

ARTICLE 24:30

STATE LIBRARY

Chapter

- 24:30:01 Public access to State Library.
- 24:30:02 Restrictions on library materials.
- 24:30:03 Regional networking.
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- ~~24:30:07 State publications library distribution program.~~

CHAPTER 24:30:06

DOCUMENTS DEPOSITORY LIBRARY SYSTEM

(Repealed)

Section

- ~~24:30:06:01 Standards to be met by depository libraries.~~
- ~~24:30:06:02 Exceptions to standards.~~
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- ~~24:30:06:06 Termination by contracting library.~~
- ~~24:30:06:07 Termination by board.~~

~~24:30:06:01. Standards to be met by depository libraries.~~ The following standards shall be met by all libraries applying to the State Library Board for designation as documents depository libraries under the depository library system:

~~(1) The library shall be administered by a librarian who possesses a master's degree in library science from a library school accredited by the American Library Association or have such a librarian on its staff to administer the depository program;~~

~~(2) The library shall be open at least 50 hours a week, including 3 nights and 8 hours on a Saturday or a Sunday or a combination of both in each normal week.~~

~~Source:~~ 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.

~~General Authority:~~ SDCL 14-1A-2.

~~Law Implemented:~~ SDCL 14-1A-6.

~~24:30:06:02. Exceptions to standards.~~ The only exemptions from the standards required by § 24:30:06:01 are the following:

~~(1) National research institutions where deposits of South Dakota state documents may increase the national dissemination of knowledge of the State of South Dakota; and~~

~~(2) State library agencies of this or other states or libraries maintained by this or other states for purposes of collecting and preserving the history of the State of South Dakota.~~

~~Source:~~ 1 SDR 71, effective June 1, 1975; 11 SDR 96, 11 SDR 112, effective July 1, 1985.

~~General Authority:~~ SDCL 14-1A-2.

~~Law Implemented:~~ SDCL 14-1A-6.

~~24:30:06:03. Additional requirements.~~ In addition to meeting the standards of § 24:30:06:01, libraries not exempted by § 24:30:06:02 shall agree to do the following:

~~—— (1) Designate a person by name as administrator of the depository program for the purpose of direct contact with the state publications library distribution center;~~

~~—— (2) Make any depository item available to a citizen of South Dakota requesting the service;~~

~~—— (3) Assure accessibility of state documents to library users through establishment of one or more systems approved by the state publications library distribution center;~~

~~—— (4) Retain all state documents for a minimum of five years with the exception of those publications which are clearly superseded by subsequent editions or which are issued at a later date in cumulated form; and~~

~~—— (5) Allow the state librarian, or a representative, access to the depository program for purposes of evaluation.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:04. Selection of documents depository libraries.** The State Library Board shall contract for documents depository libraries from applications received from municipal or county free libraries or state college or state university libraries. The State Library Board may contract with only one library in a planning and development district. The State Library shall be the documents depository library in the planning and development district in which it is located. If two or more libraries in a single planning and development district apply for a documents depository library contract, the library open to the public the greatest number of hours shall be awarded the contract. If competing applications are equal in hours of opening, the library having the greatest number of the population resident in counties touched by the circumference of a circle drawn on a radius of 50 miles from the city in which the library is located shall be awarded the contract. If both conditions above are equal among competing applicants, the municipal or county free library shall~~

~~be awarded the contract. The State Library Board may allow exceptions to this rule upon a finding that a geographical imbalance will result from the application of this rule. Application for the exception may be made by a municipal or county free library board of trustees or by the administration of a state college or state university.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:05. Termination of contracts.** Depository contracts with libraries shall remain in effect until the library ceases to exist, terminates the contract at its own request, or has the contract revoked by the State Library Board.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:06. Termination by contracting library.** A library may terminate its contract by informing the State Library Board in writing at least 30 days before any regularly scheduled quarterly meeting of the board.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~24:30:06:07. Termination by board.~~ The State Library Board may revoke a contract only by using the following procedure:

~~(1) The state librarian shall present a recommendation for revocation of a depository contract based on a visit by the state librarian or the state librarian's appointed representative and written documentation that the library concerned was not meeting the standards or requirements prescribed by §§ 24:30:06:01 and 24:30:06:03. This recommendation may be made at any regular quarterly meeting of the board;~~

~~(2) The State Library Board shall act upon the recommendation of the state librarian by rejecting the recommendation or by appointing a hearing officer as provided in SDCL 1-26-18.1. The State Library Board shall enter the recommendation into its minutes and issue to the library involved notice that a recommendation for revocation of the documents depository contract has been received, that a hearing officer has been appointed, and that a hearing shall be scheduled at a time that is convenient to all parties involved;~~

~~(3) Only after the hearing or forfeiture by the library in question through nonappearance after due notice may the board revoke a depository library contract.~~

~~Source: 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 15 SDR 89, effective December 21, 1988.~~

~~General Authority: SDCL 14-1A-2.~~

~~Law Implemented: SDCL 14-1A-6.~~

CHAPTER 24:30:07

STATE PUBLICATIONS LIBRARY DISTRIBUTION PROGRAM

Section

24:30:07:01 State publications library distribution program defined.

24:30:07:02 Standards to be met by full depository libraries.

24:30:07:03 Standards to be met by affiliate depository libraries.

24:30:07:04 Selection of depository libraries.

24:30:07:05 Termination of contracts.

24:30:07:06 Termination by contracting library.

24:30:07:07 Termination by board.

24:30:07:08 Notification and availability of publications produced by state agencies.

24:30:07:09 Transition of current documents depository libraries.

24:30:07:01. State publications library distribution program defined. The state publications library distribution program ensures that all state publications are made available to the citizens of South Dakota. The program is meant to collect and distribute any state publication that an agency intends for general distribution to the public. General distribution publications can include items published on any state agency website, items mailed from state agencies, or otherwise distributed to South Dakota's citizens physically or electronically.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:02. Standards to be met by full depository libraries. The State Library Board shall select two libraries that will be full depository libraries. Libraries submitting applications to become full depository libraries under the state publications library distribution program shall:

(1) Be administered by a South Dakota certified or MLS degreed librarian or have such a librarian on its staff to administer the program;

(2) Designate a person by name as administrator of the program for the purpose of direct contact with staff at the State Library;

(3) Retain and make accessible all physical state documents obtained through the program, regardless of format, for a minimum of five years with the exception of those publications which are clearly superseded by subsequent editions or which are issued at a later date in cumulated form;

(4) Deselect physical state documents obtained through the program according to procedures set forth by the State Library;

(5) Allow the state librarian, or a designee, access to the program for purposes of evaluation;

(6) Conduct at least two annual public orientations or workshops, which highlight the use of state government publications. These sessions may be led by the supervisor of the collection or appropriate guest speakers; and

(7) Attend at least one continuing education opportunity offered by the State Library government publications staff.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:03. Standards to be met by affiliate depository libraries. In an effort to increase availability and distribution of state publications, the State Library shall also designate libraries that will be affiliate depository libraries. Libraries designated as affiliate depository libraries under the state publications library distribution program shall:

(1) Be administered by a South Dakota certified or MLS degreed librarian or have such a librarian on its staff to administer the program;

(2) Designate a person by name as administrator of the program for the purpose of direct contact with staff at the State Library;

(3) Conduct at least one annual public orientation or workshop, which highlights the use of state government publications. This session may be led by the supervisor of the collection or appropriate guest speakers; and

(4) Attend at least one continuing education opportunity offered by the State Library government publications staff.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:04. Selection of depository libraries. The State Library Board shall award contracts for full depository libraries from amongst applications received from municipal or county free libraries or state university libraries that meet the standards of § 30:07:02. The state librarian shall develop and make known procedures for designating affiliate depository libraries that encourage all libraries in South Dakota to participate in the state publications library distribution program.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:05. Termination of contracts. Depository contracts with full depository libraries shall remain in effect until the library ceases to exist, terminates the contract at its own request, or has the contract revoked by the State Library Board. When a contract is terminated, the state librarian shall determine procedures for disposition of the state publications collection obtained through the program.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:06. Termination by contracting library. A full depository library may terminate its contract by informing the State Library Board in writing at least 30 days before any regularly scheduled quarterly meeting of the board.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:07. Termination by board. The State Library Board may terminate a contract with a full depository library by informing the library in writing at least 30 days before any regularly scheduled quarterly meeting of the board, at which time termination action will be taken.

Source:

General Authority: SDCL 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:08. Notification and availability of publications produced by state agencies.

As per SDCL 14-1A-1 and 14-1A-3, state agencies shall notify the State Library of any publications to be included in the state publications library distribution program. State agencies shall supply the State Library within 90 days of publication the applicable formats and number of copies as follows:

- (1) For state publications available only in physical format, four copies must be supplied;
- (2) For state publications available in digital and physical formats, one digital copy in PDF or other approved format must be supplied along with two physical copies; and
- (3) For state publications available in digital format only, one digital copy in PDF or other approved format must be supplied.

Physical documents may be delivered to the State Library through interoffice mail, USPS, or in person, if the deliveries are marked ATTN: Documents. Digital copies may be submitted online at www.library.sd.gov/xxxxxxx.

The State Library may place online without restriction any submitted items that are freely available from state agencies. For submitted items that are normally available for purchase from the issuing agency, the State Library will seek permission from the issuing agency before placing the items online.

Source:

General Authority: SDCL 14-1A-3.

Law Implemented: SDCL 14-1A-3.

24:30:07:09. Transition of current documents depository libraries. Libraries previously designated as state documents depository libraries under § 24:30:06 that do not become a full depository library shall follow procedures determined by the state librarian for disposition of the respective state publications collections.

Source:

General Authority: SDCL 14-1A-3.

Law Implemented: SDCL 14-1A-3.