

Title 16: History, Humanities and Arts - Mississippi Library Commission

Part 130: PUBLIC PARTICIPATION

Part 130 Chapter 1: Proceedings

Rule 130.1.1 Formal Proceedings.

- A. Board Meetings. All regular and called special meetings of the Board are considered formal proceedings. Administrative rulings of the Board are final and binding unless overturned by a court of competent jurisdiction. Persons wishing to place specific business on the agenda of a Board meeting, to make public comments at a Board meeting, or make a formal presentation before the Board shall comply with the rules set forth in Bylaws of the Board.
- B. Reconsideration Hearings. Reconsideration hearings are formal proceedings conducted by the Executive Director or a designee of the Executive Director at the request of an individual to reconsider certain actions which have been taken by the Library Commission. Requests for reconsideration must be made no later than thirty (30) calendar days after the agency action in question has been taken.
1. Form of Request - Requests for a reconsideration hearing shall be submitted in written form to the Executive Director by certified mail. The request and any envelope shall clearly state that it is a request for a reconsideration hearing. The request shall be dated and include the original signature, mailing address, and telephone number of the individual(s) making the request.
 2. Content of Request - The request must include: a clear identification of the decision to be reconsidered; a full, complete, and accurate statement of all facts relevant to reconsideration of the decision; any relevant written documents; a statement as to whether the individual intends to conduct an on-the-record hearing; and the name of the spokesman appointed, if the request involves more than one individual.
 3. Procedure After Request Is Received - A reconsideration hearing shall be held during regular business hours of the Library Commission within thirty (30) calendar days of the date of receipt of the request. The Executive Director shall provide reasonable notice to the requesting individual as to the day, hour, and location of the hearing; shall inform the requesting individual of the right to be represented by counsel; and shall inform the requesting individual of the right to an on-the-record hearing at the expense of the individual.
 4. Conduct of Hearing - The hearing shall be held before the Executive Director or such member or members of a review panel as the Executive Director designates. During the hearing the Executive Director or designee(s) shall direct questions only to the spokesperson. No indication of decision may be given at the time of the hearing.
 5. Notice of Decision - The Library Commission shall notify the requesting individual in writing of the decision rendered by the Executive Director or designee within ten (10) working days of the hearing.

6. Appeals - If the decision rendered by the Executive Director as a result of the reconsideration hearing is not satisfactory to the requesting individual, the individual may submit a written appeal of the decision to the Executive Director for consideration by the Board. The appeal must be made within ten (10) working days of receipt of the reconsideration hearing decision.

Source: *Mississippi Code of 1972, Annotated* §39-3-107 (Rev. 1988).

Rule 130.1.2 Informal Proceedings. The Library Commission provides the public with opportunities to participate and provide input into its operations through various and sundry informal proceedings, including constituent meetings, advisory groups, public hearings, and requests for public comment. Informal proceedings are of an advisory or informational nature only and are not binding on the Library Commission or the Board.

Source: *Mississippi Code of 1972, Annotated* §39-3-107 (Rev. 1988).