

Legislation Affecting Public Libraries

This class is presented by the Public Library Academy and sponsored through a grant from IMLS.



Introductions

Tell us about yourself! What is your name? Where do you work? What is your job title?

Feel free to share a little about your learning goals for this class or some details to help us get to know you a little better.

Class Objectives

- Recognize if your library is in compliance with state and federal statutes
- Identify areas of advocacy needs

Laws Affecting Libraries



Children's Internet Protection Act or CIPA

- The **Children's Internet Protection Act** (CIPA) requires that K–12 schools and libraries in the United States use Internet filters and implement other measures to protect children from harmful online content as a condition for federal funding.

CIPA cont.

- Access by minors to inappropriate matter on the internet
- The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic information
- Unauthorized access, including so-called "hacking", and other unlawful activities by minors online
- Unauthorized disclosure, use, and dissemination of personal information regarding minors
- Measures restricting minors' access to materials harmful to them

Americans with Disabilities Act

- The Americans with Disabilities Act of 1990 is a civil rights law that prohibits discrimination based on a disability.
- Library materials, buildings, and websites must be accessible.

Copyright and Fair Use

- First Sale Doctrine
- Digital Millennium Copyright Act
- Fair use
- Rule of five

First Amendment

- The First Amendment to the United States Constitution guarantees freedom of the press, freedom of speech, and open discussion of ideas
- Limited Public Forum – rules placed on using meeting rooms by outside groups must apply to all groups

Open Meetings

Open Meetings Law – also a State Law, Title 24, Articles 301-314

- Notice
- Annual Schedule
- Agendas
- Minutes
- Executive sessions

Open Records and Confidentiality

Open Records Act
Title 51, Articles 24A.1 - 24A.9

- Minutes of board meetings
- Names and salaries of library employees
- Library policies
- Records of income and expenses
- Library card holder records

Confidentiality
Title 65, Articles 1-105

- Library records showing what was checked out or used by individuals (computers) is confidential
- *Except* library administration, authorized in writing by individual, or court order
- 2013 addition: minors records "shall not be disclosed"



HB 3702

- Requires schools and libraries to have safety policies to prevent access to obscene materials
- Vendors for digital and online database resources must verify that the resources comply with the law

Laws Affecting Employers

Fair Labor Standards Act and Equal Employment Opportunity Laws

FLSA

- Minimum Wage Law
 - Federal minimum wage is \$7.25
- Exempt and non-exempt employee limits

EEO

- Prohibits discrimination of protected classes in hiring, promotion, and other personnel actions

Occupational Safety and Health Administration and Family Medical Leave Act

OSHA

- Sets safety guidelines and training requirements for establishing a safe workplace

FMLA

- Requires covered employers to provide employees with job-protected, unpaid leave for qualified medical and family reasons

Americans with Disabilities Act for Employers

- The ADA prohibits employers from discrimination against people with disabilities
- Reasonable accommodations may be required

SQ 788

- Legalized medical marijuana in Oklahoma
- Employers cannot “discriminate” based on the individual’s status as a medical marijuana license holder

Advocacy

Oklahoma Library Association Advocacy Group

- Coordinates OLA's legislative involvement, promptly communicates with the officers and membership about state or federal legislation concerning Oklahoma libraries and encourages understanding and involvement of members in the legislative process.

advocacy@oklibs.org



Class Evaluation



bit.ly/LALfy25



Log Attendance



1. Write your name on your certificate
2. Visit bit.ly/3PWYm0H
3. Fill out the form and upload a picture of your certificate

Thank you!

This class is presented by the Public Library Academy and sponsored through a grant from IMLS.

