

## ARTICLE 3. STATEWIDE LIBRARY CARD PROGRAM

### Rule 1. Public Library Access Card Program

#### 590 IAC 3-1-1 Definitions

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 4-23-7.1; IC 6-1.1-1-15; IC 36-12-3-2; IC 36-12-7-2

Sec. 1. (a) The definitions in this rule apply throughout this article.

(b) "Annual report" has the meaning as set forth in IC 4-23-7.1-22.

(c) "Books" means the following:

(1) Hardbound print books.

(2) Paperback print books.

(3) Large print format books.

(4) Lap or board books.

(d) "Home library" means the public library where an individual is a resident or real property taxpayer in the taxing district of the library or library from which a nonresident has purchased a card.

(e) "Indiana library and historical board" has the meaning as set forth in IC 20-14-1-2 *[IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]*.

(f) "Issuing library" means any public library in the state, not just the home library, where an individual obtains a PLAC.

(g) "Library" means a public library as set forth in IC 20-14-1-2 *[IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]*.

(h) "Library board" has the meaning as set forth in IC 20-14-1-2 *[IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]*.

(i) "Library district" has the meaning as set forth in IC 20-14-1-2 *[IC 20-14 was repealed by P.L.1-2005, SECTION 240, effective July 1, 2005.]*.

(j) "Local agreement" means a local or regional agreement made between two (2) or more libraries that residents of each library district may borrow items from a public library in the other library district or districts or a resolution by a local library board that the library will allow anyone with a public library card from another library in the state to borrow materials.

(k) "Minimum standards for public libraries" has the meaning as set forth in IC 4-23-7.1-11 and 590 IAC 1-1.

(l) "Net loans" means a greater number of loans made by a library to PLAC cardholders from outside its district than loans made by PLAC cardholders from within its district at other libraries.

(m) "Nonbook materials" means all items other than books that a library would normally circulate.

(n) "Nonresident" means a citizen of Indiana who does not live within a public library district, nor pays real property taxes to a public library taxing district. The home library for a nonresident is the library from which the nonresident paid the nonresident fee of that library for a card from that library.

(o) "PLAC" means the public library access card, the name for the statewide library card program, enacted by IC 4-23-7.1-5.1. The PLAC allows an individual to borrow materials directly from any public library in Indiana.

(p) "PLAC quarterly report" means the approved form State Form 44289 (R/1-94), which is used to report cards sold and money submitted to the Indiana state library quarterly.

(q) "Real property" has the meaning as set forth in IC 6-1.1-1-15.

(r) "Statewide library card program" has the meaning as set forth in IC 4-23-7.1-1. *(Indiana Library and Historical Board; 590 IAC 3-1-1; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3875; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382)*

#### 590 IAC 3-1-2 Requirements for Indiana libraries; required information

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 4-23-7.1; IC 36-12-3-2; IC 36-12-7-2

Sec. 2. (a) Any library in Indiana shall issue a PLAC to any resident of Indiana.

(b) The Indiana state library will provide a supply of numbered PLACs to each library in the state. Libraries will not be charged for the PLAC when they are distributed from the Indiana state library. An order for a new supply of PLACs may be placed on the PLAC quarterly report form.

(c) A PLAC shall show on its face the following information:

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- (1) Name of cardholder.
- (2) Address of cardholder.
- (3) Home library of the cardholder.
- (4) Expiration date of card.

This information shall be made part of the PLAC at the issuing library. The card is issued as an individual card to one (1) specific person.

(d) An individual who is in good standing as defined by the local library and eligible to obtain a valid resident or nonresident library card from a library in Indiana qualifies to obtain a PLAC. A nonresident of a library district may obtain a PLAC at any library. The fee for a nonresident to obtain a PLAC is at least the sum of twenty-five dollars (\$25), or the operating fund expenditure per capita of the library, if that amount is greater than twenty-five dollars (\$25), plus the current PLAC fee. A nonresident fee may be set higher than the operating fund expenditure per capita of the library. The amounts of the operating fund expenditure per capita for libraries are found in the current "Statistics of Indiana Libraries," collected and published by the Indiana state library under IC 4-23-7.1-6, IC 4-23-7.1-14, and IC 4-23-7.1-22, and distributed annually to each Indiana public library.

(e) Rules or guidelines used at the local library to determine eligibility for a local library card shall also be applied when an individual requests to purchase a PLAC. "Good standing" is defined at the local library level.

(f) A family PLAC shall not be issued. The guidelines of the local library regarding use of a library card by a person other than the actual cardholder shall be followed if a family member wishes to borrow on a PLAC.

(g) The PLAC may be issued by mail if the library chooses to do so.

(h) A library may choose to issue its own library card to an individual holding a PLAC to enable that library to properly check out materials to the patron. Any local card that is issued to a PLAC holder shall be marked clearly with the PLAC expiration date. Libraries that have computerized registration files must mark the expiration date of the record of the PLAC cardholder in the database. PLAC cardholders may be required to show both the PLAC and the local library card to check out materials according to the rules of the lending library.

(i) Resident college or university students are not required to have a PLAC to use the local library in the college or university community. If a college student wants to borrow materials from a library other than his or her home library or the library in the college or university community where he or she resides, then the student will need to be issued a PLAC. Local libraries must follow established guidelines in place for issuance of student cards to local college, university, or other postsecondary school students.

(j) No refunds of fees paid for a PLAC shall be made under any circumstance.

(k) When a PLAC is lost or stolen, the PLAC cardholder shall be issued a replacement card at the library where the PLAC was issued. The fee for the replacement card shall be subject to annual review by the Indiana library and historical board and shall be remitted to the Indiana state library. Names, addresses, and card numbers of individuals who are issued replacement cards must appear on the PLAC quarterly report form. (*Indiana Library and Historical Board; 590 IAC 3-1-2; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3876; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

### **590 IAC 3-1-3 Fees; method of payment**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-1-8-11; IC 36-12-3-2; IC 36-12-7-2

Sec. 3. (a) An annual fee as determined by the Indiana library and historical board shall be collected for the PLAC under IC 4-23-7.1-5.1(b)(2).

(b) An individual may pay for the PLAC by any method listed in IC 36-1-8-11 and approved by the library board. If payment is made by check, the check must be made out to the library issuing the PLAC. Collection and deposit of fees must be recorded by the issuing library according to the prescribed method of the Indiana state board of accounts.

(c) All PLAC fees shall be deposited daily in the PLAC fund of the library.

(d) Collected fees for PLAC shall be remitted to the Indiana state library on a quarterly basis using the PLAC quarterly report form. (*Indiana Library and Historical Board; 590 IAC 3-1-3; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3877; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-4 Items available for loan**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-12-3-2; IC 36-12-7-2

Sec. 4. (a) Books that normally circulate in an individual library shall be available for loan to PLAC cardholders.

(b) At the discretion of the individual library, nonbook materials may be loaned to PLAC cardholders.

(c) Each local library will be required to annually determine what additional types of materials will be loaned to PLAC cardholders. (*Indiana Library and Historical Board; 590 IAC 3-1-4; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3877; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-5 Statistics**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-12-3-2; IC 36-12-7-2

Sec. 5. Each library is required by the Indiana state library to keep statistics recording the home library of each PLAC cardholder who borrows materials as well as the number of items borrowed by a PLAC cardholder. (*Indiana Library and Historical Board; 590 IAC 3-1-5; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3877; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-6 Overdue fees; lost items**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-12-3-2; IC 36-12-7-2

Sec. 6. (a) Each individual library shall determine the daily overdue fee for library materials loaned to PLAC cardholders by policy set by the board of trustees of that library.

(b) Reimbursement for lost library material borrowed on a PLAC is the responsibility of the borrower, not the home library of the borrower. The replacement cost of an item shall be determined by the lending library.

(c) The library to which the PLAC cardholder returns borrowed materials may determine if a fee will be charged to the PLAC cardholder if the library is not the lending library. If a fee is charged, the library to which the materials are returned is responsible for collecting the fee. (*Indiana Library and Historical Board; 590 IAC 3-1-6; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3877; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-7 Statistics; annual report**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 4-23-7.1-11; IC 36-12-3-2; IC 36-12-7-2

Sec. 7. (a) Each library shall report all required borrowing statistics that have been kept on the PLAC program as a part of the annual report. The board president shall attest to the accuracy of the statistics submitted on PLAC statistics form.

(b) Each library shall annually file with the Indiana state library a report detailing what library materials will be loaned to PLAC cardholders.

(c) Failure to submit a complete statistical report to the Indiana state library by February 1 of each year, under 590 IAC 1-1-2.5(u), will result in the following action taken:

(1) Withholding of funds due to the library as a result of net loans made in the program.

(2) Determination that the library is in noncompliance with minimum standards for public library as specified in IC 4-23-7.1-11 and 590 IAC 1-1.

(3) Withholding of state and federal funds to the library by the Indiana state library.

(d) Each library is responsible for all unsold cards. (*Indiana Library and Historical Board; 590 IAC 3-1-7; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3877; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-8 Agreements in writing; statistics for reimbursement**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-12-3-2; IC 36-12-7-2

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Sec. 8. (a) All local agreements must be in writing and approved by the participating libraries' boards of trustees.

(b) Loans to individuals whose libraries have local agreements may not be counted and submitted as statistics for reimbursement as part of the statewide PLAC program. (*Indiana Library and Historical Board; 590 IAC 3-1-8; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3878; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

**590 IAC 3-1-9 Payment of funds; noncompliance**

Authority: IC 4-23-7.1-5.1; IC 4-23-7.1-5.2

Affected: IC 36-12-3-2; IC 36-12-7-2

Sec. 9. (a) Payment of funds for the statewide PLAC program will be paid out on the basis of net loans under IC 4-23-7.1-5.2(d). Money paid into the PLAC fund plus the interest earned on this fund during a calendar year will be divided by the number of net loans made to PLAC cardholders and the resulting figure will be the per net loan figure paid to libraries.

(b) Libraries with net PLAC loans must meet "Minimum Standards for Public Libraries" as stated in 590 IAC 1-1 in order to be eligible for reimbursement through the PLAC program. A voucher shall be completed and signed by each library to complete the reimbursement process.

(c) A library determined to be in noncompliance with the terms of the PLAC program may appeal the decision at the first Indiana library and historical board meeting following the notification to the library of the judgment. The Indiana library and historical board will render a final decision after hearing the appeal of the library. (*Indiana Library and Historical Board; 590 IAC 3-1-9; filed Jul 9, 1999, 5:51 p.m.: 22 IR 3878; readopted filed Dec 1, 2005, 2:30 p.m.: 29 IR 1382*)

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