

HAWAII ADMINISTRATIVE RULES

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 3

PUBLIC LIBRARIES

CHAPTER 200.4

DEFINITIONS

Historical note: This chapter is based substantially upon chapter 200.1, "General Procedures for Library Services and the Use and Loan of Library Material". [Eff 1/2/96; am and comp 1/7/99; R 05/24/2010]

§8-200.4-1 Applicability. This chapter is applicable to all library services and the use or loan of library material, as set forth in chapters 8-200 through 8-210.2, unless otherwise specifically provided within those chapters. [Eff 05/24/2010] (Auth: HRS §312-1) (Imp: HRS §312-1)

§8-200.4-2 Definitions. Unless the context specifically indicates otherwise:

"Abandoned vehicle" means a vehicle which is left unattended on public library grounds for a period longer than one day or overnight.

"Adult" means a person eighteen years of age or older.

"Audio material" means sound media, including, but not limited to, audiocassettes and compact discs.

"Audiovisual equipment" means any device that facilitates the use of media other than standard print including, but not limited to,

audiocassette players, overhead projectors, DVD and compact disc players, and digital projectors.

"Audiovisual material" or "AV" means media including, but not limited to, DVDs or videos.

"Authorized individual or representative" means a person eighteen years of age or older who is a member of a group or organization using a library meeting room or other portion of the library facility and designated as responsible for the use of the library facility.

"AV unit" means the audiovisual unit located in a designated public library or the Hawaii state library.

"Barcode" is a label with vertical lines representing numbers which can be optically read. It is used for inventory control and the circulation of library materials.

"Bestseller" means a book that is among those having the largest sales during a given period.

"Board of education" means the policy setting and governing authority for the Hawaii state public library system and the state librarian as defined in article X, section 2 of the Hawaii state constitution.

"Book" means a set of written or printed sheets bound in a volume.

"Card-required service" means any service provided to library customers, at the discretion of the state librarian and board of education, for which a valid library card is required. Card-required services include, but are not limited to, loan and reservation of circulating material, in-house use of desk reference material, public internet access, public printing services, and remote access to the system's commercial online resources.

"Cash gift authorization" means the form prepared upon receipt of a cash donation and is used to allocate a donation between restricted and non-restricted funds.

"CD" or "compact disc" means an optical disc containing a sound recording, moving or still images, or computer data.

"Charge" means a monetary amount that may be assessed against a library customer's account for failure to follow established procedures.

"Children" mean persons from birth through age twelve.

"Circulating material" means library material available for loan with a valid library card.

"Complainant" means a library customer or employee of the system, who submits a complaint alleging a violation of a right to nondiscrimination in the system.

"Complaint" means a charge filed that alleges a violation of a right to nondiscrimination in the system as provided by federal and state laws.

"Counsel" means any person or persons who, upon a request from the complainant or respondent, shall agree to assist with the preparation, filing, or presentation of any matter arising out of a filed complaint.

"Day" means an official work day within the official hours of operation established by the Hawaii state public library system.

"Department" means the department of education and any division or branch thereof, including the Hawaii state public library system.

"Desk reference library material" means any reference library material that may be frequently used, in high demand, rare, expensive, non-replaceable, fragile, or otherwise determined by the library manager to be an item that should be kept at the reference desk and readily available for use by library customers or staff.

"Donation" means cash or non-cash gifts given to the system.

"Due date" means the calendar day by which the library material must be returned to any public library.

"DVD" or "digital video disc" is a type of optical disk technology combining sound and graphics commonly used as a medium for storing movies and other multimedia presentations.

"Emergency library closure" means conditions beyond the public libraries' control which threaten the well-being of library customers and library staff, including, but not limited to, power failure, bomb threat, tsunami or tidal wave, flood, hurricane or tropical storm, tornado, volcanic eruption, terroristic threatening, or hostage taking.

"Employee" means a person employed by the system.

"Enhanced service" means any additional service provided to library customers, at the discretion of the state librarian and board of education, and for which a fee may be assessed and deposited in the enhanced service special fund.

"Fee" means a monetary amount assessed to a library customer for an enhanced service and for the loan of videocassettes and DVDs.

"Fine" means a monetary amount that may be assessed against a library customer's account for failure to return library material by its due date.

"Hawaii-based organization" is an organization that is incorporated in Hawaii, or an organization that is licensed to conduct business in Hawaii.

"Hearing relief" means the determination by the state librarian of a petitioner's request for an agency hearing.

"Hold" means a circulating library material awaiting pick up by a library customer.

"Homebound" means an individual who is confined to the individual's home.

"Hot pick" means new library material in high demand and which may have a shortened loan period.

"HSPLS" means the Hawaii state public library system.

"Internet" means a worldwide communications network of interconnected computers linking schools and universities, businesses, government agencies, libraries, organizations, and individuals.

"Language learning material" means audiovisual material designated by the HSPLS language selector for learning a language. These materials may be borrowed for three weeks with no loan fee.

"LPBH" means the library for the blind and physically handicapped.

"Library account" means a record in the library system database, which contains information about a customer's transactions.

"Library administrator" means a person who oversees the management, operation, facilities, collections, staffing, and budgets of multiple HSPLS libraries and who is responsible for fair, consistent, effective, and convenient services and programs.

"Library card" means a card with a barcode issued by HSPLS to a library customer for the purpose of authorizing the customer to borrow or use library material or services. A library card may contain a photograph of the customer.

"Library card application" means the form which a library customer is required to complete in order to obtain an HSPLS library card.

"Library customer" means any person or organization using the HSPLS' services and collections.

"Library facility" means a library building and surrounding area, including a courtyard, meeting room, lawn or parking lot, for which the library manager is responsible.

"Library for the blind and physically handicapped" means the HSPLS branch which serves as the Hawaii regional library for the National Library Service for the Blind and Physically Handicapped.

"Library manager" means the person responsible for the overall administration of a public library or a subject section of the Hawaii state library.

"Library material" means any material or item that is available for loan or use by a library customer.

"Library property" means the public library building, contents, parking lot, and grounds.

"Meeting room" means a room designated for group programs or other activities by the library manager.

"Minor" means a person less than eighteen years of age.

"Non-print material" means an art object, information kit, toy, resource, or material that may be offered for loan or use by a library.

"Non-resident" means a person who has not established legal permanent residence within the State.

"OPAC" means the online public access catalog, a public inventory of books and other materials available for use or loan.

"Organization" means a licensed school, partnership, joint venture, corporation, association, business, trust, government agency, or any organized group of persons in Hawaii.

"Parent" means the lawful or natural father or mother of a person

"PC" or "personal computer" means a library customer's own computer.

"Petition" means an application to the state librarian by a party who seeks relief.

"Petitioner" means a party who submits a petition to the state librarian for review.

"Preschooler" means a child between the ages of three and six.

"Print material" means a book, magazine, newspaper, pamphlet, printed matter on microform, or other printed matter, resource, or material that may be offered for loan or use by a library.

"Problem resolution officer" means any person duly appointed and authorized by the state librarian to oversee the problem resolution process.

"Problem resolution process" means the program in which a petitioner requests review of a decision made under the jurisdiction of the HSPLS.

"Public and school library" means a public library facility located on public school grounds which serves both public and school customers.

"Public education video (PEV) or DVD" means a video or DVD designated by the audiovisual selector as containing information on public or personal health, safety, or security.

"Public library" means a state-funded library available for use by the general public and operated by the system.

"Public service library staff" means employees who are responsible for delivering services and collections to the public in their respective facilities in conformance with HSPLS' goals, policies, and procedures.

"Renewal of library card" means the extension of an expired library card for another period.

"Renewal of library material" means an extension for another loan period.

"Resident" means a person who has established legal permanent residence within the State.

"Resource" means library material.

"Respondent" means any system personnel specifically named in a complaint as having allegedly taken an action which violates the nondiscrimination rights of a complainant; or the system when a complaint alleges systemic discrimination.

"Rule relief" means the adoption, modification, or repeal of any rule by the state librarian which is initiated by petition.

"Security personnel" means designated HSPLS staff or employees of a security company under contract with the system, who are responsible for the protection of state property and the personal safety of library customers and staff during the hours of operation of the library.

"Signature" means a library customer's handwritten name.

"State librarian" means the head of the HSPLS who is appointed and delegated responsibility by the board of education pursuant to section 312-2.1, HRS.

"System" means the Hawaii state public library system.

"System downtime" means period(s) during which the library automation system is unavailable.

"Systemic discrimination" means discrimination that results when an established policy, rule, or procedure of the system has the continuing effect of violating a person's nondiscrimination rights.

"Toddler" means a child less than three years of age.

"Valid library card" means an active HSPLS library card below established thresholds for claims and fines, fees, and charges.

"Video" or "videocassette" means an enclosed tape commonly used as a medium for storing movies and other multimedia presentations.

"Young adult" means a person thirteen through seventeen years of age.

"Youth Services librarian" means a young adult or children's librarian. [Eff 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: 29

U.S.C. §§794, 706; 20 U.S.C. §1405; 34 C.F.R. §104; Hawaii Const.,
Art. I, §§1, 2; HRS §§296-19, 296-61, 368-1, 378-2; HRS Chapter 489)