contingent upon appropriations budgeted by the General Assembly and subject to the approval of the
6 Secretary of the Department of Natural and Cultural ~~Resources based on the criteria in Rule .0201 of this Section.~~
7 Resources. Assembly. Eligible county, regional, and municipal library systems shall receive grants subject to the
8 approval of the Secretary of the Department of Cultural Resources subject to requirements in Rule .0201 of this
9 Subchapter. ~~Block and per capita income equalization grants~~ State Aid Grants may be used for materials, salaries,
10 equipment, and operating costs.

11

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. February 1, 2018.*