

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Illinois State Library, Acquisition Division, Illinois Documents Section
- 2) Code Citation: 23 Ill. Adm. Code 3020
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
3020.100	Amendment
3020.110	Amendment
3020.120	Amendment
3020.140	Repealed
3020.200	Amendment
3020.210	Amendment
3020.220	Amendment
3020.230	Amendment
- 4) Statutory Authority: Implementing Section 21 and authorized by Section 2 of the State Library Act [15 ILCS 320/2 and 21].
- 5) Effective Date:
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file and available at the Illinois State Library, Gwendolyn Brooks Building, 300 South Second Street, Springfield IL 62701-1796.
- 9) Notice of Proposal Published in the Illinois Register: July 7, 2008; 32 Ill. Reg. 9576
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference between proposal and final version:

In Section 3020.110 a) 3) change In some cases to When a State agency has very few copies of a publication printed.

In Section 3030.100 d) after “applicable” add (such as HTML)

In Section 3030.200 b) after “area” add , as established by the library system.

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- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter from JCAR? Yes
- 13) Will this amendment replace any emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part: No
- 15) A Complete Description of the Subjects and Issues Involved: This rulemaking clarifies the formats the Illinois State Library will accept from state agencies and state universities for submission in the electronic depository of state publications. Section 3020.110(a)(3) and 3020.120 (a)(3) requires that state agencies and state universities are submit priced or copyrighted publications into the electronic depository; however, the submitting state agency and state university may determine if the publication is accessible on the Internet. Section 3020.210 allows a depository library to discard a paper version of a state agency publication after two years if the publication is deposited in the electronic depository of state publications.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Joseph Natale
Rules Coordinator
Illinois State Library
Gwendolyn Brooks Building
Springfield, IL 62701-1796
217-558-4185; jnatale@ilsos.net

The full text of the Amended Part begin on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE B: CULTURAL RESOURCES
CHAPTER I: SECRETARY OF STATE

PART 3020

ILLINOIS STATE LIBRARY, ACQUISITIONS DIVISION, ILLINOIS DOCUMENTS
SECTION

SUBPART A: DEPOSIT OF PUBLICATIONS

Section

- 3020.100 Definitions
- 3020.110 State Agency Publications ~~Non-priced and Priced Publications~~
- 3020.120 State University Publications and Presses
- 3020.130 Delivery Cost and Responsibility
- 3020.140 Excess Copies (Repealed)
- 3020.150 Administrator of State Agency
- 3020.160 Lists of Published Materials

SUBPART B: DEPOSITORY LIBRARIES

Section

- 3020.200 Designation of Depositories
- 3020.210 Retention and Disposal of Publications ~~Documents~~
- 3020.220 Citizen Access to Publications
- 3020.230 Inspection of Depositories
- 3020.240 Termination of Depository Status

AUTHORITY: Implementing Section 21 and authorized by Section 2 of the State Library Act [15 ILCS 320/2 and 21].

SOURCE: Filed effective December 21, 1967; rules repealed, new rules adopted and codified at 8 Ill. Reg. 319, effective December 27, 1983; amended at 10 Ill. Reg. 4555, effective July 1, 1986; amended at 27 Ill. Reg. 219, effective January 1, 2003; amended at 33 Ill. Reg. 4169, effective February 27, 2009.

SUBPART A: DEPOSIT OF PUBLICATIONS

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Section 3020.100 Definitions

The following definitions apply to this Part:

"Access" means the allowance or liberty to make use of publications deposited in a depository or exchange library.

"Depositories" means those libraries and/or resource centers that have Illinois publications deposited in their collections for citizen availability by agreement with the Secretary of State.

"Electronic depository" means the depository that provides permanent public access to publications of the State of Illinois in an electronic format.

"Ephemeral material" means any material that is of a short duration, for example, an announcement of a conference or seminar, applications and forms.

"Exchange libraries" means those libraries with which the Secretary of State has an agreement whereby each library exchanges publications, of its respective state.

~~"File transfer protocol" (FTP) means the process by which State agencies submit electronic versions of published materials to the Illinois State Library.~~

"ILLINET" means the Illinois Library and Information Network.

"Metadata" means structured information that describes content, origin, format and other key characteristics of data for the purpose of information management.

"Metadata generator" means the Web-based resource used by State agencies to submit URLs, metadata and electronic versions of published materials to the Illinois State Library.

"Microforms" means any medium bearing microimages, such as microfiche or microfilm.

"Publications" means all formats of media, including microforms, recordings, and other printed material paid for in whole or in part by funds appropriated by the General Assembly or issued at the request of a State agency, excepting however, correspondence, interoffice memoranda, and confidential publications. Publications to be deposited with

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the Illinois State Library and the electronic depository include, but are not limited to, the following:

Annual Reports

Bulletins/circulars

Handbooks/manuals

Laws/rules/decisions

Maps/charts

Newsletters

Pamphlets/Brochures/Fact Sheets

Press releases issued by constitutional officers

Technical/Research/Statistical Reports

"Published material" means publications in print and electronic formats duplicated by any means of duplication, including material downloaded ~~download~~ from a publicly accessible electronic network.

"Recordings" means anything, other than printed on paper, on which sound or visual images have been recorded, including cassettes, records, slides, ~~or~~ films or electronic storage media.

"Secure transfer protocol" means the method for transfer of the deposited electronic files shall be as resistant as possible to corruption or outside interference to maintain the integrity of the file content.

"State agencies" means every State office, officer, department, division, section, unit, service, bureau, board, commission, committee, and subdivision thereof of all branches of the State government and which agencies expend appropriations of State funds, regardless of the amount. This includes state universities.

"Superseded material" means any publication cumulated in later issues, issued in later revised editions, or separates, replaced by final bound volumes.

"URL" or "{Uniform Resource Locator}" means the address for a resource or site (usually a directory or file) on the World Wide Web and the convention that Web browsers use for locating files and other remote services.

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

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Section 3020.110 State Agency Publications ~~Non-priced and Priced Publications~~

- a) Within 1 week after an agency receives copies ~~receipt~~ of publications it intends to issue, the ~~issuing~~ agency shall send 40 copies of all publications, priced and non-priced, to the Illinois Documents Section, Illinois State Library. ~~40 copies of all publications, priced and non-priced~~. Along with the publications, the issuing agency shall include information containing the address of the agency and, if applicable, the price of each item so that it may appear on the list of State of Illinois publications issued by the State Library.
- 1) In addition to the 40 copies submitted to the Illinois State Library, the agency shall submit to the Illinois State Library an electronic copy of the publication via the Illinois State Library's metadata generator using a secure transfer protocol.
 - 2) Submissions in the metadata generator will be deposited in the electronic depository.
 - 3) When a state agency has very few copies of a publication printed, the Illinois State Library may accept three copies of a publication in print instead of the 40 copies if an electronic version has been deposited.
 - 4) Electronic deposit is required for copyrighted and priced publications. Internet availability of copyrighted and priced publications will be determined by the depositing state agency.
- b) The issuing agency shall notify the Illinois State Library ~~Library Automation and Technology Division~~ ~~of the~~ an electronic-only publication by submitting the URL of the publication and metadata describing the publication to the electronic depository via the Illinois State Library's metadata generator.
- c) One electronic copy ~~If the issuing agency does not submit a URL, it shall be provided to submit through file transfer protocol (FTP)~~ to the Illinois State Library ~~one electronic version~~ of all published materials as defined in this Part in a format acceptable to the Illinois State Library, including, but not limited to, the following:
- 1) Microsoft Office file
 - 2) Plain text file

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- 3) Adobe Acrobat
 - 4) Video (mpeg) or sound (wav)
 - 5 Image files (JPEG, TIFF)
 - 5) 6) Formats in compliance with the Illinois Web Accessibility Standards (produced by the Illinois Technology Office, 2½ State House, Springfield IL 62706)
- d) In formats where applicable (such as HTML), electronic-only publications shall include metadata embedded in the file posted on a publicly accessible network as submitted to the electronic depository via the Illinois State Library's metadata generator.

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

Section 3020.120 State University Publications and Presses

- a) Within one week after a State state university receives receipt of publications it intends to issue, the university shall deposit, three copies of all state-university publications, priced and non-priced university publications, and two copies of all publications published by the university presses, shall be deposited with the Illinois Documents Section. The along with the address of the issuing State university agency and the price of the publications shall accompany the materials.
- 1) In addition to three copies of university publications or two copies of university press publications shall be submitted the Illinois State Library, the agency shall submit to the Illinois State Library an electronic copy of the publication via the Illinois State Library's metadata generator using a secure transfer protocol.
 - 2) Submissions in the metadata generator will be deposited in the electronic depository.
 - 3) Electronic deposit is required for copyrighted and priced publications. Internet availability of the publication will be determined by the depositing State university.

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- b) The issuing agency shall notify the Illinois State Library ~~=Library Automation and Technology Division~~ of an the electronic-only publication by submitting the ~~by submitting the URL of the~~ publication and metadata describing the publication to the electronic depository via the Illinois State Library's metadata generator.
- c) One electronic copy ~~If the issuing agency does not submit a URL, it shall be provided to~~ provide the Illinois State Library ~~with one electronic copy~~ of all published materials as defined in this Part in a format acceptable to the Illinois State Library as indicated in Section 3020.110(c) of this Part.
- d) In formats where applicable, electronic-only publications shall include metadata embedded in the file posted on a publicly accessible network as submitted via the Illinois State Library's metadata generator.

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

Section 3020.140 Excess Copies (Repealed)

~~The Illinois Documents Section will distribute copies of agency publications to ILLINET libraries when requested to do so by the agency provided that the Illinois Documents Coordinator and the consultant for ILLINET libraries determine that there is citizen interest in the publications and the Intersystem Library Delivery Service is capable of delivering the publication to the libraries. Capability is determined by the amount and size of the publication.~~

(Source: Repealed at 33 Ill. Reg. 4169, effective February 27, 2009)

SUBPART B: DEPOSITORY LIBRARIES

Section 3020.200 Designation of Depositories

- a) All libraries serving as depositories or exchange libraries as of December 27, 1983, shall continue in that status, unless that ~~such~~ status is terminated according to the provisions of Section 3020.240. The Director of the Illinois State Library shall designate which institutions shall replace depositories or exchange libraries for Illinois publications.

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- b) Designation of depositories shall be based on the institution's ability to provide access to the material to the public, the institution's institutions interest in the publications of the State of Illinois, and the institution's geographic location. The Director shall give priority to libraries in the same library system as the terminating depository. If no qualified library in the same geographic area as established by the library system, desires depository status, the priority will be given to a qualified library in the same geographical area as the terminating depository.
- c) Priority for the replacement of an exchange library shall be given to a state library, based on that state's similarity to Illinois in terms of industry and demographic factors, and the library's interest in Illinois publications. If no qualified state library desires exchange status, the priority will be given to an institution expressing an interest in Illinois publications.

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

Section 3020.210 Retention and Disposal of Publications Documents

- a) The Illinois State Library shall keep all depository materials indefinitely, except for ephemeral materials. The Illinois State Library shall retain one copy of superseded material. The Illinois State Library shall retain ownership of Illinois publications deposited in its depository and exchange libraries.
- b) Each depository must keep all publications received for seven years. At the end of that time, a depository may send a list of unneeded publications to the Illinois Documents Coordinator, Illinois State Library, Gwendolyn Brooks Building, 300 South Second, Springfield IL 62701-1796, who will circulate the list to other depository libraries for their selection. If other libraries request any publications on the list, the discarding library will forward the publications to them, by the least expensive method, at the selecting library's expense. Publications not selected by other depositories may be disposed of or destroyed.
- c) A depository may discard a publication that is published in a tangible format and deposited in the electronic depository if it retains the tangible format for the current and previous year.
- d) A depository is permitted to replace tangible versions with electronic equivalents of publications provided the electronic version is complete and permanently

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accessible. The Illinois State Library will provide a list on its website on titles that meet these requirements.

~~The Illinois State Library shall retain ownership of Illinois documents deposited in its depository and exchange libraries. The depository must keep all documents received for seven years. At the end of that time, it may send a list of unneeded documents to the Illinois Documents Coordinator, Illinois State Library, 300 South Second, Springfield IL 62701-1796, who will circulate the list to other depository libraries for their selection. If other libraries request any documents on the list, the discarding library will forward the documents to them, by the least expensive method, at the selecting library's expense. Documents not selected by other depositories may be destroyed or otherwise disposed of. The Illinois State Library, shall keep all depository documents indefinitely, including ephemeral materials, except for superseded items.~~

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

Section 3020.220 Citizen Access to Publications

- a) ~~The depository library must make reference service available not only to the library's primary users but to all Illinois citizens. Cataloging of the publications except for ephemera, documents, is required in order to make State publications documents easily accessible and retrievable.~~
- b) ~~Depository libraries shall permit all Illinois citizens access to the depository publications documents in their collection. Access is "adequate" if it meets the following standards: Non-circulating material and circulating material that is not currently charged to a patron will be made available within 48 hours after a citizen request; circulating material that is currently charged to a patron will be made available to fill a citizen request within 24 hours after its return to the depository library.~~
- c) ~~The Illinois State Library shall work with issuing State agencies to make published materials available to the public, by means of access, by way of the largest nonproprietary nonprofit cooperative public computer network [15 ILCS 320/7].~~

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)

Section 3020.230 Inspection of Depositories

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- a) The Director of the Illinois State Library, or a designated representative, shall visit and inspect the depositories every five years to assure the State Library that the depository is providing public access to and adequate maintenance of ~~to~~ the publications. Maintenance is adequate if it does not contribute to the physical deterioration of the deposited material.
- b) The Director of the Illinois State Library shall also receive, in conjunction with the inspections, written reports from the depository libraries containing the program of administration for access and maintenance of the publications. The written report shall include information concerning library personnel, depository publication statistics, circulating rules, cataloging and processing procedures, ~~and~~ equipment and storage facilities.

(Source: Amended at 33 Ill. Reg. 4169, effective February 27, 2009)