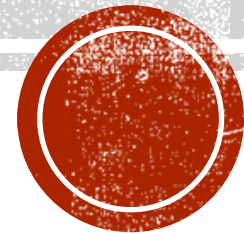


KEEPING IT LEGAL

Mississippi's Public Libraries, Library Law, and Library Ethics

Tracy Carr

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**IT'S MORE INTERESTING THAN IT SOUNDS.
I PROMISE.**

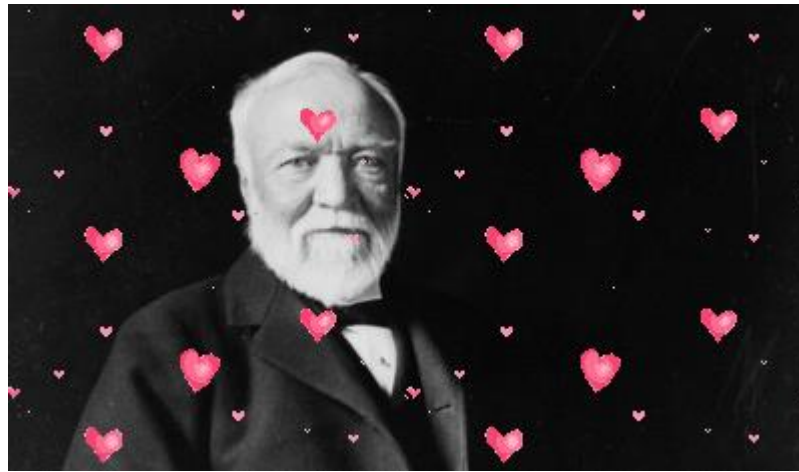


TELL ME, WHAT'S THIS "PUBLIC LIBRARY" OF WHICH YOU SPEAK?

- Generally speaking, the free public library is a creation of the early 20th century
- Other types of libraries existed, but were either private, subscription-based, or had some other restrictions (Sunday school libraries, social club libraries)
- Some Mississippi communities here and there had the luck of the support of donors and civic organizations who pushed for library service, but for the most part, Mississippi's library landscape was bleak
- Until two things happened...



1. ANDREW CARNEGIE DONATED \$185,500 FOR LIBRARIES IN MISSISSIPPI



While that's awesome, that only covered eleven buildings in ten cities.

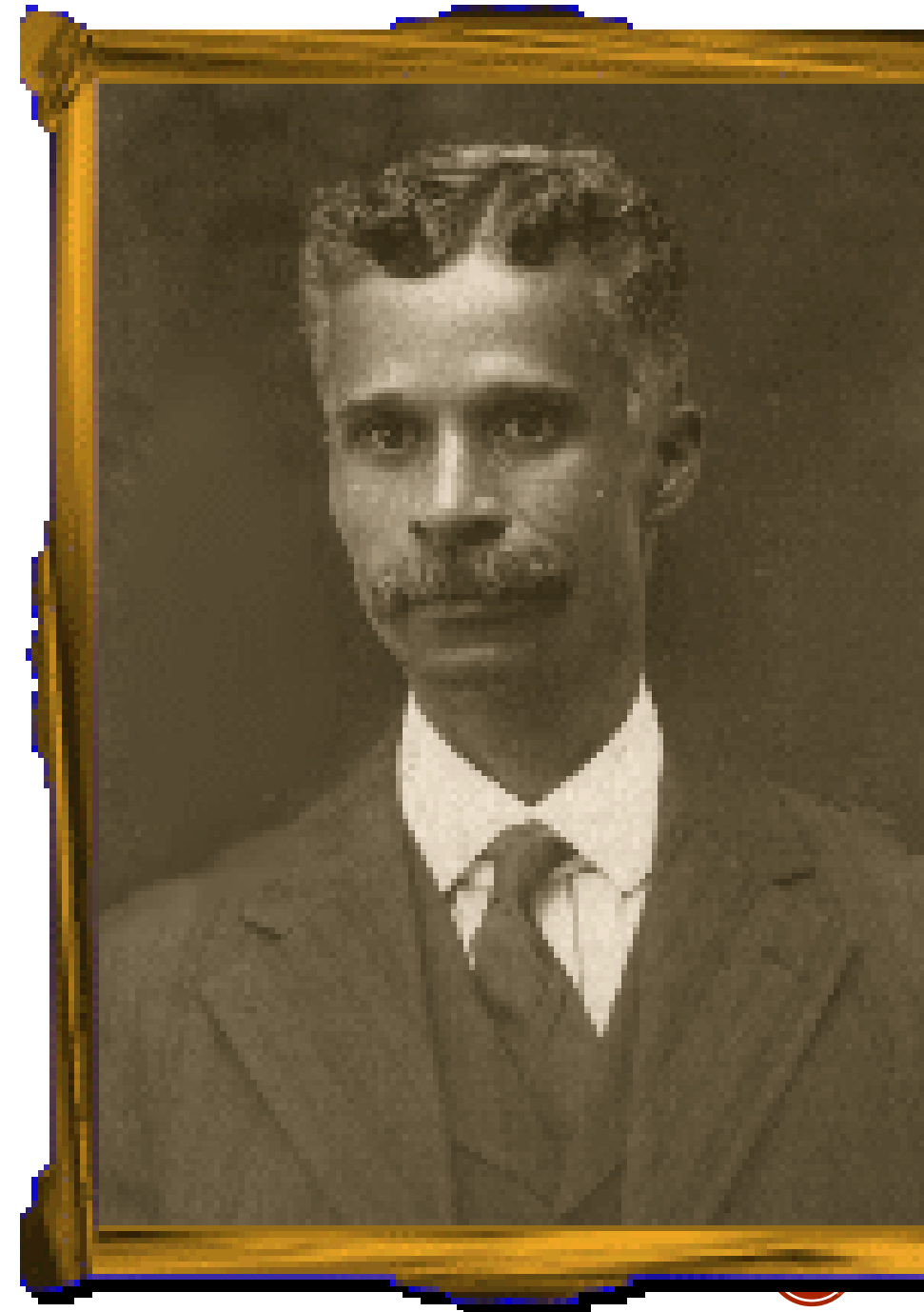


2. WOMEN'S CIVIC CLUBS TOOK ON THE LIBRARY CAUSE AS A PET PROJECT



SIDENOTE: LIBRARY AS COMMUNITY CENTER

- We can thank Thomas Fountain Blue, branch manager in the Louisville Public Library system in the early 1900s, for the idea of the library as community hub
- Blue established storytimes, communal meeting spaces, book clubs, and other services we consider standard library practices
- Blue was the son of slaves, and his branches were created because black people were not allowed to access the main branch of the system
- Blue recognized that black citizens needed another area outside of church to meet, learn, and be a part of the community
- This model was used as a guide for other black branches across the nation, and then for public libraries in general



LIBRARIES IN THE MISSISSIPPI CODE

- Sections 39-3-1 through 39-3-23 of the Code tell us:
 - What a public library is
 - Most notably, that a public library provides **customary services free of charge** and that it's supported by public funds
 - How cities and counties can establish and fund public libraries
 - That a library is ultimately controlled by a board of trustees (and depending on if it's a city, county, city-county, or regional system, what that board of trustees looks like, number-wise)
 - What the library director's duties are



FUN FACT ABOUT LIBRARIES AND THE CODE #1



If the Code doesn't authorize a library director or board to do something, the library director or board cannot do that thing.



FUN FACT ABOUT LIBRARIES AND THE CODE #2

- Because the Code establishes that the management and control of a public library system is handled by the board of trustees, Mississippi public library systems are considered separate political subdivisions.
- **People who work in public libraries (hey, that's you!) are public library employees.** They're not:
 - City employees
 - County employees
 - State employees
 - Non-profit employees

(Libraries don't **make** a profit, but that doesn't mean that they're “non-profit”)



LIBRARY ETHICS



PRIVACY AND CONFIDENTIALITY

Question: do library patrons have a right to privacy,

or...

since libraries are publicly funded, should their patron records be open to the public?



CONFIDENTIALITY OF LIBRARY USER RECORDS.

Mississippi Code §39-3-365

Records maintained by any library funded in whole or in part by public funds, **which contain information relating to the identity of a library user, relative to the user's use of books or other materials at the library, shall be confidential.** Such records may only be released with the express written permission of the respective library user or as a result of a court order.



FREEDOM OF SPEECH

Besides the freedom to create speech—and information, books, movies, and art—the First Amendment implicitly gives us the freedom to **receive** this information as well.

This becomes an issue when a patron is disruptive and we might have the urge to **ban them for life.**



ANY QUESTIONS?

Feel free to contact me!

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