



MEMORANDUM

TO: South Carolina Public Library Directors

FROM: Leesa M. Aiken, Agency Director *LMA*

DATE: June 27, 2015

SUBJECT: FY26 State Aid to County Library Funding

The South Carolina State Library is charged with distribution of State Aid to County Library funds and ensuring public libraries are in compliance with the South Carolina Code of Laws and South Carolina Code of Regulations related to the State Aid to County Libraries.

During the FY25 legislative session, changes were introduced and adopted relating to State Aid to County Library funds which require each public library to certify to the State Library that their library does not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's youth, or teen book sections of libraries and are only made available with explicit parental consent.

To meet the requirements of Proviso 27.1 and adhere to the law related to governance of public libraries, the State Library revised the Collection Development Funding Certification form. The Collection Development Funding Certification form certifies that your public library has a Collection Development policy, a Request for Reconsideration Form, and a policy that clearly identifies the age at which a child can obtain a library card without parental consent.

South Carolina Code of Laws, Section 60-1-90 and Chapter 75-1 of the South Carolina Code of Regulations related to governance of public libraries in South Carolina is clear and places the responsibility of collection development at the local level, through the local public library board stating: "Any library receiving State Aid shall be legally established and administered by a legally appointed board and shall: ... (6) Systematically acquire library materials consistent with a collection development policy approved by the local board."

The following items are required prior to the State Library issuing the first State Aid payment:

- South Carolina State Aid Compliance Certification
- Maintenance of Effort Statement
- State Aid Agreement and Library Budget Form
- Collection Development Funding Certification – Payment #1

The following items are required prior to the State Library issuing the second State Aid payment:

- Collection Development Funding Certification – Payment #2
- Library / County Audit

Additionally, the South Carolina State Library has established a Comprehensive Review Procedure related to compliance with Proviso 27.1.

If a Comprehensive Review is requested by the local Legislative Delegation related to compliance with Proviso 27.1 (Aid to County Libraries Allotment) the following documents will be reviewed from the public library system:

- South Carolina State Aid Compliance Certification
- Maintenance of Effort Statement
- State Aid Agreement and Library Budget Form
- Library / County Audit
- State Aid Collection Certification
- Collection Development Policy
- Request for Reconsideration Form
- Policy related to library card age without parental consent
- Library card application

Compliance with Proviso 27.1 will be evaluated based on South Carolina Code of Laws§ 60–1–80, regarding the scope of authority of the South Carolina State Library, South Carolina Code of Laws § 4-9-35, 4-9-36, 4-9-37 regarding the responsibilities of public library Board of Trustees, and South Carolina Code of Regulations, Vol. 26 Chapter 75. Upon completion of a review, a determination will be sent to the local Legislative Delegation, Director of the Public Library, and Public Library Board Chair.

If the review finds that the county library system is not in compliance with Proviso 27.1 or fails to submit required certifications, the following funding consequences will apply:

- **Immediate Withholding:** The State Library will immediately withhold all Aid to County Libraries funding allocations until full compliance is verified.
- **Suspension of Remaining Funds:** If a local Legislative Delegation requests the State Library to conduct a comprehensive review, funds will be placed on hold until the State Library conducts the comprehensive review and issues a written determination.
- **Reinstatement of Funds:** A written determination will be provided to the Legislative Delegation, Director of the Public Library, and Public Library Board Chair, upon verification by the State Library that requirements associated with Proviso 27.1 have been met and funds will be released to the county library.