

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 520

Department or Agency: Alabama Public Library Service Library Development Division

Rule No.: 520-2-2-.03

Rule Title: Library Establishment, Policy And Service Requirements

Intended Action Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Kelyn L. Ralya
Kelyn Ralya

Date

Monday, August 18, 2025

REC'D & FILED
AUG 19, 2025
LEGISLATIVE SVC AGENCY

ALABAMA PUBLIC LIBRARY SERVICE LIBRARY DEVELOPMENT DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Public Library Service

RULE NO. & TITLE: 520-2-2-.03 Library Establishment, Policy And Service Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The proposed Rule change will update State Aid policy requirements.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons are invited to present comments on the proposed rulemaking action described above at any time during the fifty-three (53) day period following publication of this notice. Written comments may be mailed or hand-delivered to the address below for the first forty-five (45) days. A public hearing will be held on October 21, 2025 for those wishing to provide oral comments.

Vanessa Carr
Executive Secretary
Alabama Public Library Service
6030 Monticello Drive
Montgomery, AL 36117

Written comments should be signed and include a full name and address. Written comments must be received by 4:300 p.m. CST on October 14, 2025. A public hearing will be held on October 21, 2025 at 10:00 a.m. CST at the above address. Requests to make oral comments must be sent to vcarr@apls.state.al.us no later than 4:30 p.m. CST on October 14, 2025. The order of oral comments will be established based on the date(s) that the requests are received. Oral comments will be limited to two (2) minutes.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, October 21, 2025

CONTACT PERSON AT AGENCY:

Kelyn L. Ralya, Interim Director

Kelyn L. Ralya

Kelyn Ralya

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

Library Establishment, Policy And Service Requirements.

To qualify for state aid, public libraries (whether or not they are members of systems) and public library systems must comply with the appropriate requirements as follows.

(1) A public library and a public library system must be legally established according to Code of Ala. 1975, §§11-90-(1-4). A copy of the ordinance or resolution establishing the public library and copies of public library system contracts must be on file with the Alabama Public Library Service (APLS).

(2) In order to receive state aid, a library board must:

(a) employ a qualified library director;

(b) notify APLS of official board appointments and the terms to be served within 30 days of the appointment;

(c) designate at least two board members to complete APLS trustee training (effective 2021);

(d) meet a minimum of four times a year;

(e) have written bylaws governing its functions;

(f) approve written policies for the public library which cover the following:

1. Library objectives

2. Patrons

3. Personnel, including memberships in professional organizations, attendance at professional meetings, grievance procedures, job descriptions, performance evaluations, etc.

4. Cooperation with other libraries

5. Public relations

6. Materials selection policies, including selection criteria for minors and how they are safeguarded from sexually explicit or other material deemed inappropriate for children or youth.

7. Regular services and special services to groups, the handicapped, nonresident borrowers, shut-ins, etc.

8. Overdue fines and other fees and charges

9. Gifts and memorials

10. Physical facilities

11. Physical location (and relocation) of sexually explicit or other material deemed inappropriate for children or youth.

12. Advance approval of materials recommended, displayed, or otherwise actively promoted to children or youth.

13. Other

(g) approve a written five-year, long-range program of public library service which will be reviewed each year and updated as needed. The program should include as a minimum but not limited to:

1. The community's information needs and services

2. Staff development

3. Collection development

4. Facilities development

5. Technology development

(h) approve a written disaster/emergency plan which will be reviewed each year and updated as needed.

(i) approve written guidelines that ensure library sections designated for minors under the age of 18 remain free of material containing obscenity, sexually explicit, or other material deemed inappropriate for children or youth. Under this section, any material that promotes, encourages, or positively depicts transgender procedures, gender ideology, or the concept of more than two biological genders shall be considered inappropriate for children and youth. Age-appropriate materials regarding religion, history, biology, or human anatomy should not be construed to be against this rule.

(j) approve written selection criteria for minors that prevents the purchase or otherwise acquiring of any material advertised for consumers under the age of 18 which contain obscenity, sexually explicit, or other material deemed inappropriate for children or youth. Age-appropriate materials regarding religion, history, biology, or human anatomy should not be construed to be against this rule.

(k) approve written guidelines that establish library cards for minors under the age of 18 must require parental approval before a minor's card is permitted to check-out materials from the library's adult sections.

(3) All Directors, Board members, and/or designated staff of public libraries must attend at least two APLS-sponsored meetings per year either on-site or by videoconference. Eligible meetings include quarterly Administrators' Meetings (October, January, April, July) and the Children and Teen Services Annual Conference (i.e. "Summer Reading Kick-off"). Other eligible meetings are at the discretion of the APLS Director.

(4) The public library must not deny service to anyone on the basis of age, race, sex or creed. Exercising discretion in the location of sexually explicit material or other material deemed by the public library board to be inappropriate for children or youth does not constitute a denial of service on the basis of age. Taking age into account when recommending, displaying, or otherwise actively promoting library materials does not constitute a denial of service on the basis of age.

(5) A public library must be open to serve the public at least the specified number of hours per week based on the following scale:

MINIMUM HOURS OPEN	POPULATION SERVED
50	over 100,000
45	50,000 - 99,999
40	25,000 - 49,999
30	10,000 - 24,999
20	5,000 - 9,999
16	under 5,000

(6) If a public library system headquarters provides direct patron services on-site (as opposed to extension services provided off-site), the system headquarters must be open the number of hours required in (5) above, based on the population of the county in which the system headquarters is physically located.

(7) Each library must strive to have a well-balanced collection of not less than one volume per capita and not less than 1.5 currently useful items per capita. The term "item" is intended to include print and non-print materials.

(8) Any expenditure of public funds to the American Library Association must be approved by the governing board of the public library or public library system in an open, public meeting following advance public notice.

Author: ~~Nancy C. Paek,~~ Kelyn L. Ralya, Interim Director

Statutory Authority: Code of Ala. 1975, §§41-8-(1-10).

History: Filed March 30, 1992. **Amended:** Filed May 20, 2005; effective June 24, 2005. **Repealed and New Rule:** Filed December 18, 2006; effective January 22, 2007. **Repealed and New Rule:** Filed September 21, 2009; effective October 26, 2009. **Repealed and New Rule:** Filed October 13, 2011; effective November 17, 2011. **Repealed and New Rule:** Filed May 16, 2012; effective June 20, 2012. **Repealed and New Rule:** Filed December 10, 2018; effective January 24, 2019. **Amended:** Published May 31, 2024; effective July 15, 2024. **Amended:** Published ; effective
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