

**Title 13. Libraries, Archives, and Cultural Resources**  
**Chapter IV. Arkansas State Archives, Division of Arkansas Heritage,**  
**Department of Parks, Heritage, and Tourism**  
**Subchapter A. Generally**  
**Part 40. Arkansas History Commission Rules and Fees**  
**Subpart 1. Arkansas History Commission Rules**

**13 CAR § 40-101. General — Rule sources.**

(a) **Collection scope.** The Arkansas History Commission collection shall pertain to Arkansas history and culture from the earliest times to the present (collectively "archival material").

(b) **Acquisition.**

(1) The commission may acquire government and nongovernment records, secondary source material, artifacts, and other material (collectively "material") by:

- (A) Salvage;
- (B) Donation;
- (C) Gift bequest;
- (D) Purchase;
- (E) Loan; or
- (F) Transfer from government agencies.

(2) Authority for material acquisition rests with the State Historian, and all offers of material shall be referred to the State Historian.

(c) **Material loan.**

(1) The commission shall not lend material to individuals.

(2) The commission may lend material to institutions for specific purposes (such as exhibition) for a specified period of time if such institutions meet professional standards of collections care and management.

(3) Loan periods shall extend for one (1) year or less, with an option for annual extensions for up to five (5) years if both parties agree in writing.

(4)(A) Authority for outgoing loans resides with the State Historian.

(B) If, in the State Historian's opinion, the loan is not in the best interest of the material's long-term preservation, the loan request will be denied.

(5) Failure to comply with commission rules regarding loaned material will result in:

(A) Immediate withdrawal of commission material; and

(B) Refusal of future loan requests.

(d) **Withdrawal of materials.**

(1) The commission may judiciously withdraw (or "deaccession") and dispose of archival material from its permanent collection in a timely manner consistent with professionally accepted standards under the following procedures and criteria.

(2) A written deaccession request listing the reason or reasons for withdrawal and recommended means of disposal must be signed by the State Historian and approved by majority vote of commission members prior to disposal of archival material.

(3) Nothing in this policy shall be construed to interfere with standard archival practice in discarding items in the course of processing or with standard library practice in discarding duplicates or unacceptable books.

**Authority.** Arkansas Code § 13-3-106.

**13 CAR § 40-102. Facilities.**

(a) **Location.** This part applies to any facility operated by the Arkansas History Commission.

(b) **Hours.** Facilities are open to the public (herein called "patrons") during commission-established hours.

(c) **Tobacco, food, and drink.**

(1) All uses of tobacco products are forbidden in all commission facilities.

(2) Food and beverages are not permitted in the commission research rooms or designated research areas at branch facilities.

(d) **Behavior.**

(1) All patrons are requested to pursue their research in a quiet and orderly manner.

(2) Disruptive patrons will be removed.

(3) Parents are responsible for the behavior of their children.

(e) **Research.** Commission personnel will explain research facilities and provide guidance.

(f) **Registration.**

(1) On the first visit to a commission facility, each patron is required to:

(A) Present a valid photographic identification (e.g., driver's license, passport);

(B) Complete a registration form; and

(C) Obtain a unique commission identification number for admission.

(2) Upon each subsequent reentry of any commission facility, researchers must register, giving:

(A) Name and commission identification number;

(B) Date; and

(C) Time of visit.

(g) **Security.**

(1) Patrons may bring pencils, loose paper, and approved electronic storage devices (e.g., laptops, tablets) into the research room or designated research areas at branch facilities, but must store all other personal belongings in lockers provided by commission facilities when available.

(2) All belongings are subject to search before patron leaves any commission facility.

**Authority.** Arkansas Code § 13-3-106.

**13 CAR § 40-103. Access to materials — Generally.**

(a)(1) Arkansas History Commission institutions are noncirculating.

(2) Researchers may not check out or loan materials from any commission facility.

(b)(1) The commission allows access to and use of materials only in a controlled manner that protects materials' physical and intellectual integrity.

(2) The commission reserves the right to restrict or deny access to prevent:

(A) Deterioration, potential damage, mutilation, loss, or mislocation of material; or

(B) Interference with commission administrative, professional, or technical operations, including service to other researchers.

**(c) Collections.**

**(1) Print collection.**

(A) The print collection includes books and periodicals on a wide range of Arkansas, historical, and genealogical topics, searchable through the online catalog.

(B) At commission facilities, print collections:

(i) May be used only in the reading room; and

(ii) May not be taken into the archival research room.

(C) Researchers may retrieve print materials for themselves but will leave used materials on designated carts for staff reshelving.

**(2) Microfilm collection.**

(A) The commission provides microfilm access to Arkansas newspapers, county records, military records, church records, and some archival materials.

(B) The commission microfilms materials as part of its preservation efforts.

(C) In most instances, microfilm copies of original material will be provided to patrons unless circumstances warrant retrieval of the original materials.

(D) Research room patrons may not use:

(i) Original materials that have been received for microfilming; or

(ii) Microfilm stored in the microfilm vault.

(E) Commission facilities provide machines to read and copy microform materials.

(F) Materials on rolls labeled "Restricted" may be copied only with donor permission.

**(3) Archival material.**

(A) Archival material includes documents, rare books, photographs, maps, artifacts, artwork, audiovisual material, and other primary source material not available for browsing in the research room or designated research areas at branch facilities.

(B) Prior to using archival material, patrons must complete the appropriate form and submit to the commission.

(C) Patrons are required to use archival material in the archival research room and may not remove archival material from this room.

(D) Patrons will be limited to one (1) box of archival material at a time.

(E) The commission reserves the right to further restrict usage based on the value or condition of materials.

(F) Not all records are immediately open for public access and may require forty-eight (48) hours' notice prior to use.

(G) In some cases, the commission may redact personally identifying information (e.g., Social Security numbers) from copies provided to researchers.

**(4) Artifacts and artwork.**

(A) Patrons requesting access to artifacts (e.g., physical objects) must complete the appropriate form and submit it to the commission at least forty-eight (48) hours in advance of anticipated viewing for approval by the State Historian or designee.

(B) The commission will contact patrons upon receipt of request to establish an appointment time.

(C) Patrons are required to view artifacts in the archival research room.

(D) At the State Historian's discretion, another viewing location may be designated due to preservation or viewing issues.

(E) Patrons may view only one (1) artifact at a time.

(F) The State Historian or designee shall monitor item viewing and instruct patron on proper handling.

**Authority.** Arkansas Code § 13-3-106.

**13 CAR § 40-104. Researcher services.**

**(a) Personal equipment.**

(1) Tape recorders and electronic storage devices (e.g., laptops, tablets) may be used in the research room or designated research areas at branch facilities, subject to staff approval.

(2) Personal copying equipment, including cameras, scanners, cell phones, and similar devices, may not be used in the research room or designated research areas at branch facilities.

**(b) Self-serve copies.**

(1) Patrons may use photocopy and microfilm machines provided in Arkansas History Commission facilities to make copies of items from print collection and nonrestricted microfilm.

(2) Self-serve xerographic photocopies may not be available at the branch facilities.

(3) United States copyright laws govern reproduction of copyrighted material, and the commission respects and upholds United States copyright laws.

(4) Subject to the approval of the State Historian or designee, each patron may order no more than ten percent (10%) of pages from any copyrighted print publication or microfilmed manuscript collection at one (1) time.

**(c) Photocopies of archival material.**

(1) If copies of archival materials are required and approved by the Archivist on Duty, copies shall be made by the commission staff.

(2) Subject to the approval of the State Historian or designee, each patron may order no more than ten percent (10%) of pages from any manuscript collection at a time.

**(d) Microfilm copies.**

(1) Patrons may also purchase duplicate copies of roll microfilm for which the commission holds the master negative.

(2) Copies of restricted microfilm cannot be sold, except by written donor permission.

**(e) Audiovisual duplication.**

(1) Patrons may purchase copies of photographs and other audiovisual materials subject to established copyright restrictions and format limitations and according to commission:

- (A) Policies;
- (B) Procedures; and
- (C) Fees.

(2) Some variations in audiovisual duplication services or the turnaround times required to deliver these items may exist between the main commission facility in Little Rock and the branch facilities.

**(f) Purchase of copies.**

**(1) Ordering process.**

- (A) Patrons may order copies by:
  - (i) Completing the appropriate form; and
  - (ii) Advancing payment of the total cost.

(B) The commission does not accept photocopy orders placed by phone or fax.

(C) The commission reserves the right to refuse third-party orders, i.e., orders placed by someone who requests that another person or entity be billed.

**(2) Payment.**

(A) Orders for material will not be filled until full payment is received by the commission.

(B) Governmental agencies may avoid advance payment by presenting a letter of intention to pay from their agency director or authorized fiscal officer.

(C) No free copies of any material shall be provided.

**(3) Restrictions.**

- (A) The commission reserves the right to refuse a copy order if that order:
  - (i) Violates copyright law;

- (ii) Creates a conservation concern; or
- (iii) Violates donor agreements regarding copying.

(B) No microfilm or photographic negatives shall be sold.

(4) The commission is unable to furnish certified copies.

**(g) Fees.**

(1) The commission may establish reasonable charges for copies of material.

(2) A schedule of commission-established fees and charges shall be:

(A) Posted physically and electronically; and

(B) Otherwise made available to patrons.

**(h) Forms.** The commission shall create and employ such paper or electronic forms as may be required for security and preservation of materials.

**(i) Credit for sources.** Persons, agencies, and firms reprinting, circulating, or otherwise utilizing copies of archival material are required to acknowledge the source of such materials by the credit line or statement as follows:

[Title of Item], [Title of Collection], [Agency Name and Location]

**Example 1:** Arkansas Profitable Farm Bureau scrapbook,  
Arkansas History Commission, Little Rock, Arkansas

**Example 2:** Isaac D. Riddick letter, 1839, B. F. Riddick papers,  
Southwest Arkansas Regional Archives, Arkansas History Commission,  
Washington, Arkansas

**Example 3:** World War II scrapbook, Elbert R. Little papers,  
Northeast Arkansas Regional Archives, Arkansas History Commission,  
Powhatan, Arkansas

**(j) Material handling.**

(1) The commission only performs cleaning, restoration, and preservation work on its own material.

(2) Only the State Historian may make exceptions.

**(k) Space utilization.**

(1) All space, storage and otherwise, rented, leased, or otherwise allocated to the commission shall be reserved for the commission and its staff's exclusive use.

(2) Commission facilities may not be loaned, rented, or otherwise made available to any other person, organization, agency, or official except by express commission action.

**Authority.** Arkansas Code § 13-3-106.

**Subpart 2. Arkansas History Commission Services and Fees**

**Codification Notes.** This subpart as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Effective December 1, 2014"

**13 CAR § 40-201. Services and fees table.**

<b>Service</b>	<b>Charge</b>
Photocopies (self-service or staff)*	0.25/page
5" x 7" photographic print	\$25.00
8" x 10" photographic print	\$25.00
11" x 14" photographic print	\$35.00

Oversize copies, including maps (up to 3' wide)	12.00/foot
Digital Capture from Microfilm	\$10/flash drive
Digital scan, up to 600 ppi	\$12.50
Digital scan, over 600 ppi	\$22.50
Audiotape duplication (cassette to cassette)	\$20/TAPE
Audiocassette digitization (cassette to CD)	\$15/CD
Compact Disc duplication	\$10/CD
LP digitization (LP to compact disc)	\$15/CD
VHS tape digitization	\$25 PER 30 MINUTES
DVD duplication	\$25/DVD
Other media duplication	Price TBD by market
Microfilm duplication (silver)	\$80.00/roll
Shipping and handling charge – all mailed orders	\$5.00

\*0.25/page applies to print copies from archival documents (excluding photographs, oversized), books, and from microfilm.

**Authority.** Arkansas Code § 13-3-106.