

TITLE 590 INDIANA LIBRARY AND HISTORICAL BOARD

ARTICLE 1. GENERAL PROVISIONS

Rule 1. Standards of Eligibility to Receive State Funds

590 IAC 1-1-0.5 Purpose of rule

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7.1

Sec. 0.5. Standards for public libraries are established to encourage local libraries to maintain a minimum level of service and to establish criteria for eligibility to receive state and federal appropriations. (*Indiana Library and Historical Board; 590 IAC 1-1-0.5; filed Mar 17, 1986, 4:00 pm: 9 IR 1966; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-1-0.6 Definitions

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7

Sec. 0.6. The following definitions apply throughout this rule:

(1) "Accredited college or university" means a college or university that qualifies for membership in the North Central Association of Colleges and Secondary Schools or other regional or national associations of similar rank.

(2) "Administrative experience" means experience attained as a head librarian/director or by having supervision over and responsibility for the work of other persons.

(3) "Approved library education" means elementary instruction in library science taken, after completion of two (2) years of academic education, in an institution accredited by the American Library Association (ALA) or approved by the Indiana department of education. Similar approved courses in library science taken outside of Indiana may be accepted.

(4) "By-laws" mean the rules adopted by the library board for the government of its members and the regulation of its affairs.

(5) "Certification examination" means an exam given by the Indiana state library to librarians for the purpose of obtaining certification levels.

(6) "Continuing education" means an approach to education that encourages dynamic and continuous learning.

(7) "Director" means the librarian who is the administrative head of the library and is responsible to the library board for the operation and management of the library.

(8) "Evening hours" mean the hours the library is open after 5 p.m.

(9) "Full-time" means that the director is paid for thirty-five (35) to forty (40) hours per week or, if the library is open fewer than thirty-five (35) hours per week, the director is paid for the number of hours that the library is open.

(10) "Graduate degree" means completion of at least one (1) year of professional study on the graduate level taken in an accredited library school and validated by a diploma such as the Master of Library Science or Master of Information Science.

(11) "Indiana cooperative library services authority" or "INCOLSA" means a cooperative, statewide structure for information and resource sharing.

(12) "Library board" means the fiscal and administrative body of a public library.

(13) "Population served" means residents or real property taxpayers of the library district taxed for the support of the library.

(14) "Software" means programs that tell the computer what operations to perform.

(15) "Special services" means library service for special populations such as the blind, deaf, or physically handicapped.

(*Indiana Library and Historical Board; 590 IAC 1-1-0.6; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3367; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-1-1 Eligibility to receive state funds; determination

Authority: IC 4-23-7-5

Affected: IC 4-23-7.1-11; IC 4-23-7.1-24; IC 36-12-11

Sec. 1. The eligibility of a public library to receive state or federal funds under the provisions of any program for which the Indiana state library is the administrator shall be determined as follows:

- (1) Compliance with any requirements that may be set forth in state legislation providing for such funds.
- (2) Compliance with Indiana law.
- (3) Compliance with the standards promulgated by the Indiana library and historical board.

(Indiana Library and Historical Board; Rule I, A.1; filed Dec 21, 1973, 3:15 p.m.: Rules and Regs. 1974, p. 362; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1966; errata, 9 IR 2063; readopted filed Nov 28, 2001, 3:30 p.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA)

590 IAC 1-1-2 Minimum standards for public libraries; compliance reports (Repealed)

Sec. 2. (Repealed by Indiana Library and Historical Board; filed Mar 17, 1986, 4:00 pm: 9 IR 1965; errata, 9 IR 2208)

590 IAC 1-1-2.5 Minimum standards for public libraries

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7; IC 4-23-7.1; IC 6-1.1-18.5; IC 36-12-2; IC 36-12-6; IC 36-12-7-8

Sec. 2.5. (a) The library must operate in compliance with Indiana laws, including the Public Library Law (IC 20-14-2 [IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005. See IC 36-12-2.]; IC 20-14-6 [IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005. See IC 36-12-6.]; IC 20-14-7-6 [IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005. See IC 36-12-7-8.]), the Indiana Library and Historical Department Law (IC 4-23-7), and other Indiana laws that affect municipal units.

(b) The library board is responsible for hiring a full-time library director with the education and experience required for the size of population served by the library as follows:

- (1) Serving a population greater than one hundred fifty thousand (150,000):
 - (A) graduation from an accredited college or university;
 - (B) a graduate degree from an ALA accredited library science school; and
 - (C) six (6) years of library experience, including at least three (3) years of administrative experience after completing the graduate degree.
- (2) Serving a population from twenty-five thousand one (25,001) to one hundred fifty thousand (150,000):
 - (A) graduation from an accredited college or university;
 - (B) a graduate degree from an ALA accredited library science school; and
 - (C) three (3) years of library experience after completing the graduate degree.
- (3) Serving a population from ten thousand one (10,001) to twenty-five thousand (25,000):
 - (A) graduation from an accredited college or university; and
 - (B) a graduate degree from an ALA accredited library science school.
- (4) Serving a population from five thousand one (5,001) to ten thousand (10,000):
 - (A) a bachelor's degree from an accredited college or university; and
 - (B) at least fifteen (15) semester hours of approved library education, with areas of study to include:
 - (i) selection and evaluation of media;
 - (ii) public library administration;
 - (iii) reference and information sources;
 - (iv) cataloging and organization of materials; and
 - (v) children's materials.
- (5) Serving a population of five thousand (5,000) or fewer:
 - (A) two (2) years of academic education in an accredited college or university; and
 - (B) at least nine (9) additional semester hours of approved library education, with areas of study to include:
 - (i) selection and evaluation of media;
 - (ii) public library administration; and
 - (iii) reference and information sources.
- (6) A permanent certificate, previously issued by the Indiana library and historical board, based on experience and education, or certification examination in lieu of approved library education, meets the requirements for this section.
- (c) The library board shall:

- (1) classify employees;
- (2) adopt schedules of salaries; and
- (3) prescribe duties of employees;

all with the advice and recommendations of the library director.

(d) All newly constructed and existing library facilities (central buildings and branches) must be in compliance with local, state, and federal building and health and safety codes.

(e) The library shall be a member of the Indiana cooperative library services authority (INCOLSA).

(f) The library shall provide the following minimum services:

- (1) Acquisition, organization, and loan of materials.
- (2) Availability of general collections to the public at all times the library is open.
- (3) A telephone listed in the library's name.
- (4) Interlibrary loan free of charge (other than reimbursement for actual photocopy and postage or freight costs).
- (g) The library must comply with federal laws affecting employment practice and facilities management.
- (h) The library board shall be governed by written by-laws that outline its purpose and operational procedures.

(i) The library shall have a written long-range plan of service for two (2) to five (5) years, including the following:

- (1) A statement of community needs, goals, and measurable objectives.
- (2) A method for periodic review and evaluation.

(j) The library shall have a written automation plan that conforms with the automation standards in 590 IAC 2 adopted by the Indiana library and historical board.

(k) The library board shall adopt the following:

- (1) A written collection development policy.
- (2) Principles of access to all library materials and services.

(l) The library board and director shall maintain their separate functions as follows:

- (1) The board is responsible for governance.
- (2) The director is responsible for administration.

(m) All library trustees shall follow the principles discussed in current state publications for trustees that are approved by the Indiana state library.

(n) The library shall have written personnel policies and procedures. Written personnel policies and procedures must address at least the following:

(1) Employment practices, such as:

- (A) recruitment;
- (B) selection; and
- (C) appointment.

(2) Personnel actions, such as:

- (A) placement;
- (B) performance evaluations;
- (C) promotions;
- (D) grievances;
- (E) disciplinary actions; and
- (F) personnel records.

(3) Salary administration.

(4) Employee benefits.

(5) Conditions of work.

(6) Leaves.

(o) The library shall support continuing education for staff and trustees.

(p) The library must comply with provisions of the federal Americans with Disabilities Act to make its services available to everyone.

(q) Hours of service shall be provided to allow the greatest possible access for the community as follows:

(1) The library serving a population of fifteen thousand (15,000) or fewer must be open a minimum of twenty (20) hours each week, including at least one (1) evening and some hours on one (1) weekend day.

(2) The library serving a population between fifteen thousand (15,000) and thirty thousand (30,000) must be open a minimum

of forty-five (45) hours each week, including at least two (2) evenings and at least one (1) weekend day.

(3) The library serving a population over thirty thousand (30,000) must be open a minimum of fifty-five (55) hours each week, including at least three (3) evenings and at least one (1) weekend day.

(r) The library shall provide the following:

(1) Reference services.

(2) Children's services.

(3) Library sponsored programming.

(4) Audiovisual services.

(5) Special services.

(s) The library shall inform its public of the services available and encourage use of these services.

(t) The library shall provide at least a base level of technology consisting of a computer, modem, fax, printer, and software by January 1, 1998.

(u) The library shall file with the Indiana state library by February 1 of each year an annual report for the preceding calendar year, as of December 31, in the form prescribed by the Indiana state library. Included in the report shall be a statement certifying which standards have been met, including a statement outlining the library's intention and specific measures planned to reach the remaining requirements not met at that time. Any falsification of statements certifying which standards have been met shall result in the library being required to return to the Indiana state library any state or federal funding that was received. (*Indiana Library and Historical Board; 590 IAC 1-1-2.5; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1966; errata, 9 IR 2063; filed Jul 25, 1997, 8:30 a.m.: 20 IR 3367; errata, 21 IR 111; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

Rule 2. Development Plan for Area Library Services Authorities (Repealed)

(Repealed by Indiana Library and Historical Board; filed Nov 28, 2001, 3:30 p.m.: 25 IR 1304)

Rule 2.5. Minimum Standards for the Indiana Cooperative Library Services Authority

590 IAC 1-2.5-1 Purpose of rule

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7.1; IC 36-12-8; IC 36-12-11

Sec. 1. Standards for library services authorities are established to provide minimum criteria for eligibility to receive state and federal appropriations. (*Indiana Library and Historical Board; 590 IAC 1-2.5-1; filed Mar 17, 1986, 4:00 pm: 9 IR 1966; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-2.5-2 Definitions

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7.1; IC 36-12-11

Sec. 2. The following definitions apply throughout this rule:

(1) "Library" means a collection of books or other printed matter, audiovisual materials and other forms of recorded knowledge kept in a centralized place and under the responsibility of a person who has knowledge of their arrangement and use of library skills. The library is for the use of individuals or groups in meeting their recreational, informational, educational, research, or cultural needs.

(2) "Library services" means those activities in which libraries engage in the following:

(A) The planning, management, budgeting, financing, purchasing, staffing, and evaluation of their libraries.

(B) The selection, acquisition, processing, and maintenance of their collections of materials and the related bibliographic records.

(C) The promotion, interpretation, servicing, and use of their library materials and facilities.

(3) "Member libraries" means the libraries of the qualified entities (as defined in IC 20-14-8-1 [*IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.*]) that have adopted the joint agreement of the Indiana cooperative library services authority.

(Indiana Library and Historical Board; 590 IAC 1-2.5-2; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1967; errata, 9 IR 2063; readopted filed Nov 28, 2001, 3:30 p.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA)

590 IAC 1-2.5-3 Minimum standards for the Indiana cooperative library services authorities

Authority: IC 4-23-7.1-11

Affected: IC 4-23-7; IC 4-23-7.1; IC 36-12-8; IC 36-12-11

Sec. 3. (a) The Indiana cooperative library services authority shall operate in compliance with IC 20-14-8 [IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005. See IC 36-12-8.] and IC 4-23-7.

(b) The Indiana cooperative library services authority shall be governed by written bylaws, administrative procedures, and rules for the conduct of business, copies of which shall be filed with the Indiana state library as adopted and amended.

(c) The Indiana cooperative library services authority shall develop a long range plan that includes a statement of needs assessment, goals and program objectives, a method for annual review and evaluation, and a mechanism for the participation of member libraries in the planning and evaluation process. The plan should relate to the philosophies of the Indiana long range plan for library services and development. A copy of the plan shall be submitted to the Indiana state library.

(d) The Indiana cooperative library services authority shall comply with the laws governing municipal corporations and pertinent to the expenditure of public funds.

(e) The Indiana cooperative library services authority shall employ a chief administrative officer who holds an undergraduate degree from an accredited college or university, one (1) year of graduate library education, experience commensurate with responsibilities and eligibility for Librarian I certification as prescribed by the Indiana library certification board.

(f) At least fifty percent (50%) of the membership of the Indiana cooperative library services authority must be publicly supported libraries.

(g) The long range plans of the Indiana cooperative library services authorities shall address the provisions of the following services for members:

(1) Access to a national bibliographic utility.

(2) Training and consultation in the area of automation, such as the following:

(A) Information retrieval.

(B) Retrospective conversion.

(C) Equipment and software purchasing.

(D) Electronic mail service.

(3) Reference and referral services to supplement those provided by the local libraries.

(4) Interlibrary loan of materials, provided in accordance with the most recent edition of the Indiana resource sharing manual.

(5) Delivery service for the fast, efficient interlibrary loan of materials.

(6) Consultation, communication, and continuing education for libraries.

(h) The Indiana cooperative library services authority shall file with the Indiana state library an annual report for the preceding year in the form or forms prescribed by the Indiana state library. Included in the report shall be a statement certifying which standards have been met including a statement outlining the authority's intention and specific measures planned to reach the remaining requirements not met at that time. *(Indiana Library and Historical Board; 590 IAC 1-2.5-3; filed Mar 17, 1986, 4:00 p.m.: 9 IR 1967; readopted filed Nov 28, 2001, 3:30 p.m.: 25 IR 1304; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA)*

Rule 3. Indiana Document Depository Libraries

590 IAC 1-3-1 Selection of depository documents by state library

Authority: IC 4-23-7-5

Affected: IC 4-23-7.1

Sec. 1. Selection of Depository Documents. Selection of documents to be sent to depository libraries shall be made by the Indiana State Library and shall be determined by the availability and general interest of the document. *(Indiana Library and Historical Board; Rule III.A.1; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 377; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA)*

590 IAC 1-3-2 Exemptions from depository program

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 2. Exemptions from the Depository Program. Documents available only through purchase must be obtained directly from the agency of publication by the depository library, if it desire the publication. (*Indiana Library and Historical Board; Rule III,A.2; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 377; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-3-3 Inter-library loan and reference services required

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 3. Required Services. Depository libraries must provide inter-library loan and reference service in connection with Indiana state documents to the libraries and to citizens in their respective regions, and make every effort to see that depository documents are available to the general public and to promote their reference use. (*Indiana Library and Historical Board; Rule III,B; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 377; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-3-4 Retention of depository documents

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 4. Retention of Documents. All depository documents must be retained at least five years by the depository library. (*Indiana Library and Historical Board; Rule III,C; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 377; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-3-5 Disposal of documents by state university depository libraries

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 5. Disposal of Documents by the four State University Depository Libraries. The four state university depository libraries must request the approval of the State Library before disposing of depository documents retained five years or longer. (*Indiana Library and Historical Board; Rule III,D.1; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 378; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-3-6 Disposal of documents by secondary depository libraries

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 6. Disposal of Documents by Secondary Depository Libraries. Secondary depository libraries may, at their own discretion, dispose of documents retained five years or longer, unless the State Library has given advance notice that certain documents are needed for the State Library's collection. (*Indiana Library and Historical Board; Rule III,D.2; filed Dec 16, 1974, 2:05 pm: Rules and Regs. 1975, p. 378; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

590 IAC 1-3-7 Termination as depository library by request or for cause

Authority: IC 4-23-7-5
Affected: IC 4-23-7.1

Sec. 7. Termination as a Depository Library. Any depository library has the right to relinquish its privilege at any time by

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addressing a letter to the Director of the Indiana State Library stating that the library no longer wishes to be a depository for Indiana state documents.

The privilege may also be taken away by the Director of the Indiana State Library for failure of the library to adhere to the Regulations [590 IAC 1-3] for Indiana Document Depository Libraries.

Upon termination of the depository privilege, either by request or for cause, the library shall request of the Director of the Indiana State Library instructions concerning disposition to be made of the depository publications of the library. (*Indiana Library and Historical Board; Rule III,E; filed Dec 16, 1974, 2:05 pm; Rules and Regs. 1975, p. 378; readopted filed Nov 13, 2001, 9:25 a.m.: 25 IR 1303; readopted filed Nov 27, 2007, 10:07 a.m.: 20071226-IR-590070668RFA*)

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