

## **Chapter 01 MISSISSIPPI LIBRARY COMMISSION DESCRIPTION AND GENERAL OPERATIONS**

### Authorization

100 The Mississippi Library Commission, hereinafter referred to as the “Library Commission,” is established and operates in accordance with §39-3-101 to §39-3-111 of the Mississippi Code of 1972, Annotated, as amended and/or supplemented thereafter.

### Purpose

101 The director of the Library Commission, hereinafter referred to as the “Executive Director,” is charged with “organizing new libraries and directing library development in the State, so as to give and furnish every citizen and resident of the State free library service of the highest quality consistent with modern methods and as may be justified by financial and economic conditions.” (§39-3-105)

101.01 Vision  
The vision of the Mississippi Library Commission is that all Mississippians have access to quality library services in order to: achieve their greatest potential, participate in a global society, and enrich their daily lives.

101.02 Mission  
The Library Commission is committed — through leadership, advocacy, and service — to strengthening and enhancing libraries and information resources for all Mississippians.

101.03 Goals  
The goals of the Library Commission are as follows:  
All Mississippians understand, support, and use libraries.  
All Mississippians have access to well-managed library services through qualified staff and modern facilities.  
All Mississippians have access to current technology resources through libraries.  
All Mississippians have access to quality library resources.  
The Library Commission achieves the highest quality standards for effective and efficient internal management and fiscal integrity.

### Services

102.01 State law provides that the Library Commission: may provide advice to help establish and strengthen libraries; may circulate library materials; may use funds other than its own appropriation to establish or improve library services in the State; may publish information it deems necessary; may conduct library continuing education; may adopt rules and regulations relative to the allocation of

State aid funds to public library systems; shall annually prepare a report on the status of all libraries in the State; and shall annually report to the Legislature on the work of the Commission, as prescribed by §39-3-107.

- 102.02 The Library Commission may provide assistance to all schools, public and other libraries. However, because the Mississippi Department of Education and the Institutions of Higher Learning have authority over school and academic libraries and because all State grant funds are appropriated for public library services, the Library Commission focuses activities on public libraries, while engaging in cooperative activities with other types of libraries.
- 102.03 An agency of State government, the Library Commission serves:
1. The library community -- directly, through a specialized collection and services;
  2. State government, including members of the Legislature, State officials, State agencies, and State employees -- directly, through a specialized collection and services;
  3. Mississippi residents with visual or physical impairments which prevent the reading of standard print – directly, through a specialized collection and services;
  4. Intellectual property researchers – directly, through a specialized collection and resources; and
  5. The general public of Mississippi – directly, through a specialized collection; and indirectly, through the State’s libraries.

### Governance

- 103.01 The Board of Commissioners, hereinafter referred to as “the Board”, is the governing body of the Library Commission. The Board adopts policies as are deemed necessary for the operation of programs and services provided by the Library Commission as prescribed in §39-3-103.
- 103.02 The Board elects an Executive Director, who shall have a master’s degree in library science from a school accredited by the American Library Association and experience as a library administrator. The term of office of the Executive Director is for four-year periods, unless, for good cause shown, the Board removes the Executive Director. The Executive Director is responsible for all general administrative duties incident to carrying on the work of the Library Commission.

### Operations of the Board

- 104.01 Membership
1. Board Appointments  
Appointments to the Board are made by the governor in accordance with §39-3-101. Membership consists of two members at large, one librarian

with a master's degree in library science from a school accredited by the American Library Association, one public library trustee, and one representative from the Mississippi Federation of Women's Clubs.

2. Terms of Office

Members serve five-year terms in accordance with §39-2-101. Terms are staggered so that at least one Board appointment is made each year.

3. Compensation

Board members receive no compensation other than actual traveling expenses incurred while on business for the Library Commission as required by §39-3-105.

4. Vacancies

Vacancies shall be filled by gubernatorial appointment for the unexpired term.

104.02 Officers and Duties

1. Nomination and Election of Officers

Officers shall be nominated and elected annually by members of the Board.

2. Chairman

The chairman of the Board shall preside at all meetings, authorize calls for special meetings, execute all documents authorized by the Board, sign all vouchers and other financially related documents as required by the State, and represent the Library Commission when required.

3. Vice Chairman

The vice chairman shall serve in the absence or disability of the chairman, or in the vacancy of that office. The vice chairman is designated the acting chairman in the absence of the chairman and is authorized to sign all vouchers and other financial related documents as required by the State.

4. Secretary

The secretary shall keep a true and accurate record of all the meetings and may be assisted by the Executive Director or a designated staff member of the Library Commission. Minutes shall be kept in accordance with §25-41-11.

104.03 Meetings

1. Open Meetings

All meetings of the Board shall be conducted in compliance with the Mississippi Open Meetings Act, codified in §25-41-1 to §25-41-17. Any member of the public may attend Board meetings.

2. Persons with Disabilities

The Board shall hold all meetings in buildings that are accessible to persons with disabilities. Persons with disabilities requiring auxiliary aids and services such as interpreters, note takers, readers, Braille materials or large print materials shall contact the Library Commission at least five (5) working days prior to the meeting.

3. **Regular Meetings**

Regular meetings of the Board shall take place the fourth Tuesday of January, March, May, July, September, and November, unless otherwise approved by the Board.

  - a. **Notice**

Notice of regular meetings shall be posted in the building in which the Board normally meets. Notice shall also be posted in a daily newspaper serving the Jackson area.
  - b. **Order of Business**

The Executive Director and the chairman of the Board shall set the order of business for regular meetings of the Board. Board members may decide that a point of business is necessary and place that point of business on the agenda without prior notice.
4. **Called Special Meetings**

Special meetings may be called by the chairman of the Board or upon the request of two members. The purpose of the called special meeting shall be given in the notice of the meeting.

  - a. **Notice**

Board members shall be given at least three (3) working days notice of called special meetings. Notice of called special meetings shall be posted within one (1) hour after such meeting is called and shall be posted in a prominent place available to examination and inspection by the general public in the building in which the Board normally meets. A copy of the notice shall be made a part of the minutes of the Board.
  - b. **Order of Business.**

No business shall be transacted at a called special meeting except that mentioned in the notice of the meeting.
5. **Executive Sessions**

Executive sessions shall be called as prescribed in §25-41-7. The reasons for entering executive session shall conform to those given in §25-41-7
6. **Quorum**

A quorum shall consist of three (3) members of the Board present in person.
7. **Board Actions**

An act on the part of the majority at which a quorum is present shall be the act of the Board unless statute requires action by a greater number. The method of voting shall be by voice vote unless any one (1) member of the Board requests a roll call vote.
8. **Parliamentary Authority**

Robert's Rules of Order, latest revised edition, shall govern the parliamentary procedure of the meetings.
9. **Conduct of Persons Attending Meetings**

Any person attending a meeting of the Board shall act in a courteous manner. The authority of the chairman of the Board shall be observed.
10. **Public Participation in Board Meetings**
  - a. **Requests to Place Business on the Agenda.**

Persons may request to place specific business on the agenda by

making a written request to the Executive Director. The request shall be specific about the issue or topic of business. The request and any relevant data shall be received at least seven (7) working days prior to a scheduled Board meeting so that Board members have adequate time to receive and evaluate the material

b. Public Comments.

Persons wishing to make brief comments at a Board meeting shall indicate intention to do so by signing a Public Comments register which is available prior to the start of each Board meeting and stating the topic to be addressed. Remarks shall be limited to two (2) minutes.

c. Presentations to the Board.

Persons wishing to make formal presentations before the Board shall submit a written request to the Executive Director not less than ten (10) days prior to a scheduled Board meeting. Presentations shall be allowed at the discretion of the chairman. The chairman may impose limits on the length of time each person may speak. Members of the public attending a Board meeting shall have no standing in the conduct of the business of the Board.

104.04

Committees

1. Standing Committees

Standing committees may be established by a majority vote of the Board. Committee members shall be appointed and removed by the chairman. Staff members may be appointed to assist standing committees of the Board.

2. Other Committees

Other committees for the study of special projects or problems may be appointed by the chairman. Committee members shall be appointed and removed by the chairman. Staff members may be appointed to assist other committees of the Board.

3. Committee Authority

Committees shall have only advisory power.

104.05

Advisory Groups

The Board may establish ad hoc advisory committees or task forces which may include persons who are not members of the Board. Unless otherwise stipulated, such committees or task forces shall be established for a period of no longer than one year. When an advisory committee or task force has completed an assignment, a written report shall be prepared and delivered to the Board.

Organization and Operations of the Agency

105.01

Agency Organization

The Library Commission is organized into units that support programs and services of the agency, including administrative, networking, library, consulting, and grants services.

## 105.02

## Contact Information

1. The public may obtain information or make submissions or requests by mail, phone, fax, email, or personal visit to the Library Commission's Jackson offices.
2. The mailing address is: Mississippi Library Commission, 1221 Ellis Avenue, Jackson, Mississippi 39209; and will change to Mississippi Library Commission, 3881 Eastwood Drive, Jackson, Mississippi 39211 in mid-2005.
3. The agency's phone number is (601) 961-4111 and fax number is (601) 354-6713. Phone and fax numbers will change with the relocation of the offices and be made available through the agency website, State operator, telephone directory, and notice to targeted user groups. The agency wide area telephone service (WATS) line number is (800) 647-7542 or 1-800-MISSLIB.
4. The agency email address is: [mslib@mlc.lib.ms.us](mailto:mslib@mlc.lib.ms.us)
5. The agency website address is: [mlc.lib.ms.us](http://mlc.lib.ms.us)

## 105.03

## Physical Location

1. Location and Office Hours  
The Library Commission is located in Jackson, Mississippi, at 1221 Ellis Avenue and will relocate to 3881 Eastwood Drive in mid-2005. The offices are open Monday through Friday from 8:00 a.m. to 5:00 p.m., excepting legal State holidays.
2. Use of Public Meeting Facilities  
The Library Commission's public meeting areas are primarily intended for functions sponsored by the Library Commission. When not needed for Library Commission functions, the public meeting areas may be used by other State agencies at the discretion of the Library Commission
  - a. Reservations  
Reservations shall be made by completing and submitting an application to the Executive Director's office or a designee of the Executive Director no more than one (1) month in advance of the meeting. Reservations applications shall include the name of the group, time period desired, number of persons attending, name and telephone number of person responsible, and the purpose of the meeting. Meeting areas shall be assigned on a first-come, first-served basis. The Library Commission has the option of deciding which meeting area shall be reserved for the requesting group, the right to determine if the request for space shall be honored and if so, to determine the meeting area that shall be reserved for the requesting group.
  - b. Accessibility  
The Library Commission is handicapped accessible, however, any other special arrangements for persons with disabilities shall be the responsibility of and made by the scheduled group.

- c. Smoking  
The use of tobacco products is not permitted inside the Library Commission facility. A specific area outside the building shall be designated as a smoking area.
  - d. Special Arrangements  
The Library Commission has limited equipment that may be used for meetings. The scheduled group may request the use of and reserve this equipment when making reservations for a meeting area. Any other special arrangements should be requested and arranged for when reserving the meeting area. The scheduled group is responsible for setting up chairs, tables, furniture and/or equipment prior to the meeting and for cleaning up after the meeting; failure to return the meeting room to the former condition may prevent the group from using Library Commission meeting rooms in the future.
  - e. Liability  
The scheduled group shall assume responsibility for any theft and/or damage to meeting area or contents.
  - f. Disclaimers  
Use of Library Commission meeting facilities shall not constitute an endorsement of the scheduled group, the beliefs of the group, or the actions of the group by the Board or the Library Commission. The Library Commission shall not be responsible for any equipment, supplies, materials, clothing, or other items brought by any scheduled group or individual attending a meeting in the Library Commission. The Library Commission assumes no liability for scheduled groups or individuals attending a meeting at the Library Commission
3. Use of Public Areas for Displays and Informational Materials
- a. The Library Commission may, at its own discretion, provide exhibits that may be viewed by the general public. The Library Commission may make space available in the building for the display of brochures, informational material, and other materials of general interest. Materials unacceptable for display include:
    1. Commercial materials, unless of a general and educational nature;
    2. Materials with prices attached;
    3. Materials which advocate the election or defeat of a candidate for public office, or which advocate an affirmative or negative vote concerning any proposition, whether political or otherwise. Exceptions are political materials of a non-partisan nature that educate the public on bond issues, tax levies, and other similar issues;
    4. Commercial advertising materials, petitions, or solicitations for funds;
    5. Materials the Executive Director deems in poor taste, of doubtful value, or too commercial.

- b. Requests to display materials must be made in writing to the Executive Director's office or a designee of the Executive Director. No poster, pamphlet, brochure, leaflet, or booklet, shall be exhibited, displayed, or placed in the Library Commission without permission.

## Public Participation

### 106.01

#### Formal Proceedings

##### 1. 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 Chapter 1,104.03 (10).

##### 2. 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.

###### a. Form of the 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

###### b. 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.

###### c. 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.

- d. **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.
- e. **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.
- f. **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.

106.02 **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.

### Rule Making

107 The Board adopts and incorporates by reference the procedures for adoption and effectiveness of rules as found in §25-43-3-101 to §25-43-3-114 of the Mississippi Code of 1972, Annotated.

### Requests for Declaratory Opinions

108. 01 **Scope of Rules**  
These sections set forth the Library Commission's rules governing the form and content of requests for declaratory opinions, and the Library Commissions procedures regarding the requests, as required by §25-43-2.103 of the Mississippi Code of 1972, Annotated.

108. 02 **Requestors**  
Any person with a substantial interest in the subject matter may make a written request for a declaratory opinion by following the specified procedures. "Substantial interest in the subject matter" means that the interest must be direct, immediate, and not remote in consequence. A "substantial interest" is one which surpasses the common interest of all citizens.

## 108.03

## Matters Addressed

A declaratory opinion is intended to clarify a statute or rule or interpret how the statute or rule would apply in a particular situation. The Board may issue declaratory opinions regarding subject matters which are within the primary jurisdiction of the Library Commission. Subject matters within the primary jurisdiction of the Library Commission include the applicability of specified facts to a statute administered or enforced by the Library Commission or a rule promulgated by the Library Commission.

## 108.04

## Matters Not Addressed

## 1. Circumstances in Which Declaratory Opinions Will Not Be Issued

The Board may, for good cause, refuse to issue a declaratory opinion.

Without limiting the generality of the foregoing, the circumstances in which declaratory opinions will not be issued include, but are not necessarily limited to:

- a. The matter is outside the primary jurisdiction of the Library Commission;
- b. There exists lack of clarity concerning the question presented;
- c. There is pending or anticipated litigation, administrative action, or other adjudication before an agency, administrative tribunal, or court which may either answer the question presented or otherwise make an answer unnecessary;
- d. The statute, rule, or order on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented;
- e. The facts presented in the request are not sufficient to answer the question presented;
- f. The request fails to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules;
- g. The request seeks to resolve issues which have become moot, or are abstract or hypothetical such that the requestor is not substantially affected by the rule, statute or order on which a declaratory opinion is sought;
- h. No controversy exists concerning the issue as the requestor is not faced with existing facts or those certain to arise which raise a question concerning the application of the statute, rule, or order;
- i. The question presented by the request concerns the legal validity of a statute, rule, or order;
- j. The requestor has not suffered an injury or threatened injury fairly traceable to the application of the statute, rule, or order;
- k. No clear answer is determinable;
- l. The question presented involves the application of a criminal statute or facts which may constitute a crime;
- m. The answer to the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure

- n. The question presented is the subject of a pending or issued Attorney General's opinion request;
  - o. Such an opinion would constitute the unauthorized practice of law; or
  - p. Such an opinion may adversely affect the interests of the State, the Library Commission, or any of their officers or employees in any litigation which pending or may reasonably be expected to arise.
2. Circumstances in Which Declaratory Opinions May Be Referred  
Where a request for a declaratory opinion involves a question of law, the Library Commission may refer the matter to the State Attorney General.

## 108.05

## Form of the Request

1. Written Requests Required  
Requests for a declaratory opinion shall be submitted in written form to the Executive Director by certified mail. The written request and the envelope must be plainly marked "Request for Declaratory Opinion." The request shall be dated and include the original signatures, mailing addresses, and telephone numbers of the individual(s) making the request.
2. Content of Request  
The request must be limited to a single transaction or occurrence and shall contain the following:
- a. A clear identification of the statute, rule, or order at issue;
  - b. A concise statement of the issue or question presented for the declaratory opinion;
  - c. A full, complete, and accurate statement of all facts relevant to a resolution of the question presented;
  - d. A statement sufficient to show that the person seeking relief is substantially affected by the rule.

## 108.06

## Procedure After Request for Declaratory Opinion is Received

Requests for a declaratory opinion shall be considered by the Board at the next regularly scheduled meeting, provided that the request is received not less than fifteen (15) working days prior to the meeting. Notification shall be provided to the requesting individual concerning the date, time, and place for consideration of the request for declaratory opinion. In the event a request is not received at least fifteen (15) working days prior to a regularly scheduled Board meeting, the Board shall hold a special meeting within forty-five (45) days of the receipt of the request, at which meeting the Board shall either: issue an opinion; decline to issue an opinion; or agree to issue an opinion no later than ninety (90) calendar days after receipt of the request, as required in §25-43-2.103(3). If the Board, in its sole discretion, deems it necessary or helpful in determining any issue concerning a request for declaratory opinion, the Board may, with reasonable notice, provide requestors an opportunity to present testimony at the Board meeting. The mailing of notices ten (10) days prior to the meeting shall constitute reasonable notice.

- 108.07 **Public Availability of Requests and Declaratory Opinions**  
 Declaratory opinions of the Board shall be announced in writing with a copy mailed promptly to each requestor. Declaratory opinions and requests for declaratory opinions of the Board shall be available for public inspection and copying at the expense of the viewer during normal business hours. All declaratory opinions and requests shall be indexed by name and subject. Declaratory opinions and requests which contain information that is confidential or exempt from disclosure under the Mississippi Public Records Act or other laws shall be exempt from this requirement and shall remain confidential.

Public Access to Information

- 109 The Mississippi Public Records Act of 1983, as found in §25-61-1 to §25-61-17, is hereby adopted and incorporated by reference. Unless exempted by §25-61-9, §25-61-11, or in this section, all public records held by the Library Commission are hereby declared to be public property, and any person shall have the right to inspect, copy, or mechanically reproduce or obtain a reproduction of any such record in accordance with the procedures outlined below.

Records furnished to the Library Commission by a third party, unless declared exempt in this section, shall also be released in accordance with these rules. A third party shall be notified of public records requests impacting the records of the third party.

- 109.01 **Exemptions Under the Mississippi Public Records Act of 1983**  
 The availability of all records in the possession of the Library Commission shall be subject to the following limitations:
1. Personnel records and applications for employment and letters of recommendation for employment in the possession of the Library Commission, except those which may be released to the person who made the application or released upon the prior written consent of the person who made the application, shall be exempt from the provisions of the Act. (§25-1-100)
  2. Test questions or answers which are used in employment examinations and in the possession of the Library Commission except that which may be released to the person who made the application or released upon the prior written consent of the person who made the application, shall be exempt from the provisions of the Act. (§25-1-100)
  3. Records which represent and constitute the work product of any attorney, district attorney or county prosecuting attorney representing the Library Commission and which are related to litigation made by or against the Library Commission, or in anticipation of prospective litigation, including all communications between such attorney made in the courses of an attorney-client relationship shall be exempt from the provisions of the Act. (§25-1-102)

4. Records in the possession of the Library Commission which would disclose information about a person's individual tax payment or status shall be exempt from the provisions of the Act. (§27-3-77)
5. Appraisal information in the possession of the Library Commission which concerns the sale or purchase of real or personal property for public purposes prior to public announcement of the purchase or sale, where the release of such records could possibly have a detrimental effect on such sales or purchases shall be exempt from the provisions of the Act. (§31-1-27)
6. Test questions and answers in the possession of the Library Commission which are to be used in future academic examinations and letters of recommendations respecting admission to any educational agency or institution, shall be exempt from the provisions of the Act. (§37-11-51)
7. Records in the possession of the Library Commission which contain information about the location of any specific archaeological site and which in the opinion of such agency possessing such records, would, upon the disclosure thereof, create a substantial risk of damage or destruction to the historical value of such archaeological site or create a substantial risk of damage or destruction the private property rights, shall be exempt from the provisions of the Act. (§39-7-41)
8. Records in the possession of the Library Commission which are not otherwise protected by law, that (1) are compiled in the process of detecting and investigating any unlawful activity or alleged unlawful activity, disclosure of which would harm such investigation; (2) would reveal the identity of informants; (3) would prematurely release information that would impede the Library Commission's enforcement, investigation or detection efforts in such proceedings (4) would disclose investigatory techniques; (5) would deprive a person of a right to a fair trial or impartial adjudication; (6) would endanger the life or safety of any Library Commission personnel; (7) are matters pertaining to quality control or PEER review activities, shall be exempt from the provisions of the Act. (§45-29-1)

## 109.02

## Procedures for Requesting Access to Records

Public access to Library Commission records shall be governed by the following procedures:

1. Written Request
  - a. Individuals desiring to obtain access to public records information held by the Library Commission should make a written request, signed by the individual or duly authorized agent, either by mail to the Executive Director or in person at the Library Commission offices during normal working hours as described in Chapter 1, 105.02, entitled Contact Information. Requests for public records shall be received and the request acted upon during the regular business hours. The written request and the envelope must be plainly marked "Request for Public Records." Failure to so mark the request may delay the Library Commission's response.

- b. The written request should describe in reasonable detail the records sought. The request should include, if possible, a description of the type of records, dates, title of a publication, and other information which may aid in locating the records.
  - c. The written request shall: specify whether the requestor proposes to access the record by inspection or copying; state the date and time for the proposed activity; state the number of persons scheduled to participate; and provide the name, address, and home and office telephone number of the requestor.
2. Production of Records or Denial of Access
- a. The Executive Director shall determine whether the records sought are exempt and shall either produce records or access to records or deny access to or production of the records sought within fourteen (14) working days of the receipt of the request.
  - b. If the Executive Director determines that the records requested are exempt or privileged under the law, the Executive Director shall deny the request and send the requesting individual a statement of specific reasons for the denial. Where possible, nonexempt material shall be separated from exempt material and only the exempt material shall be withheld. (§25-61-9) Such denials shall be kept on file for a period of three (3) years and be made available for inspection and/or copying during regular working hours by any person upon written request. (§25-61-5)
  - c. Individuals provided access to the records may do so within normal working hours, in the Library Commission offices, and under the supervision of a staff member. Those records which an individual wishes to have copied shall be marked by the individual, and the staff member shall attend to the reproduction of those documents. No records, only reproductions, shall leave the building.
3. Appeal of a Denial
- In the event a public records request is denied, the requesting individual may appeal the decision using the following procedures:
- a. A requesting individual has thirty (30) calendar days from receipt of the Library Commission's response to appeal the denial.
  - b. The appeal shall be submitted in writing to the Executive Director for consideration by the Board for a final administrative determination.
  - c. The appeal should contain a copy of the original request, the denial, and the justification for reconsideration.
  - d. The appeal and the envelope shall be plainly marked "Public Records Appeal." Failure to so mark the appeal may delay the response from the Board.
  - e. The Board shall issue a written decision granting or denying the appeal within sixty (60) working days after receipt of the appeal unless, after showing good cause, the Board extends the sixty (60) day period. If the appeal is granted, the procedures outlined in "Procedures for Requesting Access to Public Records" shall be initiated. If the appeal

is denied, in whole or part, the decision shall set forth reasons for the denial.

#### 109.03 Procedures for Reference Requests Deemed to be Public Records Requests

As a resource library with a large bibliographic collection, the Library Commission routinely receives reference requests for information. On occasion, a request submitted as a reference request is in actuality a public records request. In such cases, the following procedures shall be initiated:

1. The reference request in question shall be referred to the Executive Director for review and validation of the public records issue.
2. Upon validation that the reference question is actually a public records request, the reference question shall be returned to the requestor with instructions as to how to resubmit the question as a public records request.
3. The individual resubmitting the reference request as a public records request shall be required to follow the procedures outlined in "Procedures for Requesting Access to Public Records."

#### 109.04 Cost Reimbursements

The Library Commission hereby establishes a schedule of cost reimbursements to compensate the agency for the costs associated with searching, reviewing, overseeing, duplicating and if applicable, mailing copies of public records. Fees shown herein are subject to change. (§25-61-7)

1. Reimbursement schedule:
  - a. No charges, except for packing and handling fees, shall be applied for searching, reviewing and/or duplicating public records if the query requires one (1) hour or less or if the number of copies required is thirty (30) pages or less.
  - b. If the query requires more than one (1) hour, \$10.00 per hour per person may be charged for searching, reviewing, and/or duplicating public records. Any part of an hour spent in such activities shall be charged at the full hourly rate.
  - c. If the query requires more than thirty (30) pages of copies, \$0.15 per page shall be charged for each copy. Copies of pages printed on both front and back shall be considered as two pages for copy charge purposes.
  - d. A \$5.00 packing and handling fee shall be charged on all requests for copies of public records to be shipped or mailed.
  - e. Mailing cost shall be calculated at the applicable rate for each such mailing. If the request involves notice to be given to a third party, the cost of mailing such notice via certified mail return receipt requested shall be charged to the person requesting such public records.
2. Prior to complying with a request for public records, the Library Commission shall estimate the anticipated time and charges that may be required, and the requesting individual shall reimburse the Library

Commission for the estimated costs, according to the reimbursement schedule. If actual costs exceed estimated costs, the individual shall remit the difference prior to the Library Commission releasing the public records. Cost reimbursements shall apply even if the search is unproductive.

## Chapter 02 LIBRARY SERVICES

### Collection

#### 101.01

#### Scope of Collections

1. Primary Resource Collection
  - a. 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.
  - b. 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.
2. Blind and Physically Handicapped Collection
  - a. The Library Commission is designated as the Mississippi Regional Library for 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.
  - b. 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 Mississippian materials provided through the local recording program.

## 101.02

## Collection Development Policy

## 1. 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.

## 2. Acquisition of Materials

## a. Primary Resource Collection

1. 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.
2. 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.
- b. **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 Chapter 2, 101.01 (1).
  3. **Disposal of Materials**
    - a. 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, 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.
    - b. Materials on deposit with the Library Commission shall be disposed of in accordance with the rules of the depositing authority.
    - c. 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.
  4. **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.

## Users

102

The collection of the Library Commission is developed to meet the needs of targeted clientele — the library community, State government, people

with visual impairments and physical disabilities, and individuals researching intellectual property.

## 102.01

### Targeted Users

1. **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.”
2. **State Government**  
Employees and officials of Mississippi State government are targeted users of the Library Commission collections for job-related purposes.
3. **Blind and Physically Handicapped Persons**  
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.
4. **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.

## 102.02

### 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 visually impaired and physically disabled individuals, 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.

## Usage Policies

### 103.01 User Registration and Access to Collection

1. **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.
2. **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 to meet job-related information needs only.
3. **Blind and Physically Handicapped Persons**
  - a. **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.
  - b. **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.

4. **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.  
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.
5. **General Public**  
Members of the general public must obtain a Library Commission card to check out materials.
  - a. **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.
  - b. **Children**  
Children age sixteen (16) and under must be accompanied by an adult when using the resources of the Library Commission. Children, with the exception of children who are eligible users of the Blind and Physically Handicapped Collection, are not allowed to check out materials.
6. **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.

#### 103.02 Loan Periods and Restrictions

The 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.

Loan periods for materials from the Blind and Physically Handicapped Collection shall follow the procedures and guidelines for service set forth by NLS. Loan periods for Blind and Physically Handicapped Collection materials not provided by the National Library Service shall be determined based on material type and format.

### User Responsibilities

#### 104.01 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 a valid photo identification in order to verify registration or certification of eligibility.

#### 104.02 Timely Return of Materials

1. 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 uses, 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.
2. 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.

## 104.03

## Proper Care of Materials

1. 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 charges 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.
2. 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.
3. 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)

## 104.04

## Reimbursement for Services Rendered

Users may access the Library Commission coin-operated photocopy equipment. Charges may be assessed for computer printing in order to cover operational expenses.

## 104.05

## Proper Use of Internet

1. Permitted Activities  
Individuals may utilize Library Commission public access computers for the purpose of meeting research and information needs.
2. Unauthorized Activities
  - a. 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.

b. 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.

3. 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 in Chapter 1, 106.01 (2) entitled "Reconsideration Hearings."

4. 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.

104.06

Proper Conduct

1. General Rules of Conduct

All library users are expected to conduct themselves in a manner which enables other customers, staff, and themselves to accomplish their intended library tasks in a safe, reasonably pleasant, and orderly atmosphere. Library staff will listen to, and respond when appropriate, to complaints voiced by customers. Staff will take appropriate action when user behavior causes disruption or unreasonable interference in the delivery or receipt of library services. Responsibility for the supervision, behavior, use of resources, and safety of children at the Library Commission rests with the child's parent, guardian, or caregiver. Rules of conduct shall be adopted and enforced.

2. Consequences for Failure to Comply

Failure to comply with the Library Commission rules of conduct may result in one or more of the following actions:

- a. The individual(s) may be instructed to leave the Library Commission premises.
- b. The individual(s) may be immediately suspended from use of the Library Commission resources.
- c. The individual(s) may be subject to enforcement by security personnel and/or the police department.
- d. Repeated violations of the rules of conduct may result in suspension of services and/or denial of access to the Library Commission.

- e. 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)

## 104.07

## Suspension of Access

In the event a user violates Library Commission policy, access to service 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 suspension of service, policies continue to be violated, service may again be suspended. Any individual suspended from access to service may request a reconsideration of the action taken by the Library Commission in accordance with the procedures outlined in Chapter 1, 106.01 (2) entitled "Reconsideration Hearings."

Services Provided

## 105.01

## Reference Services

1. 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, or email 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.
2. 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.

## 105.02

### Interlibrary Loan Services

#### 1. Primary Resource Collection

##### 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. Public libraries which borrow materials from the Library Commission shall bear the cost of return postage and insurance for materials mailed by the Library Commission. Individuals may contact a local library to request a loan of materials from the Library Commission's Primary Resource Collection.

##### b. Borrowing Services

The Library Commission shall initiate interlibrary loans as needed for State employees and officials for job-related requests. 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.

The Library Commission does not initiate interlibrary loans for other libraries or for members of the general public but shall assist staff from other libraries and members of the general public to locate materials and shall provide guidance on initiating an interlibrary loan.

2. Blind and Physically Handicapped Collection Interlibrary loan provides visually impaired and physically disabled users with access to additional titles and copies of materials from other sources.

3. No interlibrary loan charges are assessed to users or borrowing libraries for blind and physically handicapped materials and resources.

## 105.03

Training  
Electronic Resources

Library Commission staff may offer search suggestions and brief orientations to available electronic resources, but shall not provide in-depth Internet and database training to the general public.

## 1. Intellectual Property

Library Commission staff offer an in-depth orientation to the specialized patent and trademarks databases and search techniques needed to research intellectual property. 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.

## 2. Other

The Library Commission may offer additional limited training services for targeted users or the general public.

## 105.04

## Public Computer Resources

1. Certain 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 stated in Chapter 2, 104.05.

2. 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 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 Chapter 2, 104.05, 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.

Liability

106           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.

### **Chapter 03 LIBRARY EXTENSION AND DEVELOPMENT**

The Library Commission provides services which strengthen and enhance libraries, encourage the statewide sharing of library resources, and carry out the statutory directive to give advice to libraries and to the communities “as to the best means of establishing and maintaining such libraries, the selection of books, cataloging and other details of library management.” (§39-3-107)

#### Consulting Services

- 101 The Library Commission may provide advice and assistance on matters pertaining to library operations and management, upon request by a public library system director, library trustee, public official, or library organization. Libraries obtaining extensive consulting services from the Library Commission shall be required to enter into a statement of work with the Library Commission outlining the responsibilities of each party.

#### Continuing Education

- 102 The Library Commission provides continuing education and training opportunities for the public library community. Continuing education unit (CEU) and contact hour credit may be given for planned learning experiences designed to bring about changes in knowledge, skills, or attitudes which contribute directly to the delivery of quality library services and the competent practice of librarianship. The Library Commission website contains a list of scheduled courses, registration information, and complete information on CEUs and contact hours, including guidelines, instructions, and the CEU Credit Form.
1. Presenting Entities  
In order to offer CEUs or contact hours to participants, the entity presenting the training workshop must obtain prior approval from the Library Commission. The entity must complete and submit a CEU Credit Form to the Development Services Division of the Library Commission for review and approval by the Executive Director.
  2. Participants  
In order to receive CEU or contact hour credits for attending a training workshop, participants must request credits from an approved presenting entity for having satisfactorily completed said workshop.

#### MissIN Network

- 103 The Library Commission offers Mississippi public libraries access to a wide area network and services called MissIN.

- 103.01            Purpose  
The purpose of MissIN is to provide Mississippi public libraries with access to the Internet, standardization of technology platforms, support on technical issues, and flexibility for new technology.
- 103.02            Services  
Services provided through MissIN include Internet access, help desk support, vendor liaison services, technical consultation, technical assessments, web site hosting, Internet protocol addresses, Internet filtering, email accounts, web email, email anti-virus screening, maintenance and insurance on MissIN routers and channel service units/data service units, and training to public libraries on desktop, operating systems, and security.
- 103.03            Participation
1. Participation by public libraries in MissIN is voluntary. Public libraries opting not to participate in MissIN shall notify the Library Commission in writing. If a public library chooses not to participate as a MissIN customer, none of the services listed in Chapter 3, 105.02 will be provided by the Library Commission, excepting limited help desk services.
  2. If a public library participating in MissIN opts to leave MissIN, the customer must return all equipment owned by the Library Commission within four (4) months. If, during the four-month period, the customer chooses to opt back into MissIN, the Library Commission shall re-install the original equipment at no charge. After the four-month period has expired, the public library customer must, at the public library's expense, purchase equipment and incur installation costs necessary to resume participation in MissIN.
- 103.04            Consequences of Violations  
The Library Commission shall notify a MissIN customer violating any MissIN rule that a violation has occurred, discuss the violation or violations with the customer, and seek resolution. In the event of repeated violations or a critical violation, the Library Commission may suspend or revoke a MissIN customer's network privileges. Any MissIN customer whose network privileges have been suspended or revoked by the Library Commission may request a reconsideration of the action taken by the Library Commission in accordance with the procedures outlined in Chapter 1, 106.01 (2) entitled "Reconsideration Hearings."
- 103.05            Scope  
MissIN rules apply to all customers, contractors, temporaries, and other workers and users of the Library Commission's MissIN network.

## 103.06

## Network Ownership and Usage

## 1. Ownership

While the Library Commission desires to provide a reasonable level of privacy for MissIN users, users must be aware that the data created on the MissIN system remains the property of the State of Mississippi.

## 2. Reasonable Use

Customers are responsible for exercising good judgment regarding the reasonableness of personal use.

## a. Sensitive Information

The Library Commission recommends that users consider sensitive or vulnerable information be encrypted or kept off hard drives and stored on floppy disks or zip disks in a locked, secured space.

## b. Monitoring

For security and network maintenance purposes, authorized personnel within the Library Commission may monitor equipment, systems, and network traffic at any time.

## c. Auditing

The Library Commission reserves the right to audit networks and specific computer equipment of MissIN users on a periodic basis to ensure compliance.

## d. Passwords

Users should keep passwords secure and not share accounts. Authorized users are responsible for the security of passwords and accounts.

## e. Screensavers.

All personal computers, laptop computers, and workstations should, where sensitive data is an issue, be secured with a password protected screensaver.

## f. Portable and Laptop Computers.

All portable and laptop computers should be secured when not in use. The Library Commission strongly recommends that MissIN users not keep data on laptop hard disks, but rather on removable media.

## g. Virus Protection Software

All hosts connected to MissIN shall be continually executing approved virus-scanning software with a current database on viruses.

## h. Emails

MissIN customers must use extreme caution when opening emails. If emails are not from a recognizable, trusted source, or if emails are in any way suspicious, the customer should delete the unopened email, thereby preventing any virus, worm, or other threat from affecting the security or operability of MissIN.

### 3. Prohibited Network Activities

The following list of prohibited activities, though not exhaustive, provides a framework for activities which are considered unacceptable:

- a. Violating the rights of any person or company protected by copyright, trade secret, patent, or other intellectual property, or similar law or regulations, including but not limited to, the installation or distribution of pirated or non-licensed software products.
  - b. Unauthorized copying of copyrighted material.
  - c. Exporting software.
  - d. Introducing malicious programs into networks or servers.
  - e. Revealing an account password to anyone, including family or friends.
  - f. Making fraudulent offers of products, items, or services originating from any Library Commission account.
  - g. Making statements about warranty, unless part of normal job duties.
  - h. Effecting security breaches or disruptions of network communications.
  - i. Port scanning or security scanning, except by authorized Library Commission network staff.
  - j. Executing any form of network monitoring which will intercept data except by authorized MLC network staff.
  - k. Circumventing user authentication or security of any host.
  - l. Sending unsolicited email messages, including junk mail or other advertisement material to individuals not expressly requesting the material.
  - m. Unauthorized use or forging of email header information.
  - n. Soliciting email for any other email address.
  - o. Creating or forwarding chain letters, Ponzi, or other pyramid schemes of any type.
  - p. Posting the same or similar non-business related messages to large numbers of Usenet newsgroups.
4. System and Network Abuse
- Any attempt to undermine, compromise the security of, or otherwise cause harm to the MissIN web hosting server or client accounts is strictly prohibited. The Library Commission reserves the right to refuse, cancel, or suspend any account. Any MissIN customer whose account has been refused, cancelled, or suspended by the Library Commission may request a reconsideration of the action taken by the Library Commission in accordance with the procedures outlined in Chapter 1, 106.01 (2) entitled "Reconsideration Hearings."

## 103.07

## Internet Usage Through MissIN

The Library Commission assists libraries in meeting the informational and educational needs of their patrons by providing Internet access via MissIN.

## 1. Liability

The Library Commission is not responsible for damages, direct or indirect, or for any liability that may arise from any use of the Internet via MissIN.

## 2. Unacceptable Usage

## a. Prohibited Activities

MissIN customers may not use the computer network 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.

## b. Improper Security.

Customers of MissIN accessing the Internet through MissIN must do so through an approved Internet firewall or other security device. Bypassing MissIN security by accessing the Internet directly by modem or other means is strictly prohibited, unless the computer used is not connected to MissIN.

## c. Misuse

Customers of MissIN have a responsibility to conserve the limited computer resources of the Library Commission. Customers shall not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, or otherwise creating unnecessary loads on Library Commission traffic associated with non-business-related or non-public access uses of the Internet.

## 103.08

## MissIN Security

## 1. General Requirements for Computer Facilities

MissIN customers shall comply with standard industry-accepted criteria for establishing and maintaining a secure computer room or data center.

## 2. Remote Access

MissIN customers are required to have one of the following connectivity solutions: Frame Relay with T-1, Fractional T-1, 56K Leased Line access, or ATM with T-1 or higher Leased Line access, Business Class DSL, and under certain conditions, Business Class

Cable Modem access. Customers must comply with the following requirements:

- a. Dial-up connections are not permitted.
  - b. DSL and cable modem connections are not allowed on frame relay.
  - c. Virtual private networks are required for public libraries needing vendor access to local automated library systems for purposes of upgrades and troubleshooting via MissIN.
  - d. Customers are required to have strong authentication or public/private keys.
  - e. Non-standard telecommunications hardware must be approved by the Library Commission.
  - f. Customers must contact the Library Commission's Network Services Bureau two (2) weeks prior to an installation agreement with a vendor.
3. Wireless Communication  
Customers are permitted to use wireless communications for public access to MissIN Internet resources only.
  4. Password Standards  
MissIN customers are required to establish passwords that are strong and well protected.
  5. Virus Protection  
MissIN customers must have antivirus software installed on local area networks to continually scan the customer's public access and office use computers. Customers must keep antivirus software current with the most recent updated virus listings.
  6. Use of Application Service Providers  
MissIN customers wishing to use application service providers to host servers and applications off site, independent of the location of the host, must go through an application service provider engagement process with the Library Commission prior to any agreement for connectivity via the MissIN network.
  7. Archival and Storage of Electronic Information  
Damaged or no longer needed stored electronic data on physical media should be disposed of while ensuring data on said media cannot be read or reused. Stored server email will be only be backed up and stored for a limited amount of time.
  8. Router Security  
The required minimum security configuration for all routers and switches connecting to MissIN are as follows:
    - a. No local user accounts shall be configured on the router.
    - b. The enable password on the router must be kept in a secure encrypted form.
    - c. All routers and switches connecting to MissIN must disallow Internet Protocol directed broadcasts, incoming packets at the router sourced with invalid addresses, Transmission Control

Protocol small services, User Datagram Protocol small services, all source routing, and all web services running on the router.

9. Web and Email Server Security

Customers shall maintain hardened web servers by keeping all patches and releases up to date. The web server must exist in a demilitarized zone outside the firewall along with email servers or exist in a segmented demilitarized zone behind a firewall.

103.09

MissIN Customer Audits and Assessments

1. Risk Assessments

The Library Commission may conduct risk assessments on any MissIN customer or any outside entity with a third party connection agreement with the Library Commission. If violations are discovered in a risk assessment, those violations must be addressed before any further connectivity, hosting, and/or work is provided by the Library Commission. Connectivity may be discontinued if risk issues are not resolved.

2. Tracing Activity Originating from the MissIN Network

When contacted by any outside entity and requested to track and identify a point of origin from which an attack, mischief, or criminal activity has originated over MissIN, the Library Commission shall cooperate by turning on a log to trap for that particular complaint and tracing from that point forward. When a party is identified, the Library Commission shall contact the library director of the point of origin to determine the action the library director wishes to take, regardless of the requesting entity. The Library Commission shall not release information as to the origin to a requesting party without a court order or other legal process.

3. Security Incident Reports

The Library Commission shall document all security breaches of MissIN. Breaches of a more significant nature shall result in the Library Commission forming ad hoc teams to resolve the identified breach and to develop and implement plans to prevent future breaches. All logs that are pin-point turned on for a tracing effort shall be stored for 180 days.

103.10

MissIN Email

1. Client Email

Authorization for email accounts shall be provided by an official Library Commission form signed by the person or persons designated the authority to request such usage by the MissIN customer. The Library Commission does not limit the number of email accounts a public library may own. POP3 accounts are permitted. The Library Commission does not support the use of

Internet Message Access Protocol connectivity. The Library Commission will only support the following clients:

- a. Netscape Communicator (Messenger) version 4.x or higher. Use of Netscape version 6.x is not recommended due to many functionality problems.
- b. Microsoft Outlook and Outlook Express version 5.x or higher.
- c. Eudora Light version 5.x.

2. Web Email

Authorization for web email accounts is provided by an official Library Commission form signed by the person or persons designated the authority to request such usage by MissIN customer. The Library Commission's web email tool has secure login properties. Public libraries should not use any other web email tool to access the email accounts provided by the Library Commission, since many other tools do not provide secure login functionality. The security risk associated with non-secured web email access to the public library's email account is significant.

3. Lists

- a. Aliases and forwarders are available to MissIN customers upon request from the Library Commission.
- b. Each email account may have multiple aliases.
- c. Forwarders will only forward to one receiving email account.
- d. The receiving email account is not required to be a MissIN provided email account.
- e. The Library Commission shall provide each public library system with a distribution list consisting of all accounts provided by the Library Commission for that library system.
- f. The Library Commission may provide additional distribution lists.

4. Acceptable Uses

The Library Commission provides email systems to customers to facilitate the performance of the public libraries' business work and should be used as such.

5. Unacceptable Uses

The following are unacceptable uses of the email system provided by the Library Commission via MissIN:

- a. Material transmitted via MissIN-provided email that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful is prohibited.
- b. Messages, jokes, or forms contributing to harassment or creating an intimidating or hostile work environment are prohibited.
- c. Use of MissIN provided email to set up personal businesses or send chain letters is prohibited.

- d. Breaking into the system or unauthorized use of a password or mailbox is prohibited.
- 6. Storage Capacity  
All public library customers are assigned a storage capacity quota of 20 megabytes, with the exception of library system directors, who are provided a storage capacity quota of 80 megabytes.

## 103.11

## MissIN Hosted Web Sites

- 1. Acceptable Content  
Acceptable content for MissIN hosted web sites are hypertext markup language, plain text, images, downloadable files including office suite documents, flash and shockwave files. Public library web sites must be in the English language, although the duplicate content may be displayed in alternate languages. Content or links to content must be related to libraries, library business, or related State, county, or city governments.
- 2. Unacceptable Content or Uses  
Unacceptable content for and uses of MissIN hosted web sites include the following:
  - a. Illicit content, offensive pictures, material encouraging illegal activities of any kind, pirated software, hate or racist content is prohibited. Links to such content are also prohibited.
  - b. Public library web sites must not be used for commercial purposes or offer commercial advertisement space including banners, buttons, or icons.
  - c. Use of banners, buttons, or icons may be used to meet legal requirements to use free images, scripts, software or off-site services. Recognition of commercial or non-profit organizations for grants or donations is permitted.
  - d. Special software requiring installation to the MissIN web server host operating system or modification of the host registry or software requiring executable programs or dynamic link libraries is not permitted.
  - e. Engaging in any activity that infringes or misappropriates the intellectual property rights of others, including copyrights, trademarks, service marks, trade secrets, software piracy, and patents held by individuals, corporations, or other entities is prohibited. The Library Commission is required by law to remove or block access to customer content upon receipt of a proper notice of copyright infringement. The Library Commission shall terminate the privileges of customers who commit repeat violations of copyright laws.
  - f. Engaging in any activity that violates the privacy, publicity, or other personal rights of others is prohibited.
- 3. Backup of Content  
The Library Commission backs up MissIN web server content but is

not responsible for the contents of data of any hosted site on Library Commission servers. The MissIN customer is responsible to ensure that backup copies of all content are stored off MissIN for safekeeping.

4. **Disk Space**  
Public libraries with MissIN hosted web sites are provided 100 megabytes of disk space for storage of all content.
5. **Bandwidth**  
Customers' sites are not limited to the amount of file transfers for web visitor requests.
6. **Dedicated Internet Protocol (IP) Address**  
The Library Commission shall provide customer sites with one dedicated IP address. Libraries moving their web site to their own server will be assigned a new dedicated IP address.
7. **Domain Names**  
The Library Commission shall provide domain names for each customer web site. Domain names are limited to the lib.ms.us top-level domain. Use of other top-level domain names such as .com, .net, and .org are not permitted or supported on the MissIN web server. Additional full and sub-domains are also permitted and granted upon request.
8. **Log Files**  
The Library Commission will delete the log files of MissIN customers on a periodic basis. Users are responsible for downloading their log files. The Library Commission recommends that users who wish to maintain a history of their log files download them monthly.
9. **File Transfer Protocol**  
The Library Commission shall provide libraries one file transfer protocol (FTP) user account for uploading of web site content. Support shall be provided for WS\_FTP 95 or higher software. Limited support shall be provided for other FTP software.

## 103.12

### MissIN Help Desk

The Library Commission maintains a help desk whereby MissIN customers may obtain telephone support for technical issues, problems, site visit scheduling, and network connectivity requests.

1. **Hours of Operation**  
MissIN provides connectivity and Internet services continually 24 hours a day, 7 days a week, 365 days a year. The hours of operation of the Library Commission Help Desk are 8:00 a.m. to 5:00 p.m. Limited support is available for after-hours business emergencies, such as: emergency outages, critical work assignments impeded, budget or payroll affected, and MissIN multiple branches or headquarters affected.

2. **Contact Information**  
Public library customers of MissIN should report problems to the Help Desk either by email or by telephone. The email address of the Help Desk is HelpDesk@mlc.lib.ms.us. The telephone number is 601-961-4158, extension 4046 or 1-877-652-8324 (WATS line). Limited network connectivity support is available after hours by dialing 601-328-4154 for the Network Services pager. Any phone numbers which change after the relocation of the Library Commission offices on approximately April 1, 2005, shall be made available through the agency website, telephone directory, and notice to MissIN customers.
3. **Required Information**  
Callers to the Help Desk shall be expected to provide the following information when making a request: (1) name, telephone number and library name; (2) a clear and specific description of the problem, issue, or request; (3) an assessment of the priority of problem resolution as Urgent, High, Medium, or Low; and (4) any business deadline related to the problem, issue, or request.

### Public Library Statistics

- 104                   The Library Commission gathers and reports information on the status of libraries in the State in an Annual Report of Mississippi Library Statistics. Pursuant to §39-3-107 of the Mississippi Code of 1972, Annotated, the “commission shall each year obtain from all libraries in the State reports showing the condition, growth, development and manner of conducting such libraries, together with such other facts and statistics regarding the same as may be deemed of public interest by the commission, and it shall be the duty of the Board of the Mississippi Library Commission to make an annual report to the Legislature of the facts of public interest and value in relation to the work of the commission.”

Accordingly, all public libraries shall submit the above described information annually to the Library Commission in a format and at a time prescribed by the Library Commission.

### Cooperative Programs

- 105.01           Local and Regional Cooperatives  
The Library Commission may provide guidance in the development of local and regional multi-library and multi-type library cooperatives under mutually agreed upon terms.

- 105.02      **Statewide Virtual Union Catalog**  
The statewide virtual union catalog and interlibrary loan system is a special public library cooperative effort. Participation requires library systems to adhere to technical standards, agree to loan as well as borrow library materials, and to abide by protocols. Expansion of the system to non-public libraries shall be dependent upon available funds.
- 105.03      **Interstate Cooperatives**  
The Library Commission may enter into cooperative programs with other states as allowed by §39-3-201 through 39-3-211 of the Mississippi Code of 1972, Annotated.

Other Services

- 106           The Library Commission may establish agreements with libraries, government agencies, or bodies organized for library purposes, to provide needed services. Such arrangements may include, but are not limited to: use of space to conduct programs; use of staff specialists to conduct training programs or act as special consultants; development of local resources such as compilation of regional holdings of library materials; extension of library support services such as acquisition, cataloging and processing of library materials; implementation of special services; and planning and implementation of regionally based library services.

## Chapter 04 LIBRARY FINANCIAL ASSISTANCE PROGRAMS

### Requirements Applicable To All Grant Funds

- 101.01      Availability  
The Library Commission receives federal, State, and other funds which are used to improve library services in the State through services, statewide programs, and grants.
- 101.02      Compliance and Monitoring Requirements  
All recipients of grants from the Library Commission, from any source of funds, shall be required to:
1.    Keep adequate financial records which meet the requirements for grant administration as prescribed by the Library Commission;
  2.    Submit, within six (6) months following the end of the most recently completed fiscal year, an appropriate audit;
  3.    Submit periodic project-related documentation at such times as are required by and in a form identified by the Library Commission;
  4.    Submit supporting documentation for all requests for funds as required by and in the form identified by the Library Commission;
  5.    Retain all records for five (5) years; and
  6.    Be subject to possible on-site monitoring by Library Commission personnel to verify compliance with State and federal requirements on the grant agreement.

### Federal Programs

- 102            The Board is authorized by §39-3-111 of the Mississippi Code of 1972, Annotated, to accept and administer any funds which might be provided by the federal government for library purposes. All rules and regulations promulgated as a part of any federal program of which the Library Commission is the recipient of funds shall be applicable to Library Commission programs which are funded wholly, or in part, from federal sources.
- 102.01      Library Services & Technology Act Program
1.    Authority  
The federal Library Services & Technology Act (LSTA) program is authorized under the Museum and Library Services Act of 1996, enacted as part of P.L 104-208 (H.R. 3610) on September 30, 1996, and superseding the Library Services and Construction Act (LSCA), which had been in existence since 1956. As the State of Mississippi's State library administrative agency, the Library Commission is authorized to receive federal funding through the LSTA program as enacted or as it may be subsequently amended or replaced.

2. Purpose  
The LSTA program provides funding to stimulate excellence and promote access to learning and information resources in all types of libraries for individuals of all ages. The Library Commission administers and uses LSTA funds to enhance the quality of library services in Mississippi, in accordance with the purposes set forth in the federal legislation.
3. Eligibility  
Eligibility of applicants shall be determined by the Library Commission's five-year plan for the use of Library Services and Technology Act funds.
4. Process
  - a. The Library Commission administers and uses LSTA funds, in any proportion, directly or through competitive and/or non-competitive grants or cooperative agreements in accordance with the principles set forth in the basic guidelines of its five-year plan for the use of Library Services and Technology Act funds. When LSTA grants are offered, the Board approves the categories for the grant call. Upon Board approval, the Library Commission publishes and distributes to entities deemed eligible a program manual, which outlines the year's grant calendar, eligible applicants, targeted project activities, funds availability, application submission requirements and deadlines, and evaluation criteria.
  - b. Grant applications are subject to review. The Executive Director makes sub-grant recommendations to the Board based on the review process results, stated funding priorities and limits, and overall goals of the LSTA program.
5. Requests for Reconsideration  
Requests for reconsideration of an award decision shall be made on procedural grounds only. Such grounds include alleged conflicts of interest, unfair or preferential treatment of applications, or procedures not uniformly applied to all applicants. Any applicant affected by an award decision on said grounds may request a reconsideration of the action taken by the Library Commission in accordance with the procedures outlined in Chapter 1, 106.01 (2) entitled "Reconsideration Hearings."

### State Aid Programs

#### 103.01 Personnel Incentive Grants Program

1. Authority  
Pursuant to §39-3-107 of the Mississippi Code, the Library Commission is authorized to adopt "rules and regulations relative to the allocation of State aid funds to public library systems."

2. Purpose

The Legislature provides to the Library Commission an annual appropriation, which includes State funding for support of public library systems through the Personnel Incentive Grants Program. Personnel Incentive Grants may be used by public library systems for personnel costs only. Personnel costs are defined as base salary and benefits, including federal and State withholding taxes, social security, retirement, worker's compensation, and unemployment insurance. Life insurance and health insurance premiums are ineligible personnel costs for reimbursement under the Personnel Incentive Grants program.

3. Eligibility

In order to be deemed eligible to participate in the Personnel Incentive Grants Program, a public library system must meet and maintain compliance with the following accreditation standards:

- a. The library system consists of at least one (1) county unit. A county unit system is one which is authorized to and in fact does provide library service county-wide.
- b. The public library system is legally established.
- c. There is only one (1) administrative library board of trustees ("library board") for the system.
- d. There is one (1) full-time director of the library system. The director has a master's degree in library science from a school accredited by the American Library Association.
- e. The library system is supported wholly or in part by public funds.
- f. The library system has submitted to the Library Commission a copy of an appropriate audit of financial status for the most recently completed fiscal year.
- g. The library system has maintained effort for local income; the total operating income for the library system from public funds (city and/or county) has not fallen more than 2% below that received in the second preceding year.
- h. The library system has complied with the terms and conditions of most recently received Personnel Incentive Grant Program grant agreement.

The standards shall be attested to in writing by both the chairman of the library board and the director of the library system and submitted annually to the Library Commission as part of the library system's application/agreement for Personnel Incentive Grants funding.

4. Process

The Library Commission shall determine a total amount of State funding available for the Personnel Incentive Grants Program and the eligibility of each library system making application for funds. The Board-established formula shall be applied to the available

funding to determine the grant amount for each eligible library system.

5. Waivers

A library system may submit a written request to the Executive Director for consideration of a waiver by the Board in the event the library system is deemed ineligible because of failure to comply with either of the following requirements:

a. Requirement, Chapter 4, 103.01 (3) a. – Educational Requirements

The Board may grant a one-year waiver to enable a library system to employ an interim director with at least a bachelor's degree or five years of library experience while an active search is made for a qualified permanent director. The Board may, at its discretion, renew the waiver if the Board determines that the library system is making adequate progress toward hiring a permanent director with the necessary educational qualifications.

The Board may grant a waiver if a library system director is actively pursuing a master's degree in library science from a school accredited by the American Library Association. The waiver shall remain in effect as long as the Executive Director determines that the conditions of the waiver are being met

b. Requirement, Chapter 4, 103.01 (3) g. C.1.c.7 – Maintenance of Effort

The Board may grant a waiver if the library system is able to show just cause for having failed to maintain the required level of local income. The Board will not grant a waiver of the maintenance of effort requirement in any case if the library system has not submitted to the Library Commission a copy of an appropriate audit of financial status for the most recently completed fiscal year.

Waivers of eligibility requirements are not routinely granted by the Board. The decision of the Board regarding a waiver is final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent or not supported by substantial evidence.

103.02 Life and Health Insurance Grant Program

1. Authority

Section 25-15-15 of the Mississippi Code stipulates that the State shall provide annually, through the Library Commission appropriation, funds to pay one hundred percent (100%) of the cost of health insurance and fifty percent (50%) of the cost of life insurance for employees of public libraries in Mississippi.

2. Purpose

The Library Commission receives an annual General Fund appropriation from the Mississippi State Legislature which contains

funding for the purpose of providing group life and health insurance for active public library employees through the “State Employees Insurance Fund.” The program is administered by the Library Commission on behalf of public library employees eligible to receive insurance coverage.

3. Eligibility

All active public library employees who work 20 hours or more a week are eligible for life and health insurance coverage.

Participating public libraries shall adhere to the policies and procedures concerning life and health insurance coverage as established by the Department of Finance and Administration.

4. Process

The Library Commission shall reimburse public libraries for one-hundred percent (100%) of the cost of health insurance and fifty percent (50%) of the cost of life insurance for eligible public library employees, upon submission of a reimbursement request and appropriate documentation.

#### Other Grant Programs

104

The Library Commission may receive other funds which may be used to improve library services statewide.

## INDEX

### A

Access to Collection	
Blind and Physically Handicapped Persons	21
General Public	22
Intellectual Property Researchers	22
Library Community	21
Remote Access to MAGNOLIA Databases	22
State Government	21
Acquisition of Materials	See Collection Development Policy
Agency Director	See Executive Director
American Library Association	2, 3, 18, 44, 45
Appeals	9, 14
Application for Grants	42-46
Application for Large Print Service	22
Application for Library Commission Card	22, 23
Application of Statute, Rule, or Order	10
Application Service Providers	35
Applications for Employment	12
Audits	32, 36, 42, 44, 45
Authorization	1

### B

Backup	38, 39
Blind and Physically Handicapped	
Acquisition of Materials	19
Collection	17
Interlibrary Loan Services	27
Registration and Access	21
Targeted Users	21
Board	
Advisory Groups	5
Committees	5
Governing Body	2
Meetings	
Actions	4
Executive Sessions	4
Parliamentary Authority	4
Quorum	4

Meetings, Public Participation in	
Agenda, Placing Business on	4
Conduct of Attendees	4
Disability Accommodations	3
Open	3
Presentations to Board	5
Public Comments at	5
Meetings, Types of	
Called Special	4
Regular	4
Membership	
Appointments	2
Compensation	3
Terms of Office	3
Vacancies	3
Officers	
Chairman	3
Election	3
Secretary	4
Vice Chairman	3
Other Actions of	8-12, 14, 19, 43-45
Board of Commissioners	See Board
Board, Operations of the	3-5

## C

Card, Library	See Access to Collection
Catalog, Statewide Virtual Union	See Libraries, Cooperative Programs
CEUs	See Continuing Education and Training
Chain Letters	33-34, 37
Checkout of Materials	See Access to Collection
Children	See General Public
Collection	
Blind and Physically Handicapped	17
Primary Resource Collection	17
Collection Development Policy	18
Acquisition of Materials	18
Disposal of Materials	19
Intellectual Freedom	18
Compliance	44
Computers, User Access to	31
Internet	28, 34
Public Access Laptop	28
Conduct, Proper	4, 25-26
Consulting Services	30
Contact Hours	See Continuing Education and Training
Contact Information	

Email Address	6
Mail	6
Office Location	6
Telephone	6
Website address	6
Continuing Education and Training	30
Cooperatives	41

**D**

Damage	7, 13, 24-25, 27-29, 34, 36
Declaratory Opinions	9-12
Depository, Patent and Trademark	17
Depository, State	18-19
Description and General Operations	1-2
Descriptive Video	17, 21
Director, Library	21, 30, 44-45
Displays	7
Disposal of Materials	See Collection Development Policy
Domain Names	39

**E**

Educational Requirements	45
Email	6, 31-33, 36-37, 40
Encryption	35
Executive Director	
Continuing Education Credit	30
Disposal of Materials	19
Legislative Charge to	1
LSTA Grant Recommendations	43
Other Actions of	3, 8, 11, 13-14, 19, 30, 43, 45
Personnel Incentive Grants, Extension of Waiver	44
Public Records Requests	13
Reconsideration Hearings	11, 14-15, 19, 43, 45
Selection of	2
Selection of Materials	18

**F**

Facilities, Office	6
Fax Number	6
Financial Assistance Programs	
Federal	
Library Services & Technology Act (LSTA) Grant Program	42-43
Authority	42
Eligibility	43
Process	43
Purpose	43

Reconsideration Hearing	43
Requirements Applicable to All Programs	42
State Aid	43-46
Life and Health Insurance Grant Program	
Authority	45
Eligibility	46
Process	46
Purpose	45
Personnel Incentive Grants Program	43-45
Authority	43
Eligibility	44
Process	44
Purpose	44
Waivers	45
Funds, Available	1-2, 22-23, 42-46
Funds, Donated	18

## G

General Public	2, 4-5, 8-9, 20, 22, 23-29
Adults	22
Children	22, 25
Goals	1
Governance	2
Grant Administration	42-46
Grants	See Financial Assistance Programs

## H

Handicapped Individuals	See Blind and Physically Handicapped
Health Insurance	See Financial Assistance Programs, State Aid
Hearings, Reconsideration	See Proceedings, Formal
Help Desk	39-40
Holidays	6
Hours of Operation	6

## I

Intellectual Freedom	18
Intellectual Property	2
Acquisition of Materials	18
Patent and Trademark Depository Library	17
Researchers, as Targeted Users	20
Researchers, Registration and Access	22
Researchers, Training of	22, 28
Interim Director	45
Interlibrary Loan Services	27-28
Internet Protocol (IP) Address	39
Internet Usage through MissIN	34

Internet Usage through Public Access Computers	
Activities, Permitted	32
Activities, Unauthorized	33
Consequences of Misuse	31
Training	28
Internet Use	24-25
Inventors	See Intellectual Property Researchers

## L

Laptop Computers	32
Large Print	3, 17, 21-22
Libraries, Cooperative Programs	
Local and Regional	40
Statewide Virtual Union Catalog	41
Libraries, Other	
Academic	2, 21-23
Institutional	21
Interlibrary Loans to	27
Registration and Access	21
School	21
Special	21
Libraries, Public	
Access to Internet	33
Consulting Services to	30
Continuing Education and Training for	30
Interlibrary Loans to	27-28
Legislative Intent	20
Library Cards	21
Life and Health Insurance Grants	45-46
LSTA Grants	42-43
MAGNOLIA	22-23
MissIN Network	30-40
Personnel Incentive Grants	43-45
Registration and Access	21
Serve Mississippi Residents	2, 20
Statewide Virtual Union Catalog	41
Statistics	40
Libraries, Services to	
Consulting	30
Continuing Education	30
Grants	See Financial Assistance Programs
Materials on Library Management	19, 22
MissIN Network	30-40
Other	41
Statistics	40
Library Board	44

Library Commission Card	See Access to Collection
Library Community	2, 19-21
Library Employees	46
LSTA Program	See Financial Assistance Programs, Federal
Library System	2, 22, 30, 35, 37, 41, 43, 44-45
Library Users, Services to	
Interlibrary Loan	27-28
Reference	26-27
Training	28
Intellectual Property Research	4, 20, 22
Internet	30
Life Insurance	See Financial Assistance Programs, State Aid
Loan Periods	23
Lost Materials	23-24

## M

MAGNOLIA	22-23
Maintenance of Effort	44
Meeting Facilities, Use of	6
Meetings	3-5
MissIN Network	
Customer Audits	36
Email	36-37
Client	36
Web	37
Help Desk	39-40
Internet Usage through MissIN	34
MissIN-Hosted Web Sites	38
Ownership and Usage	32
Participation in	31
Security	34-36
Services Provided	31
Violations	31
Mission	1
Mississippi Alliance for Gaining New Opportunities through Library Information Access	See MAGNOLIA
Monitor	45
Monitoring	32-33

## N

National Library Service	17, 19-21, 23-24
Network	30-40

## O

Opinions, Declaratory	9-12
Form of Request	11

Matters Addressed	10
Matters Not Addressed	10
Procedure	11-12
Public Availability of	9
Requestors	9
Scope of Rules	9
Organization	5
Overdue Materials	See User Responsibilities

**P**

Passwords	23, 32-33, 35
Patents and Trademarks	See Intellectual Property
Personnel Incentive Grants Program	See Financial Assistance Programs, State Aid
Photocopies	26
Physical Impairment	See Blind and Physically Handicapped
Plan, Five-Year	43
Primary Resource Collection	17-18, 27
Proceedings, Formal	
Board Meetings	8
Reconsideration Hearings	8
Proceedings, Informal	9
Public Access Computers	28
Public Access to Information	12-16
Cost of	15
Exemptions	12-13
Procedures for Requesting	13-14
Public Participation	8-9
Public Records	See Public Access to Information
Purpose	1

**R**

Reference Services	26-27
Registration, User	See Access to Collection
Remote Access	34-35
Reports	2, 5, 40
Risk Assessments	36
Routers	35-36
Rulemaking	9
Rules, Agency	See Rulemaking

**S**

Screensavers	32
Security	34-37
Servers	33, 36
Services	1
Library Extension and Development	30-41

Library Financial Assistance Programs	42-46
Library Services	17-29
State Government	2, 17-20
Interlibrary Loan Services	27-28
Publications	17-18
Registration and Access	21-23
Targeted Users	20
Storage	35, 38
Suspension	26, 31, 33

## T

Training, Public Library	See Continuing Education and Training
Training, User	
Electronic Resources	28
Intellectual Property Research	28
Trustees	See Library Board

## U

Usage Policies	23-29
User Registration	See Access to Collection
User Responsibilities	
Conduct, Proper	25-26
Internet, Proper Use of	24-25
Library Commission Card, Presentation of	23
Materials, Proper Care of	24
Materials, Timely Return of	23-24
Services Rendered, Reimbursement for	24
Suspension of Access	26
Users	20
Users, General Public	20
Users, Targeted	
Blind and Physically Handicapped	20
Intellectual Property Researchers	20
Library Community	20
State Government	20

## V

Virtual Private Networks	35
Virus	32, 35
Vision	1
Visual impairment	See Blind and Physically Handicapped

## W

Waivers	45
Website	6
Wide Area Network	See MissIN Network

Wireless Access

28, 31, 35