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TITLE 29

State Government

Budget, Fiscal, Procurement and Contracting Regulations

CHAPTER 66. CONTRACTS WITH PUBLIC LIBRARY SYSTEM

§ 6601. State library policy.

It is hereby declared to be the policy of the State, as part of its provision for public education, to promote the establishment and development of public library service throughout the State and its political subdivisions.

[64 Del. Laws, c. 400, § 1.](#)

§ 6602. Contracting for library services.

(a) In order to encourage the maintenance and development of proper standards, including personnel standards, hours of operation, library materials, collection standards and interlibrary resource sharing, and to provide for the development of statewide public library service, the Delaware Division of Libraries may contract with any public library, including privately incorporated public libraries or public library systems established pursuant to Chapter 8 of Title 9, which qualifies under standards established by the Division with the approval of the Delaware Council on Libraries, to provide library services.

(b) The formula for services purchased by the Division of Libraries shall be as follows for fiscal year 2012 and in each succeeding fiscal year:

(1) Forty percent of the total funds appropriated under this chapter shall be allocated among each of the contracting public libraries based upon actual expenditures, exclusive of state or federal funds, for public library services by such contracting public library and by the political subdivision or subdivisions operating or participating in the public library or public library system in the most recently completed fiscal year or in the case of a newly-constructed or renovated public library project based upon expenditures in the current fiscal year subject to adjustment for actual expenditures at fiscal year end, as determined by the Division of Libraries and Delaware Council on Libraries; and

(2) Forty percent of the total funds appropriated under this chapter shall be allocated among each of the contracting public libraries on a per capita basis for persons served by the public library or public library system as determined by the Division of Libraries with the approval of the Council on Libraries; and

(3) Ten percent of the total funds appropriated under this chapter shall be allocated to the Division of Libraries to fund statewide library services, cooperative planning and evaluation services, and to enable public libraries and public library systems to meet standards established by the Division of Libraries with the approval of the Council on Libraries; and

(4) Up to 10% of the total funds appropriated under this chapter may be allocated to fund countywide and/or regional public library services provided through anchor public libraries approved by the Division of Libraries and Council on Libraries. The Division of Libraries may with the approval of the Council on Libraries use any portion of the funds set aside pursuant to this subsection to temporarily assist a contracting public library impacted by changes to the funding allocations as a result of a decennial census or the addition or expansion of a contracting public library. Any funds not allocated under this subsection shall be distributed to the contract public libraries on the same pro-rata basis as funds are allocated pursuant to paragraphs (b)(1) and (2) of this section to enable contract public libraries to improve collections, staffing or other priorities as mutually agreed by each public library and the Division of Libraries with the approval of the Council on Libraries.

(c), (d) [Repealed.]

[64 Del. Laws, c. 400, § 1](#); [71 Del. Laws, c. 110, § 1](#); [72 Del. Laws, c. 93, § 1](#); [75 Del. Laws, c. 350, § 152](#); [78 Del. Laws, c. 172, § 1](#);

§ 6603. Limitation on expenditures.

(a) In no case shall the Division pay, for the services received, more than was expended, exclusive of state and federal aid, by the political subdivision or organization operating the library.

(b) If in any year the state appropriations to the Division for services under this chapter are not sufficient to meet the cost of approved contracts for services or state appropriations exceed the formula designated in § 6602(b) of this title, the Division shall prorate the available funds in such manner so that each public library or public library system shall receive its proportionate share.

(c) In the event that no moneys are appropriated for the purpose of this chapter in any year, no public library or public library system shall have any claim to any other moneys appropriated to the Division.

[64 Del. Laws, c. 400, § 1](#);

§ 6604. Requirements for contracting with Division.

Public libraries or public library systems contracting with the Division must meet, or provide evidence of attempting to meet, minimum standards of operations as established by the Division and approved by the Council. The Division shall publish guidelines for the disposition of library materials purchased with state funds.

[64 Del. Laws, c. 400, § 1](#);

§ 6605. Standards of eligibility; reports on operation.

The Division shall establish and publish the procedure under which public libraries and public library systems may be eligible to contract with the State and may require reports on the operation of all libraries with which it contracts.

[64 Del. Laws, c. 400, § 1](#);