

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

Part 160: LIBRARY SERVICES

Part 160 Chapter 1: Collections – Scope

Primary Resource Collection - The Library Commission's Primary Resource Collection includes monographs and serials, as well as certain specialized resources. The objective of this collection is to serve as the primary backup for Mississippi libraries and to serve the information needs of Mississippi state government. The Primary Resource Collection includes a wide variety of subjects to support the reference referral needs of public libraries and state government. Current materials on library management and procedures are maintained as a resource for student and practicing librarians. Fictional works by Mississippians and non-fiction works about Mississippi are also maintained. The Primary Resource Collection specializes in supporting the preparatory research needed for applying for a patent or trademark.

The Library Commission is the state depository for publications issued by Mississippi State agencies for public distribution as mandated by the *Mississippi Code of 1972, Annotated*, §25-51-1 to §25-51-7. The Library Commission is designated as an official Patent and Trademark Depository Library by the U.S. Department of Commerce, Patent and Trademark Office.

Blind and Physically Handicapped Collection - The Library Commission is designated as the Mississippi Regional Library by the Library of Congress, National Library Service for the Blind and Physically Handicapped. Public Law 89-522 provides authority to the Librarian of Congress to administer a national program of free library service to eligible persons who are visually impaired or physically disabled.

The Blind and Physically Handicapped Collection is designed to meet the needs of individuals who are visually impaired, physically disabled, or have a reading disability of organic origin. Institutions, including schools, libraries, veterans homes, hospitals, nursing homes, daycare facilities, and like facilities, which serve individuals meeting these federal eligibility requirements may also register for service. The collection includes materials in Braille, large print, analog audio cassette, digital books, descriptive videos, playback equipment and accessories, and Mississippiana materials provided through the local recording program.

Rule 160.1.1 Collection Development Policy.

A. Intellectual Freedom. The library is historically understood to be an unbiased repository for the recorded expression of human thought. It must, therefore, accept responsibility for providing access by the public to all points-of-view contained therein. The addition of an item to the collection does not represent an endorsement by the Library Commission of any theory, idea, or policy contained in the item. The Library Commission collection strives to represent differing sides of controversial issues to the extent that budget constraints, space limitations, and availability of materials allow. The race, religion, gender, nationality, or political views of an author, individual, or group in the community shall not result in items being automatically included in or excluded from the collection. The Library Commission

subscribes to the principles of the American Library Association's "Library Bill of Rights" and "The Freedom to Read" and "Freedom to View" statements.

B. Acquisition of Materials.

1. Primary Resource Collection - The Library Commission acquires library materials through purchases and gifts. The Board is authorized by §39-3-111 to accept in the name of the State gifts of books, periodicals, or other property for the purpose of promoting the work of the Library Commission. Selections of library materials are made by professional staff designated by the Executive Director. Selection of library materials is based on scope, need, format, purchase price, storage cost, efficiency and effectiveness in imparting information, and suitability for use by staff and eligible users. Selectors take into consideration critical evaluations in review media, journals, and standard bibliographies, as well as the selector's knowledge of the collection of the Library Commission and other libraries, communities served, and existing library and information resources.

State documents shall be deposited with the Library Commission in accordance with §25-51-1 to 25-51-7, which designates the Library Commission as the State depository for the publications issued by any State government agency for public distribution and requires all agencies of State government to furnish copies of public documents to the Library Commission. Acquisition of Patent and Trademark Depository items shall follow the requirements established by the U.S. Patent and Trademark Office.

Materials donated to the Library Commission shall be added to the collection only in accordance with the general collection policy.

2. Blind and Physically Handicapped Collection - The Library Commission acquires materials, at no charge, through the Library of Congress, National Library Service (NLS) for the Blind and Physically Handicapped program. Other formats not provided by NLS or acquired through purchases and gifts follow the Library Commission acquisition guidelines established for the Primary Resource Collection in Section II.A.2.b.1.

- C. Disposal of Materials. Disposal of library materials shall be undertaken by the Library Commission only as a means of strengthening and benefiting the mission of the Library Commission. The materials to be disposed of and the method for disposition of the deaccessioned materials, including donation, recycling, destruction, or transfer to another State agency, shall be determined by a staff member designated by the Executive Director. Library materials which are no longer needed to meet Library Commission program objectives shall be removed from the collection. When such materials are appropriate to the needs of other publicly-funded libraries in the State such materials shall be transferred to such libraries.

Materials on deposit with the Library Commission shall be disposed of in accordance with the rules of the depositing authority.

The Library Commission assumes unconditional ownership of donated materials and may, at its own discretion, dispose of both donated materials and materials purchased with donated funds.

- D. Requests for Reconsideration of a Selection. Individuals desiring reconsideration pertaining to a specific selection may submit a Library Commission “Request for Review of Library Materials Form” by mail to the Library Commission. The Executive Director shall review the reconsideration request and notify the requesting party of the decision within thirty (30) working days of the receipt of the request. If the decision rendered by the Executive Director is not satisfactory to the requesting party, an appeal may be submitted to the Executive Director for consideration by the Board for a final administrative determination.

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

Part 160 Chapter 2: Users

Rule 160.2.1 Targeted Clientele. The collection of the Library Commission is developed to meet the needs of targeted clientele — the library community; State government; individuals with visual impairments and physical disabilities; and individuals researching intellectual property.

- A. Library Community. Other Mississippi libraries, library science students, and library organizations are targeted users of the Library Commission collection. A wide range of resources is maintained to assist the practicing librarian and to support library development. In accordance with §39-3-359 the Library Commission, “shall be the primary resource library for Mississippi public libraries; shall develop its collection accordingly; and shall provide services to libraries within the funds available and in keeping with the goal of efficient use of library resources in the State.”
- B. State Government. Employees and officials of Mississippi state government are targeted users of the Library Commission collections for job-related purposes.
- C. Individuals with Visual or Physical Impairments - The Blind and Physically Handicapped Collection serves as the state’s public library for people with certain visual impairments and physical disabilities which prevent the reading of standard printed material. Individuals who have been certified as eligible by meeting one of the federal requirements for service have direct access to the Blind and Physically Handicapped resources and services of the Library Commission. Certifying authorities must meet guidelines established by the Library of Congress, National Library Service for the Blind and Physically Handicapped.
- D. Intellectual Property Researchers - Inventors, attorneys, researchers, and other individuals seeking patent and trademark information are targeted users. Specialized print and online resources are available to support the research needed in preparation for applying for a patent or trademark. Specialists are available to provide users with an orientation to the research process and to the necessary resources.

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

Rule 160.2.2 General Public. Members of the general public who are Mississippi residents access library services primarily through the state's network of libraries. The Library Commission is a state agency with specialized collections designed to serve the library community, state government, eligible individuals with visually impairments and physical disabilities, and intellectual property researchers. Although not targeted users of the Library Commission, members of the general public may access the collections of the Library Commission directly in person, or indirectly through interlibrary loan at libraries statewide.

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

Part 160 Chapter 3. Usage Policies

Rule 160.3.1 User Registration and Access to Collection.

- A. **Library Community.** All libraries, including public, academic, institutional, school, and special libraries, are eligible for service. Staff of libraries checking out Library Commission materials in person on behalf of a local library must present a local library card in the name of the borrowing library. At the request of a library director, the Library Commission shall issue a Library Commission card in the name of the borrowing library. Libraries new to the services of the Library Commission must submit an application for a Library Commission card. An individual possessing signatory authority for the library must sign the application, accepting responsibility for materials borrowed.
- B. **State Government.** Employees and officials of Mississippi State government are issued Library Commission cards to access the specialized services of the Library Commission which are provided to State government. Individuals must complete an application to the Library Commission to obtain a Library Commission card. Library Commission staff may confirm employment with the State agency prior to issuing or renewing a Library Commission card. State employees are required to notify the Library Commission in the event of a change of employers or departure from State service. The Library Commission provides specialized services to state employees.
- C. **Individuals with Visual or Physical Impairments.**
 1. **Access to Blind and Physically Handicapped Collection -** Access to the Library Commission's Blind and Physically Handicapped Collection is limited to: those individuals, regardless of age, who have completed the federal registration form certifying that the individual meets at least one of the requirements set forth by NLS; and institutions which have completed the federal registration form certifying that the institution serves individuals, regardless of age, who meet at least one of the requirements set forth by NLS.

Persons desiring in-person access to materials shall present a valid photo identification to allow Library Commission staff to verify prior registration.

2. **Access to Large Print Direct Mail and Descriptive Video Service -** Registered Blind and Physically Handicapped Collection users may access the descriptive video and large print

direct mail service of the Primary Resource Collection by completing an application. A Library Commission card will not be issued unless requested by the user. Users desiring in-person access to large print materials and descriptive videos shall present a valid photo identification to allow Library Commission staff to verify that the individual is a registered user. Non-large print materials borrowed by users of the Large Print Direct Mail Service will not be mailed by the Library Commission and must be returned to the Library Commission at the borrower's expense.

- D. Intellectual Property Researchers. Intellectual property researchers may utilize the resources of the Patent and Trademark collections on the Library Commission premises without obtaining a Library Commission card. Researchers wishing to check out patent related materials must obtain a Library Commission card following the same requirements as set forth for the general public. Children ages sixteen (16) and under must be accompanied by an adult unless special arrangements have been made in advance.

Patent and trademark research library staff offer a thorough orientation to the research process but are strictly prohibited from interpreting intellectual property law, offering legal advice, or performing patentability searches or trademark registration searches for users.

- E. General Public. Members of the general public must obtain a Library Commission card to check out materials.
1. Adults - Individuals age seventeen (17) and over who are registered borrowers in good standing from any Mississippi public library system may obtain a Library Commission card. A valid local library card from a Mississippi public library, issued in the same name, and another form of photo identification must be presented at the time application is made for a Library Commission card. The Library Commission reserves the right to contact the issuing public library to verify standing.
 2. Children - Children age sixteen (16) and under must be accompanied by an adult when using the resources of the Library Commission unless special arrangements have been made in advance. Children, with the exception of children who are eligible users of the Blind and Physically Handicapped Collection, are not allowed to check out materials.
- F. Remote Access to Select MAGNOLIA Databases. The Mississippi Alliance for Gaining New Opportunities through Library Information Access (MAGNOLIA) is a statewide consortium funded by the Mississippi State Legislature which provides online databases for Mississippi's publicly-funded K-12 schools, public libraries, community college libraries, and university libraries. Individuals may search the databases in libraries across the State or at the Library Commission. Select databases are available from home or office computers using a password. Passwords may be obtained at a local library. A registered user of the Library Commission may obtain a password from the Library Commission.

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

Rule 160.3.2 Loans from Collections and Restrictions. In the interest of equitable access to materials/formats, the Library Commission reserves the right to limit the maximum number of materials loaned to a user and the types of materials to be loaned.

- A. Loan periods for library materials from the Primary Resource Collection of the Library Commission shall be determined based on material type, format, and user class.
- B. Loan periods and other parameters for materials from the Blind and Physically Handicapped Collection shall follow the procedures and guidelines for service set forth by National Library Service (NLS). Loan periods for Blind and Physically Handicapped Collection materials not provided by NLS shall be determined based on material type and format.

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

Rule 160.3.3 User Responsibilities.

- A. Presentation of Library Card or Identification. Individuals wishing to borrow Library Commission materials in person must present a valid Library Commission card. Presentation of a valid local library card or other photo identification may also be required for specialized services. Users desiring to borrow materials from the Blind and Physically Handicapped Collection, in person, must show valid photo identification in order to verify registration or certification of eligibility.
- B. Timely Return of Materials. Library Commission users are responsible for the timely return of materials borrowed. The Library Commission may establish a schedule of daily fines and a maximum total fine for overdue materials loaned to state government users, intellectual property researchers, and the general public. Such fines may vary by material type. The Library Commission reserves the right to reduce or waive charge under special circumstances, including an “act of nature” such as a fire, flood, or tornado. Individuals with overdue materials may not borrow additional material until overdue materials are returned and fines have been paid in full.

In accordance with NLS guidelines, no fines are levied for Blind and Physically Handicapped overdue materials. Users accept responsibility for returning materials according to established loan policies. Users of Blind and Physically Handicapped materials may not lend NLS or network-produced books, magazines, and equipment to non-eligible persons.

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

Rule 160.3.4 Proper Care of Materials. Users are responsible for the proper care and use of materials borrowed from the Library Commission and shall be charged repair or replacement costs in the event of damage to or loss of materials due to negligence. Individuals owing for lost or damaged materials may not borrow additional materials until such charges have been paid in full. Borrowing libraries are expected to pay for lost or damaged materials without regard to the library’s ability to collect from their customer. The Library Commission reserves the right to reduce or waive charges for materials damaged or lost due to special circumstances, including an “act of nature,” such as a fire, flood, or tornado. Documentation of the act of nature may be required before an exemption is granted. The Library Commission cannot refund payments for materials later found and returned.

Eligible users of the Blind and Physically Handicapped Collection who borrow NLS materials accept responsibility for using materials and equipment with reasonable care. In accordance with

NLS guidelines, no charges may be levied for the loss or damage of NLS-produced books and equipment. Eligible users who lose or damage materials which were purchased with donated or State funds shall be assessed fees based on the current cost of repairing or replacing the item.

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

Rule 160.3.5 Unauthorized Removal or Mutilation of Materials. Removal of library materials from the library without authorization is prohibited and is subject to legal action. Willful mutilation of library materials is prohibited and is subject to legal action. (§39-3-303 to 39-3-313)

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

Rule 160.3.6 Reimbursement for Operational Expenses. Users may access the Library Commission photocopy equipment or printers attached to public computers. Charges may be assessed for photocopying or computer printing in order to cover operational expenses.

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

Rule 160.3.7 Proper Use of Internet.

A. Permitted Activities. Individuals may utilize Library Commission public access computers for the purpose of meeting research and information needs.

B. Unauthorized Activities.

1. Prohibited Uses - No email service shall be provided. Library Commission users may not use the public access computers to display, store, or send, by email or any other form of electronic communication such as bulletin boards, chat rooms, or Usenet groups, material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful.

2. Frivolous Use - Users of Library Commission computers have a duty to recognize that computer resources of the Library Commission have finite limits. Users shall not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others.

C. Consequences for Misuse. Users who engage in unauthorized Internet activities may be asked to vacate computers and may be barred from future use of resources. Any individual barred from future use may request a reconsideration of the action taken by the Library Commission in accordance with the procedures outlined under "Reconsideration Hearings."

D. Liability. The Library Commission is not responsible for damages, direct or indirect, or for any liability that may arise from any user's use of the Internet.

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

Rule 160.3.8 Proper Conduct.

A. General Rules of Conduct.

1. All library users are entitled to a clean and safe facility; courteous assistance for knowledgeable staff; reasonable access to library resources; and a quiet research environment.
2. All library users have an obligation to interact courteously with other users and staff; maintain accessibility to library materials by checking out and returning materials properly; maintaining a quiet research environment while in the facility; and abide by the Library Commission Code of Use and Conduct.
3. Library users shall conduct themselves in a manner which enables other users, staff, and themselves to accomplish intended tasks in a safe, pleasant, and orderly atmosphere. Users shall respect the rights of others and to treat the facility and resources with due care.
4. Supervision, behavior, use of resources, and safety of children in the Library Commission is the responsibility of the child's parent, guardian, or caregiver. Rules of conduct shall be enforced.
5. Agency staff will listen to, and respond when appropriate, to complaints voiced. Staff will take appropriate action when user behavior causes disruption or unreasonable interference in the delivery or receipt of services.
6. Carrying firearms or other items used as weapons on Library Commission property is not permissible except by authorized law enforcement officers.

B. Consequences for Failure to Comply. Failure to comply may result in one or more of the following actions:

1. Individual(s) may be instructed to leave the Library Commission premises.
2. Individual(s) may be immediately suspended from use of the Library Commission resources.
3. Individual(s) may be subject to enforcement by security personnel and/or the police department.
4. Repeated violations of the rules of conduct may result in suspension of services and/or denial of access to the Library Commission.
5. If any person employed by the Library Commission or any person charged with the supervision thereof with reason to believe that any person has committed or has attempted to remove library materials without authorization or to willfully mutilate library materials or if any person is believed to have concealed upon his person or within his belongings any library material, such person may be detained and questioned in a reasonable manner for the purpose of ascertaining whether or not such offense has been committed. (§39-3-313)

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

Rule 160.3.9 Suspension of Access. In the event a user violates Library Commission policy, access may be suspended by the Library Commission for a period of time, not to exceed six (6) months, after receiving written warning and an opportunity to reply. If, after such a suspension, policies continue to be violated, service may again be suspended. Any suspended individual may request a reconsideration of the action taken by the Library Commission in accordance with Reconsideration Hearings procedures.”

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

Part 160 Chapter 4 Services

Rule 160.4.1 Reference Services. The Library Commission’s Primary Resource Collection is specialized and designed to meet the needs of targeted user groups. Reference services are offered based on the specialized resources available. Reference librarians shall be available to assist individuals in using the collections. Reference librarians shall respond to questions which are received in person or by mail, telephone, fax, email, and messaging from State employees and officials, other libraries, and the general public. Staff shall provide in-depth assistance to libraries and State government for job-related inquiries. Staff shall also offer assistance to the general public by providing information in the form of short answers to specific questions or guidance in locating materials. In response to telephone, fax, mail and email inquiries, staff may mail brief printouts or photocopies to the user. The Library Commission will not mail circulating materials directly to the general public. Circulating materials may be checked out in person to eligible users or requested through the interlibrary loan services of a local library.

Reference staff for the Blind and Physically Handicapped Collection shall provide routine, ready reference for registered users and respond to inquiries from libraries, institutions, and interested parties. Ready access to an in-depth print collection, concentrating on the areas of visual impairments and physical disabilities, shall be maintained. When appropriate, questions that cannot be answered by staff shall be referred to another entity.

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

Rule 160.4.2 Interlibrary Loan Services.

- A. **Lending Services.** Most materials in the Library Commission’s Primary Resource Collection are available for interlibrary loan to public, university, community or junior college, school, and special libraries. Photocopied materials, including periodical articles and copies from reference materials, are limited to thirty (30) pages from any one source, within copyright restrictions. Such copied material is provided free-of-charge and becomes the property of the requesting library. Libraries which borrow materials from the Library Commission shall bear the cost of return postage and insurance for materials mailed to the Library Commission.
- B. **Borrowing Services.** The Library Commission shall initiate interlibrary loans as needed for state employees and officials. State employees and officials may request interlibrary loan directly from the Library Commission or through the state agency library of the employee or official. Such materials may be picked up at the Library Commission or mailed to a state government work address. Individuals are required to return materials to the Library

Commission by the due date and to pay any fines/fees for late, lost, or damaged material assessed by the owning library. If the request is initiated by the state government library, the state government library is responsible for any fines/fees assessed regardless of ability to obtain payment from the requesting employee or official. Failure to comply may result in loss of interlibrary loan privileges.

Interlibrary loan from the Blind and Physically Handicapped Collection provides users with visual impairments and physical disabilities with access to additional titles and copies of materials from other sources. No interlibrary loan charges are assessed for blind and physically handicapped materials and resources.

C. Training.

1. Electronic Resources - Search suggestions and brief orientations may be offered to available electronic resources. In-depth Internet and database training is not provided to the general public.
2. Intellectual Property - In-depth orientation to the specialized patent and trademarks databases and search techniques needed to research intellectual property is offered. First-time intellectual property researchers must make an appointment with the patent librarian to schedule an orientation. In accordance with guidelines set forth by the U. S. Patents and Trademarks Office, Library Commission staff cannot perform individual patent or trademark searches.

D. Other.

1. Additional limited training services may be offered to targeted users or the general public.
2. Public Computer Resources - Designated Library Commission public access computers may be used to access the agency's on-line catalogs, the Internet, and other databases in order to conduct research. A Library Commission card may be required to access public access computers. Users may be required to schedule usage and adhere to time limits established by Library Commission staff. Users shall adhere to the Library Commission's Internet usage policies.

The Library Commission may make a limited number of laptop computers, with wireless access to the Internet, available for check-out for use only within the Library Commission premises. To check out a laptop computer, an individual must present a valid Library Commission card, must sign a laptop computer borrower agreement, and must present a state-issued photo identification. The borrower agreement acknowledges that the user shall: accept full responsibility for the equipment while on loan, not permanently load any software or save work on the laptop, adhere to the Library Commission's Internet usage policies stated in section II.D.5, allow library staff to check the condition of the equipment prior to check-in, return the laptop by the due time or upon request of the library staff, agree to pay any fines imposed for late return, and agree to pay for repair or replacement of any equipment that is damaged through neglect or loss while on loan to the user.

E. Liability. The Library Commission is not responsible for damages, direct or indirect, or for any liability that may arise from any user's use of the agency's library resources.

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