

# 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

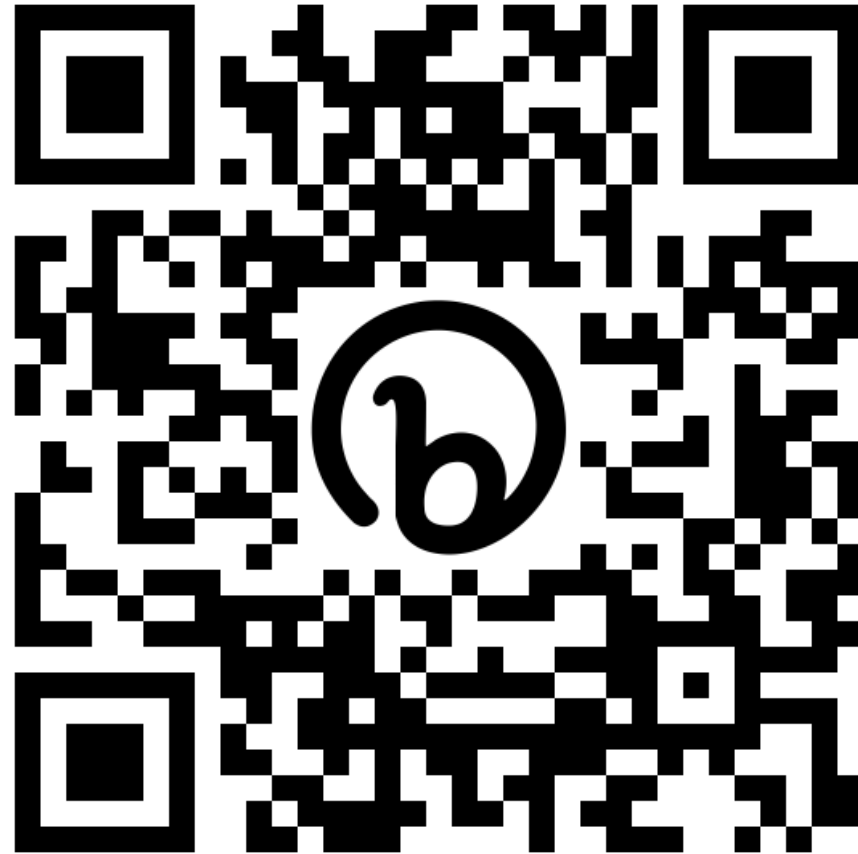
# Advocacy

# 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](mailto:advocacy@oklibs.org)

# Class Evaluation



[bit.ly/LALfy23](https://bit.ly/LALfy23)

# Log Attendance



1. Write your name on your certificate
2. Visit [bit.ly/3PWYm0H](https://bit.ly/3PWYm0H)
3. Fill out the form and upload a picture of your certificate

# Thank you!

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