

EDUCATION COMMITTEE
ADMINISTRATIVE RULES REVIEW
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2011 Legislative Session

IDAPA 30 - IDAHO COMMISSION FOR LIBRARIES

***30.01.01 - Rules of the Idaho Commission for Libraries Governing the Use
of Commission Services***

Docket No. 30-0101-11012

IDAPA 30 - IDAHO COMMISSION FOR LIBRARIES

30.01.01 - RULES OF THE IDAHO COMMISSION FOR LIBRARIES GOVERNING THE USE OF COMMISSION SERVICES

DOCKET NO. 30-0101-1101

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is **December 3, 2010**.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 33-2503(2), Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The current rule unnecessarily limits the loan period and number of talking book items which can be loaned. The temporary rule is necessary to allow for the increase in circulation of materials to eligible blind and physically handicapped persons who are registered with the Idaho Talking Book Service. The temporary rule changes clarify the Talking Book Service circulation and loan processes and procedures, and provide a method for changes and updates by the Idaho Board of Library Commissioners.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The rule changes allow for the increase in circulation of materials to eligible blind and physically handicapped persons who are registered with the Idaho Talking Book Service, thus conferring a benefit to registered users of the Talking Book Service.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Ann Joslin, State Librarian, at (208) 334-2150.

DATED this 3rd day of December, 2010.

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THE FOLLOWING IS THE TEXT OF DOCKET NO. 30-0101-1101

050. TALKING BOOK SERVICE (TBS).

01. Patron Status. (3-29-10)

a. Active status. To remain active, users must borrow at least one (1) book per year or subscribe to at least one (1) magazine provided through the service. (3-29-10)

b. Changes of status. The user must notify the Talking Book Service of address changes, a desire to cancel the service, and temporary or permanent service transfer to another state. (3-29-10)

c. Good standing. To receive a digital player and books, user's account must reflect: (3-29-10)

i. The current permanent mailing address and contact information; and
~~(3-29-10)~~(12-3-10)T

ii. No history of lost machines as defined by library procedures or more than one (1) Recorded Cassette (RC) player currently checked out; and ~~(3-29-10)~~(12-3-10)T

iii. ~~No more than four (4) overdue cassette titles.~~ (3-29-10)

02. Materials Loaned. (3-29-10)

a. Formats. Recorded books, magazines, and descriptive videos and discs are loaned free to eligible registered users. The Talking Book Service keeps records of all loans. (3-29-10)

b. Equipment. Equipment necessary to listen to recorded materials will be loaned for as long as the user meets National Library Service eligibility requirements and is using the equipment to listen to materials provided by the Talking Book Service. Materials received from sources other than the Talking Book Service do not qualify for continuance of service. Playback equipment needing repair must be returned to the Talking Book Service. A replacement will be provided upon request. The user should not attempt to repair the playback equipment or replace the battery. (3-29-10)

c. Sharing materials. Users may not lend Talking Book Service materials or equipment to other persons. (3-29-10)

03. Circulation. (3-29-10)

a. Number of titles loaned. ~~Following is a list by format of~~ The Board shall establish the maximum number of titles each user may request and that information is available at the

Commission office. Once a user reaches the established maximum number of titles, no additional titles will be sent in that format until outstanding titles are returned. A user may request a change in the number of titles received at any time, up to the maximum. ~~(3-29-10)~~(12-3-10)T

~~i. Cassette books: Unlimited. (3-29-10)~~

~~ii. Digital books: Two (2). (3-29-10)~~

~~iii. Descriptive videos and discs: Two (2). (3-29-10)~~

~~iv. Magazines: Unlimited. (3-29-10)~~

b. Loan periods: The Board shall establish loan periods for all titles and that information is available at the Commission office. ~~(3-29-10)~~(12-3-10)T

~~i. Cassette books: Six (6) weeks. (3-29-10)~~

~~ii. Digital books: Two (2) weeks, with one (1) two-week renewal. (3-29-10)~~

~~iii. Descriptive videos and discs: Two (2) weeks. (3-29-10)~~

~~iv. Magazines in green mailing containers: Two (2) weeks. (3-29-10)~~

~~v. Magazines in cardboard containers: Do not return. (3-29-10)~~

c. Overdue materials. Users are urged to return materials promptly so they can be circulated to other patrons. ~~Service for digital books will be suspended if a digital book is more than two (2) weeks overdue.~~ ~~(3-29-10)~~(12-3-10)T

d. Fines. No fines are levied for materials returned later than the circulation due date. (3-29-10)

e. Returning materials. Materials can be returned free via the United State Postal Service using Free Matter for the Blind mailing cards. Place materials in a mailbox or take them to the Post Office. (3-29-10)

f. Lost or damaged materials. The user is charged a replacement fee for each lost or damaged descriptive video or disc as outlined in Section 33-2620, Idaho Code, "Failure to Return Borrowed Material." (3-29-10)

04. Service Suspension. If any of the rules of Section 050 of these rules are repeatedly violated, the user's service may be suspended pursuant to the following suspension procedure: (3-29-10)

a. Service staff will discuss the violation with the user. (3-29-10)

b. A warning letter will be sent to the user that summarizes the discussion and the violation. The user will have an opportunity to reply within ten (10) business days. (3-29-10)

c. If rule violations continue, a second warning letter will be sent citing the earlier warning letter and listing examples of subsequent violations. The service can be suspended for up to six (6) months. A specific date to reinstate service will be included in this letter. The user will have an opportunity to reply within ten (10) business days. (3-29-10)

d. When service is reinstated, a letter will be sent notifying the user of reinstatement of service and reminding the user that further documented violations will result in another suspension of service. (3-29-10)