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STANDARDS AND GUIDELINES OF SERVICE

**for the Library of Congress Network of
Libraries for the Blind and Print Disabled**

2025

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DRAFT

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Foreword

Foundational Documents of these *Standards*

This edition of the *Standards and Guidelines of Service for the Library of Congress Network of Libraries for the Blind and Print Disabled 2025* (referred to as the *Standards*) is the most recent iteration of a series of standards for the network of cooperating libraries. The *Standards* for the network of libraries serving the blind and print disabled (referred to as the Network) began as the summarized results from Frances R. St. John's Survey of Library Services for the Blind 1956, published in 1957 by the American Foundation for the Blind.¹ This resulting document demonstrated a need for basic library services standards for the blind and print disabled nation-wide. Together, the Library of Congress Division for the Blind and the American Library Association (ALA) Round Table on Library Services to the Blind produced a five-page publication in 1961, which would become the foundation of future standards.

In the following years, the standards were revised as the work of the network of libraries changed and the services of the National Library Service for the Blind and Physically Handicapped, grew and expanded, not only in materials offered, but in target populations served. Subsequent standards were adopted in 1967 by the ALA, and in 1979, 1984, 1995, 2005, and 2011 by the Board of Directors of the Association of Specialized,

¹ Francis R. St. John, *Survey of Library Service for the Blind, 1956* (New York: American Foundation for the Blind, 1957).

and Cooperative Library Agencies (ASCLA). The most recent revision of these *Standards* was developed by ASCLA and adopted in 2017. Traditionally, the ASCLA Standards Committee recommended review and revision of the *Standards* approximately every 5 years to best reflect current practices at network libraries.

Since the last revision, ASCLA, renamed as ASGCLA (Association of Specialized, Government, and Cooperative Library Agencies), was disbanded during an ALA restructuring. Many of their member groups and activities focused on library services to underserved populations, including library services to persons with print disabilities, were reallocated to the ALA Office for Diversity, Literacy and Outreach Services (ODLOS). Continuing ASGCLA's work and under a similar contract with NLS, ODLOS has overseen the development and revision of these *Standards 2025*. The involvement of ODLOS in this project demonstrates the Office's ongoing support for the association's activities centered around accessibility and disability inclusion. Furthermore, the National Library Service for the Blind and Physically Handicapped has since updated its name to the National Library Service for the Blind and Print Disabled (LC/NLS).

History of These Standards

The *Standards and Guidelines of Service for the Library of Congress Network of Libraries for the Blind and Print Disabled, 2025* is the first partnership between LC/NLS and ODLOS and builds upon the longstanding collaborative relationship between LC/NLS and the former ASGCLA to develop the previous six editions. The process of starting this review began with a search for the project director by the ODLOS Director and the

appointment of a working team and an advisory team. The Working Team are network regional librarians with significant and long-standing experience leading a network regional library. The Advisory Team is comprised of similarly experienced representatives from various consumer groups, agencies, and associations, as well as two additional network regional librarians. The Advisory Team has the important and vital task of connecting the voices of those impacted by the changes to the *Standards* with the members of the Working Team who are revising the new edition of the document. The ex officio members of the revision team – the project director, the ODLOS representative, and the NLS representatives – support the work of the Working Team and facilitate access and information sharing with the Advisory Team members.

In late 2022, the ODLOS director and LC/NLS formalized a projected timeline for the *Standards*. With the selection of an ODLOS representative and the project director by March 2023, the first meeting of the Working Team discussed the *Principles and Considerations of Revised Standards and Guidelines of Service for the Library of Congress Network of Libraries for the Blind and Print Disabled 2024*. This document established the framework under which the *Standards* would be developed and offered guidance for the process, scope, and content of the *Standards*. By late April 2023, a finalized *Principles and Considerations* was distributed to the NLS network of service providers. Throughout the NLS Regional Conferences occurring in late spring, the Project Director and Working Team members shared information about the *Standards* revision process and timeline. Network library staff were encouraged to review the

2017 *Standards* and to prepare comments and questions for the teams as they began revising.

At the 2023 Annual ALA Conference in June, the Working and Advisory teams established the first draft timeline and the document's preliminary major revisions. At the Public Open Forum held at the conference, the Project Director presented the purpose and timeline of the revision project, while the Working and Advisory team members shared the most impactful initial revisions discussed. Following the ALA Annual Conference, the Working Team generated the first draft of the *Standards*. These revisions wove the overarching ideas from the conference conversations throughout the document, and re-incorporated foundational elements from previous editions. Altogether, these edits upheld the integrity and spirit of the conference discussions, while maintaining document flexibility and purpose. Following the review of comments and edits from the Advisory team, the finalized First Draft was submitted to NLS for approval and circulation in late September.

The Project Director hosted several virtual presentations and meetings that fall within both the NLS network and ALA communities, following the distribution of the First Draft. The NLS and ALA communities were encouraged to submit feedback via email or an online form, until the comment period closed in January 2024. After feedback review and edits, the Working team created the Second Draft and shared this version with the Advisory Team for their review in late winter 2024. The finalized Second Draft of the *Standards* was submitted to NLS in April 2024 and distributed to the NLS network.

Throughout early 2024, the Project Director hosted a “Town Hall” virtual meeting with each NLS region (Northern, Midlands, Southern, and Western). The purpose of these four sessions were to inform the network about the revision process and the *Standards 2025* document, to solicit feedback from the network about the First and Second Drafts, and to identify common questions and track comment trends. Additionally, the Project Director hosted a patron focus group, through the support of the NLS Patron Engagement Section and the American Council of the Blind, Library Users of America (LUA) group. Several individuals met with the Project Director in mid-June 2024 to review and discuss the Second Draft of the *Standards* through the lens of their personal experiences and perspectives. The feedback from the “Town Hall” sessions and the focus group was shared and reviewed with the Working and Advisory Teams during the working meeting at ALA Annual Conference 2024. Furthermore, the teams reviewed the entire Second Draft of the *Standards* and noted changes for the Third Draft.

In anticipation of the NLS Biennial Conference in September 2024, the Working and Advisory teams reviewed all submitted feedback to develop the Third Draft, to be distributed in advance of the conference. This Third Draft was finalized and submitted to NLS in August 2024, which was then circulated to the NLS Network. At the NLS Biennial Conference, the Working team and network librarians on the Advisory team presented the Third Draft, focusing on the major revisions. Final edits were made to the Third Draft and the Final Draft was submitted to NLS in late 2024, with adoption at the ALA LibLearnX Conference in January 2025.

Acknowledgements

The members of the Working Team and Advisory Team for the creation of the *Standards and Guidelines of Service for the Library of Congress Network of Libraries for the Blind and Print Disabled 2025*, listed below, gave their time and talents to develop this edition of the *Standards and Guidelines*.

Working Team

- Danielle Miller, Director & Regional Librarian, Washington Talking Book & Braille Library, representing the West Regional Conference
- Will Reed, Director of OLBPD & Regional Librarian, Cleveland Public Library/Ohio Library for the Blind and Print Disabled, representing the Midlands Regional Conference

Advisory Team

- Marci Carpenter, representing National Federation of the Blind
- Kim Charlson, Perkins Braille & Talking Book Library, representing the American Council of the Blind
- Mark Lee, Library of Accessible Media for Pennsylvanians, Carnegie Library of Pittsburgh, representing the North Regional Conference
- Joseph McNeil, Sr., representing Blinded Veterans Association

- Kristin White, Georgia Library Service for the Blind and Print Disabled, representing the South Regional Conference
- Michael York, New Hampshire State Librarian, representing Chief Officers of State Library Agencies
- Dorothy Young, Mississippi Office of Vocational Rehabilitation, representing a Rehabilitation Agency that Administers a Regional Library
- Mandy Mattingly (ex officio), Project Director
- Amanda Mita (ex officio), Library of Congress National Library Service for the Blind and Print Disabled
- Hillary Pearson (ex officio), Representative from Office for Diversity, Literacy, and Outreach Services, American Library Association
- Stephen Prine (ex officio), Library of Congress National Library Service for the Blind and Print Disabled
- Mark Santangelo (ex officio), Library of Congress National Library Service for the Blind and Print Disabled

Preface to 2025 Edition

Creating a document like the *Standards 2025* does not happen in a silo or a vacuum. The decisions made by the Working and Advisory teams were directly informed by the current conditions and library environments both within and beyond the Network. So many NLS network librarians and staff, as well as Advisory and Working team members, are impacted by the evolving landscape in library services and shared these impacts through feedback sessions and working meetings. These perspectives and personal experiences are woven into this edition, both within the “Introduction” and the standards and guidelines themselves, which serve to ground this document in what is happening at the network libraries on a practical level.

This edition of the *Standards* continues to deliver a clear set of standards with enough guidance to network libraries for foundational service, along with the flexibility to expand horizons and provide exceptional library service to all patrons. These *Standards* were developed by leaders in the field, and each of the libraries they represent on the Working and Advisory teams are past recipients of the NLS Network Library of the Year award. They brought their network library expertise to this revision process, with a purposeful approach to the *Standards* using a patron-focused perspective. This distinct move towards a patron-focused document began in previous editions. In the *Standards 2025* the Working and Advisory teams made a concerted effort in crafting standards that call attention to the service levels that patrons want, more so than the levels that the Network itself wants to deliver, prioritizing the patron experience first and foremost in the work performed by the Network.

The Working and Advisory teams were particularly considerate to the revision feedback from the Network, and devoted significant discussion to resolving their questions and comments, while also remaining committed that this edition be a more patron-focused, best practices document. Summaries of these discussions are included in the “Introduction” to provide explanations and reasonings for both changing and preserving language between drafts and between editions. There are significant changes within this edition that reflect current library services and anticipate their evolution over the next few years, until the next *Standards* revision. The substantial changes and revisions in this edition of *Standards and Guidelines 2025* are:

- Suggested “Recommendations and Next Steps”
- Return of a “Purpose and Use” section
- Updated timelines of two business days in “Provision of Services”
- Inclusion of the Marrakesh Treaty in the “Standards” and “Appendices”
- Updated language regarding underserved populations in the “Public Education and Outreach” section
- Inclusion of intellectual freedom in the “Standards”
- Updated “Staffing” formula in the “Guidelines”
- Expanded list of “Typical Functions of Library Operations Requiring Staff Resources” in the “Guidelines”
- Updated language for digital and technological advances

Again, the Working and Advisory teams understand that the Network is evolving because of internal and external conditions, such as technology, politics, funding, and so forth. But it is important that network service providers should still follow and

implement these *Standards 2025* to provide patron-focused library services to persons with print disabilities.

Introduction

Overview of These Standards and Guidelines

Quite simply, the *Standards and Guidelines* is a patron-focused document, one that sets benchmarks of service for network service providers and encourages best practices, as identified by library leaders in the Network. This is in stark contrast to the NLS Network Library Manual, which is a policy manual. These *Standards* are not policy, and network service providers should use this document in tandem with the NLS Network Library Manual especially when evaluating current and planning future library services for patrons.

By focusing on best practices in this document, network service providers can use these standards and guidelines while accounting for their unique needs and situations. This flexibility means that network service providers can offer more meaningful services for their patrons, but in a way that makes the most sense for that network library, without penalty. These *Standards* are benchmarks that encourage network library growth and are a roadmap for deeper development of exceptional library services. The *Standards* are not a checklist for what every network library must do. Instead, these are benchmarks and best practices that NLS will continue to use to evaluate network libraries to help them identify successes and gaps in service, which can then be used to

set goals and strategic initiatives to improve both the patron experience and consistency within the network and move as close as possible into compliance with the *Standards*.

Readers of this document should focus on how these standards and guidelines can be implemented within their own network library. Librarians and staff from subregional libraries and AOCs should review those parts of the document that best pertain to their services and scope, as outlined in the NLS Network Library Manual. Additionally, the Working and Advisory teams encourage ongoing communication between regional network libraries and subregional libraries and AOCs, to best review current services and determine how to expand beyond baseline service. This should be done through reflection and evaluation to balance the needs and wants of patrons with an organization's unique and various duties or responsibilities, all with the intent to provide exceptional library service to persons with print disabilities.

In the review of the 2017 *Standards*, the Working and Advisory Teams determined that this new edition should remain a framework for service provision, with straightforward descriptions of the standards and guidelines, for maximum application across the Network. The teams recognize that there is a diverse range of experience at the Network, with varying depth of institutional knowledge available to new staff. This document serves as an access point to that institutional knowledge of best practices for exceptional library service for those new to the Network. Along with the NLS Network Library Manual, these *Standards* should be the introduction to the Network of Libraries for the Blind and Print Disabled for new staff, and this document should be the resource for network service providers across the country to meet

baselines for consistent, quality, and patron-focused library services for persons with print disabilities. In addition, this document can also be a guide for those who have a long history within their position or within the Network. Staff should consult the “Purpose and Use” section, as well as pay close attention to the “Guidelines” to conduct a review and reflection of current service offerings. By opening conversations with other network library stakeholders such as patrons, Network librarians and staff can determine the best ways to build on their current service. Staff across all experience levels may use these *Standards* as a springboard to expand on the foundational library services and to creatively incorporate new ideas for exceptional service.

Many of the best practices of the leading network service providers are represented here in the *Standards* but these are truly just the tip of the iceberg in the vast wealth of information to be garnered from colleagues in the Network. Additionally, throughout the feedback process, there were common comments and questions from the Network that revealed misunderstandings about the purview and scope of this document. To address this, the Working and Advisory teams have suggested a list of “Recommendations and Next Steps” for NLS and the Network to consider once these Standards are adopted. These “Recommendations and Next Steps” build on the need to educate Network staff for the purpose and intent of these Standards. It also builds a strong foundation for discussing the implementation of Standards and encourages revision process activities in anticipation of creating the next edition. The teams hope that with the “Recommendations and Next Steps” providing a bridge between this edition and the next revision of these *Standards*, this document will encourage network service providers to aspire for

broader reach and unique pathways in achieving the NLS slogan “That All May Read.”

Changes to the *Standards*

This edition stays true to the streamlined format crafted in the 2017 *Standards*, with 10 sections of standards and expanded sub-standards where appropriate. Throughout this edition, text has been updated for clarity as well as to reflect current terms and usage. Most notably, the significant changes within this edition were made to reflect current library services and their anticipated evolution over the next few years, along with ongoing conversations surrounding service changes within the Network. The Working and Advisory teams discussed all changes to this document at multiple points in this process, typically at the initial proposal of changes for creating the first draft, and again, after feedback from the Network during the second draft review, and once more during the conversation to develop the third draft. The teams allocated substantial time during those conversations to understand all feedback from the Network. They acknowledge their awareness of the Network’s concerns but also wanted to provide reasoning for the changes, as appropriate. Those significant changes and reasoning are provided as follows:

Return of a “Purpose and Use” section

The “Purpose and Use” section is a reintroduction of a version from the 2005 *Standards* and is included again in this edition in an effort by the Working team to address how to interpret and use this document by network service providers. With this document serving as an introduction to the Network along with the [NLS Network Library Manual](#), new staff can use

this section to orient themselves to the best practices for library services, while established staff can use this section to review current library services and set goals for expanding services. This section should be reviewed regularly so network service providers can keep fresh in their minds the purpose of this document. Again, this document sets benchmarks of services for best practices in providing library services to persons with print disabilities. It is not a policy manual and should be used in tandem with the NLS Network Library Manual. The teams were mindful of the Network feedback about the purpose of this document with regards to the NLS Network Library Manual and hope that this section will eliminate that confusion between the two documents.

Updated timelines of two business days in “Standards”

One notable change is the update of “two business days” for most timelines listed in the “Provision of Services.” This edition reflects a perspective change towards patron-focused standards and guidelines, so these *Standards* were updated to reflect best practices for communicating with patrons and providing expedient services. Again, the teams were mindful of the Network feedback regarding this change and intend for network service providers to approach this document as what it is: benchmarks for providing library services rooted in best practices. It is not an operating checklist and network service providers should look to the NLS Network Policy Manual for guidance on the operating procedures of their network library.

This change is about providing patron-focused services and network service providers should work towards achieving this updated timeline. The “Recommendations and Next Steps”

subsection of this “Introduction” and the “Purpose and Use” section can provide additional guidance for how to set goals to achieve these patron-focused standards. The intent is for network service providers to try the best they can for their patrons and to set a goal to achieve it.

Inclusion of the Marrakesh Treaty in “Standards” and “Appendices”

As the Marrakesh Treaty entered into force in late 2016, the previous *Standards* edition was unable to reference the treaty within the “Standards” or include text in the “Appendices”. The Marrakesh Treaty expands access to accessible versions of works in international languages through copyright exemption. This allows for a significant expansion of works available to patrons in international languages and allows for greater reach for providing network library service and outreach in communities where English may not be the primary language.

Network service providers now have a collection of accessible works in a broad variety of languages to share with these underserved communities. Previously those works would have been generated by NLS or a network library, so the Marrakesh Treaty eases that burden and encourages network service providers to shift in focus to registering and serving patrons who might benefit from this collection. This promotes greater equity of service and access by reaching individuals with print disabilities where English may not be the primary language. The magnitude of this necessitates there be a summary and intention of the Treaty included in the “Appendices” for easy reference. It should be noted that questions and assistance with

the international language collections or works obtained through the Marrakesh Treaty, can be obtained through NLS.

Updated language regarding underserved populations in “Public Education and Outreach”

Relatedly, the “Public Education and Outreach” section contains small edits to bring further attention to underserved populations, such as those patrons who are experiencing incarceration, patrons who are unhoused, as well as older adults. It is important for network service providers to work towards greater reach in identifying eligibility for service in these traditionally underserved populations to support greater equity of service and access.

Inclusion of intellectual freedom in the “Standards”

A further change is the inclusion of intellectual freedom as a specific standard within the “Provision of Services.” For additional references for regional librarians and network staff, the appendices were updated to include the updated ALA Policy manual sections referencing intellectual freedom and confidentiality of library records, as well as the ALA Policy on Service for People with Disabilities. The Working and Advisory teams wanted to emphasize the necessity of protecting a patron’s right to read as a fundamental standard of service. This standard was by far the most discussed and thoughtfully considered addition to this version of the *Standards*, with personal experiences and perspectives shared at multiple times during the revision process by the advisory team to inform the revision.

The nature of the network means that every network service provider has a different organizational and operational structure, with administrative and funding decisions made differently in

every state. The teams considered this carefully in the discussion regarding intellectual freedom and discussed how to capture the balance between best practices and the realistic circumstances of network service providers. The language chosen for this standard is a result of this effort to strike a balance and represents multiple revisions following feedback. These standards are not policy, but best practices. The intent is to empower network service providers to support patrons' right to read, while balancing and upholding the needs and concerns of their operating organizations and administrators.

Changes to the *Guidelines*

Updated “Staffing” formula in the “Guidelines”

This edition features updated “Levels of Flexible Staffing” ratios in the “Guidelines” section using data from network readership and staffing reports submitted to LC/NLS for FFY 2022. This was the most recent year that this data was available prior to the start of this project in 2023. The suggested ratio for flexible staffing allows network service providers to determine an appropriate number of FTE staff considering staffing trends throughout the Network and can assist in their justification for a specific number of FTE staff at their network library. Network service providers can apply this formula or create their own based on their total number of patrons to derive an FTE ratio that is more tailored to their service area. This means that regional network libraries, subregional libraries, and AOCs should review the suggested ratio and consider their individual and unique circumstances to determine the best formula to use for their situation.

Expanded list of “Typical Functions of Library Operations Requiring Staff Resources” in the “Guidelines”

The “Typical functions of library operations” section was expanded substantially to encompass all possible areas that library staff could incorporate services for patrons. With a changing service model using duplication-on-demand, staff resources can be shifted and reallocated into different functions of library operations. This expanded list offers potential for new opportunities in providing library service beyond baseline expectations, representing both current and up-and-coming trends in library services. As network libraries extend fully into the duplication-on-demand service model, the Working and Advisory Teams intended for this expanded list to be a valuable resource for network service providers as staffing and funding shift and change. When reviewing current services, network staff should consult and share this list with library stakeholders so to identify appropriate areas of expansion and growth within their library, based on patron needs and wants.

Updated language for digital and technological advances

Lastly, these *Standards* reflect ongoing digital and technological advances by including the ideas of digital spaces and digital access within the “Standards” and in the “Glossary”. For standards referencing technology or digital use, language was updated to be consistent and to reflect current terminology and usage. Since the 2017 *Standards* edition, technology has changed the trajectory of how patrons access network services, such as duplication-on-demand, the braille e-reader, accessing BARD collections through mobile devices and smart speakers and the upcoming DA2 talking book player along with playing

books through BARD Express. The technology and digital spaces that patrons use and expect from their network library as well as those used by the Network have greatly expanded and are reflected in this new edition.

The Working and Advisory teams felt that advances in translating digital concepts through tactile means, the digital divide, and artificial technology (AI) were particularly relevant to this discussion of how library services will evolve in the next few years before the next edition of *Standards*. The teams discussed ways to codify this technology and felt that a general approach would be best to both identify and acknowledge the technology and AI that have strong potential to positively impact those with print disabilities. However, the teams stressed that network service providers should be cognizant and cautious regarding these types of technology as they are so fast-moving and often hold inherent biases regarding disabilities (particularly AI).

Furthermore, the teams discussed how patron expectations of digital spaces include the full accessibility of network service provider's websites and mobile apps. Recent updates to Title 2 of the American Disabilities Act (ADA) requires state and local governments to make their websites and mobile apps accessible to all. Therefore, the teams included this updated language within these *Standards* and strongly encourage network service providers to be in compliance with Title 2.

Recommendations and Next Steps

In conversations with the Network, the Working and Advisory teams discovered a need for additional education and training regarding these *Standards*. This education and training would

provide a pathway in understanding the difference between this document and the NLS Network Library Manual, as well as instruct network service providers how to use this document effectively to meet service standards. Much of the feedback collected during this revision process demonstrated that many network service providers wanted additional support and examples for how to meet the benchmark service standards and move towards exceptional service at their network library. Considering the diverse range of experience of network staff, the teams wanted to suggest specific recommendations and steps to support staff as they read and work through this document in the coming years.

With approximately 5-8 years between editions of this document, the teams hope to spark conversations about how this document is used across the regions and the network and for network libraries to share their current and ongoing successes as they set goals to achieve standards. The teams also hope that with ongoing discussions about the standards, their application, and examples of standards successes, then the revision work for the next edition will be a natural next step, essentially a seamless transition from these conversations as network needs shift and change over the next few years. The teams felt that for the *Standards* to have the greatest impact, there must be purposeful steps and leadership to provide a focused pathway between each edition and revision process.

To keep the Standards and Guidelines at the forefront of planning and day-to-day activities of network service providers, the Working and Advisory Teams recommend the following:

- Creation of a “Standards and Guidelines” committee comprised of network regional librarians and network staff, patrons, and representatives from NLS.
 - The purpose of this committee would be to engage the network in conversations about the *Standards* between editions and to work collaboratively with NLS to initiate programming and training for new and established staff.
- Specific, on-going, and in-person training on the *Standards* for all network regional librarians, particularly during an initial orientation upon hiring.
- Conference sessions regarding the *Standards and Guidelines* and opportunities for discussion at the NLS Biennial Conference and Network Regional Conferences.
- Mentoring program for regional librarians to share institutional knowledge and establish peer-to-peer support for evaluating services and implementing *Standards* at network libraries.

Comments

These *Standards* are a foundational tool for how to meet benchmark standards and set goals for exceptional library service for patrons with print disabilities through best practices. With the flexibility incorporated throughout this edition, network service providers can strengthen and grow their library services based on their own unique needs, patron wants, and constraints, by consulting this patron-focused document regularly. When used in

tandem with the NLS Network Library Manual and with ongoing education, training, and support, this document is a powerful and dynamic resource for network service providers. It is our expressed hope that these *Standards 2025* will be an essential tool for every network service provider in their decision-making processes as libraries evolve over the next few years. Most importantly, the conversations about why these standards are essential for network service providers and how to apply them effectively, should continue and be supported by the network and NLS over the next few years. Collaborative efforts and ongoing engagement about the *Standards* across the Network can increase access to new ideas, streamline processes, and even forge stronger relationships between network service providers across regions. The major revisions for this edition, particularly those on intellectual freedom, embodies the ever-present motto “That All May Read” and supports the high level of service and excellence expected by NLS network library patrons.

Amanda G. Mattingly
Project Director
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Purpose and Use

Purpose of These Standards and Guidelines

These *Standards* are intended to direct network service providers towards patron-focused and consistent benchmarks of library service standards. The flexibility of this document encourages network service providers to meet these core standards and expand service based on local needs, library trends, and best practices across the network. These *Standards* should be seen as a companion to the NLS Network Library Manual, and should not be a prescriptive, or step-by-step statute of service. Again, this document is not a policy manual, it offers benchmarks of library service and best practices for network service providers.

We recommend that all people involved in providing network library services or in administering these services use this document. These *Standards* should be a powerful resource to support funding, decision-making, and advocacy efforts for staffing and library operations. Both new and established staff can benefit from ongoing conversations about service needs as related back to these *Standards*. By incorporating local elements into the execution of service standards, network service providers can tailor their services to best serve their patrons.

Who Should Use These Standards and Guidelines

Regional librarians and staff at network service providers should use this document to review and analyze services, and as a tool for strategic planning. Additionally, patrons can use this document as a guide to the service goals for their local network service provider and the Network. Administrative structures, operating plans, and support provided to network service providers can vary greatly from state to state, so patrons, patron advisory councils, and other library friends' groups can be powerful advocates in voicing support for specific services and library departments at their regional network library. They and other advocates and partners can use this document to help direct them in their advocating efforts. Furthermore, representatives of consumer groups and agencies can use this document as an educational and awareness tool, as a way of assessing how the library services available to members and constituents compare against recommended standards.

How to Use These Standards and Guidelines

1. Read the standards and guidelines. For those involved in only selected service areas, read the relevant section.
2. Learn the standards and guidelines. Refer to the glossary and appendices for specific definitions and documents for explanation of service terms and laws.
3. Understand the standards and guidelines within the context of service needs at your regional library.

- a. Identify service successes at your library.
 - b. Identify service gaps at your library.
4. Have discussions with network library peers about their service successes. Seek guidance from LC/NLS Consultants about pathways to service success.
 5. Apply standards and guidelines as best as possible, being sensitive to regional considerations and conditions.
 6. Create strategies and goals that address service gaps and build on your successes.
 7. Be active and present during the next *Standards and Guidelines* revision process.

Standards

1. Provision of Services

- 1.1. Network service providers will register patrons in compliance with PL-89-522 (Pratt-Smoot Act as amended and extended).
 - 1.1.a. Preference will be given at all times to the needs of blind and other eligible persons unable to read standard print who have been honorably discharged from the armed forces of the United States.
 - 1.1.b. Network service providers will ensure the confidentiality of patron records, following applicable laws, LC/NLS Confidentiality of Reader Records, as well as the guidelines presented in the ALA Policy on Confidentiality of Library Records.
 - 1.1.c. Network Service providers will maintain information about patrons to meet LC/NLS requirements and for service provision, resulting in quantifiable data, while maintaining patron confidentiality.
 - 1.1.d. Network service providers will verify that applications are complete, initiate contact for additional information, or return the application for proper certification within two business days of receiving an application for service.

- 1.1.e. Network service providers will initiate service within two business days once a completed application is verified.
- 1.1.f. Network service providers will conduct outreach and promote LC/NLS services to register eligible students and schools in their service areas.
- 1.2. Machine lending agencies (MLA) and sub-lending agencies (SLA) will agree, accept the responsibilities of, and adhere to the provisions of their service agreements in compliance with LC/NLS policies and procedures.
 - 1.2.a. Network service providers will provide playback equipment and accessories within two business days of a patron request.
 - 1.2.b. Network service providers will provide playback equipment and accessories using an equitable distribution policy, taking into consideration that federal law gives preference to veterans and LC/NLS policy gives secondary preference to centenarians.
- 1.3. Network service providers will administer and maintain library operations within a physical facility that supports the scope of activities and the effective implementation of the program.
 - 1.3.a. Network service providers, along with their administrative and funding agencies, will determine the layout, location, and requirements for the physical facility.

- 1.3.b. Space must be sufficient to sustain the functions of the library while meeting the needs of its consumers at consistently high levels of service, and to comply with these standards and fulfill the agreement and requirements set forth by LC/NLS.
- 1.4. Network service providers will have a documented policy addressing the loan of reading materials and playback equipment available to registered borrowers.
- 1.5. Network service providers will develop and communicate appropriate loan periods for circulating materials.
 - 1.5.a. Network service providers will levy no fines on overdue, damaged, or lost equipment and reading materials provided by LC/NLS.
 - 1.5.b. Network service providers may develop separate policies for materials in their local collection.
- 1.6. Network service providers will generate and maintain all circulation and machine lending data.
- 1.7. Network service providers will ensure independent access to materials and services and will ensure that they meet reasonable preferences and service requests.
- 1.8. Network service providers will provide readers' advisory service to assist patrons in identifying specific materials and formats in their areas of interest.
- 1.9. Network service providers will provide reading materials and services in international languages to the greatest

extent possible and as appropriate to their communities.

- 1.9.a. Network service providers will collaborate with other institutions and agencies to build and maintain resources in order to provide and expand services for patrons who speak or read international languages.
- 1.9.b. Network service providers will promote the availability and international exchange of materials in accessible formats with libraries and other agencies outside the United States.
- 1.9.c. Network service providers are encouraged to familiarize themselves with the *Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled* and the *Marrakesh Treaty Implementation Act*.
- 1.9.d. Network service providers will request training and resources from LC/NLS on accessing international language collections and making materials available to patrons.
- 1.10. Network service providers will process patron requests for materials, information, and reference within two business days. Requests may be taken in formats most appropriate to patrons.
- 1.11. Network service providers will process all returned materials within two business days and ensure that circulating materials are inspected, in good condition, and fully prepared for the next patron.

- 1.12. Network service providers will respond to patron requests for contact and inquiries from potential new patrons by the next business day. Direct communications will be provided in accessible formats as appropriate.
- 1.13. Network service providers will advocate for and promote digital spaces and information technologies that are accessible to persons with disabilities. These technologies will include a fully accessible and usable website, informed by the most current, authoritative guidelines and standards.
- 1.14. Network service providers will provide digital access to catalogs, communications, and policies, and regularly ensure that all content is current and accessible to persons with print disabilities.
- 1.15. Network service providers will advocate for, host, and participate in customized reading programs, book discussion groups, and library programs developed around community and patron interests as appropriate.
- 1.16. Network service providers will provide access to library materials made available through interlibrary loans, Multistate Centers, or other resource sharing options as appropriate.
- 1.17. Network service providers in cooperation with their administrative agencies will advocate on behalf of their patrons' rights to read in delivering and designing services based on principles of intellectual freedom.
 - 1.17.a. Network service providers should avoid biases when applying subjects or cataloging materials

and challenge censorship as it impacts intellectual freedom.

- 1.17.b. Network service providers should have a collection development policy implementing standard 1.17 as appropriate to their region.

2. Resource Development and Management

- 2.1. LC/NLS will work cooperatively with network service providers, advisory committees, and patrons to sustain a systematic process of obtaining input on collection development and the selection of reading materials as part of the national collection.
- 2.2. Network service providers will acquire or produce reading materials to supplement the national collection as appropriate to their capacity and the needs of their service communities.
 - 2.2.a. Materials produced in accessible formats will be in accordance with appropriate copyright laws, LC/NLS quality control standards, and in line with collection development and maintenance policies.
 - 2.2.b. Network service providers will submit bibliographic information for locally produced titles to LC/NLS for inclusion in the union catalog and may consider submission of titles to the Multi-State Center East Quality Assurance program.
 - 2.2.c. Network service providers will submit Intention and Completion Notices to LC/NLS for locally

produced audio and braille titles for inclusion in the union catalog.

- 2.3. Network service providers will alter or discontinue circulation of any format of material from the national collection, only with input from and in collaboration with LC/NLS, network library advisory groups and patrons.
 - 2.3.a. Network service providers will provide access to and circulate materials from the national collection in support of intellectual freedom and on behalf of patrons' rights to read.
- 2.4. Network service providers will cultivate collections that promote attention and bring awareness to diversity, equity, inclusion, accessibility, and belonging.
- 2.5. Network service providers will develop and implement procedures to maintain a collection that provides access to all formats and methods of distribution to meet patron demand.
- 2.6. Network service providers will maintain the capacity to download, duplicate, and circulate LC/NLS books and magazines, and locally produced materials.
- 2.7. Network service providers will, within their collection maintenance policies, routinely review and weed their collections in accordance with LC/NLS procedures.
- 2.8. LC/NLS will work cooperatively with network service providers and patrons to sustain a systematic process of obtaining input on the ongoing development of audio playback and braille reading equipment, including technologies such as mobile applications (apps), and

the equitable distribution method for these apps and devices.

- 2.9. Network service providers will support the development and provision of traditional library services such as reference and readers' advisory through access to professional resources.
- 2.10. Network service providers will maintain sufficient inventories to ensure provision of playback equipment and accessories within two business days of a patron application or request.

3. Public Education and Outreach

- 3.1. Network service providers will develop and implement a coordinated public awareness, education, and outreach plan that incorporates emerging trends for use in their service areas, including but not limited to social media and marketing campaigns.
 - 3.1.a. Network service providers will advocate for and support LC/NLS in developing and implementing national advertising, awareness, and education programs to effectively reach potential patrons.
 - 3.1.b. Network service providers will collaborate with public and other libraries, schools, veterans' organizations, older adult organizations, vocational rehabilitation agencies, and other organizations and agencies to promote their library services.
 - 3.1.c. Network service providers will develop and implement awareness programs and materials to reach students in library science, education, social

service, and similar college and university programs in their local service areas.

- 3.1.d. Network service providers will develop and implement awareness programs and materials for medical professionals, occupational and physical therapists, school administrators, reading specialists, teachers and other professionals in their local service areas.
 - 3.1.e. Network service providers will promote early and adult literacy, braille literacy, and educational resources for children and families through collaboration with libraries, schools, agencies promoting literacy initiatives, and early intervention programs.
 - 3.1.f. Network service providers will promote information about national, state, and local organizations and programs concerned with services to eligible patrons.
 - 3.1.g. Network service providers will advocate for and promote services to eligible patrons residing in diverse minority and marginalized communities that are traditionally under-resourced and underserved.
- 3.2. Network service providers will establish deposit collections and demonstration collections to promote and extend services to eligible individuals who reside in or are served by care facilities or related organizations.
 - 3.3. Network library staff will attend and present at consumer organizations and at other types of

constituent gatherings and conferences to provide updates and information about network programs and services.

4. Volunteer and Internship Programs

- 4.1. Network service providers may use volunteers or interns to assist in the performance of activities that supplement their basic program of services and will manage their volunteer or internship programs in accordance with administering agency policy and practice.
 - 4.1.a. Network service providers will not replace paid positions with volunteers.
 - 4.1.b. Network service providers will coordinate machine repair with national and local volunteer repair groups.
- 4.2. Network service providers may develop and implement a formal administrative structure for volunteer and intern programs, including training, roles in service provision, and funding for recognition of service.

5. Administration and Organization

- 5.1. Network service providers will comply with all laws and regulations pertaining to the rights of and services to persons with disabilities.
- 5.2. The regional library or machine lending agency may designate sub-lending agencies with LC/NLS

concurrence and will be responsible for machine lending agency functions under their direction, and ensure these agencies comply with machine lending policies and procedures.

- 5.3. Network service providers will administer and evaluate deposit and demonstration collections, monitoring their operation and service, and maintain annual, routine contact with institutions and agencies.
- 5.4. The head of each network library will be responsible for or involved in the planning and administration of the budget and the presentation or justification of the budget to appropriate groups or individuals.
- 5.5. Network service providers will work with administering and funding agencies to obtain outside funding for activities and functions whenever possible and in accordance with agency regulations.

6. Planning and Evaluation

- 6.1. Administering and funding agencies will commit resources to enable network service providers to effectively operate, administer, and facilitate services as defined by these standards. The administering agency will consult with the head of the network library before any action is taken affecting the funding of operations.
 - 6.1.a. Network service providers may develop long-range plans, which may include the plans of the network service provider's state's Library Services and Technology Act (LSTA) when appropriate,

designed to develop, implement, maintain, and improve services while optimizing resources.

- 6.2. Network service providers will develop a method to measure patron satisfaction at least every three years. Results will be used to improve upon the future direction of services.
- 6.3. Network service providers will collect advice and input from a full spectrum of patrons and patron constituency groups through mechanisms including, but not limited to, advisory groups or focus groups.

7. Policies and Procedures

- 7.1. Network service providers will have documented policies and procedures for library operations designed to meet service goals.
- 7.2. Network service providers will review their policies and procedures annually to maintain currency, accuracy, and applicability.
- 7.3. Network service providers will consult with LC/NLS in the development and review of policies and procedures and will provide staff and partnering agencies with access to policies and procedures.
- 7.4. LC/NLS will include network library representatives and patrons as advisors in the development and review of policies that affect the network.
- 7.5. Network service providers will inform patrons of service policies and will notify patrons of changes that will affect them. Current copies of service policies will be

maintained and available to patrons in accessible formats.

- 7.6. LC/NLS will collaborate with network service providers to develop strategies that contribute to a consistent range and quality of service for all network patrons.
- 7.7. Network service providers will develop or make available instructional materials in accessible formats to assist patrons in the use of library services.
- 7.8. Regional libraries will work with subregional libraries, advisory and outreach centers, and machine lending agencies to develop strategies that contribute to a consistent range and quality of service.
 - 7.8.a. Network service providers should participate in regional and national conferences and explore and organize other collaborative opportunities with fellow network service providers to foster a consistent range of best practices that builds consistency of services across the network.

8. Reports

- 8.1. Network service providers will maintain current and accurate statistical records to document use, services, and acquisitions to meet the requirements of the administering agency, the funding agency, and LC/NLS.
- 8.2. Network service providers will have timely access to the comparable data defined, collected, verified, analyzed, published, and distributed on an annual basis by LC/NLS for the network.

9. Staffing

- 9.1. Network service providers, along with their administrative and funding agencies, will determine the number and levels of staff at their network libraries. Staffing must be sufficient to sustain the functions of the library while meeting the needs of its patrons at consistently high levels of service, and to comply with these standards and fulfill the cooperative agreement and requirements set forth by LC/NLS.
- 9.2. The administrative head of a network library will possess a master's degree in library and information science from an ALA-accredited program and will be on the same administrative level as comparable unit heads within the administering agency.
- 9.3. The administrative head of a network library should be assisted by as many professional librarians, paraprofessionals, technical assistants, and other critical support staff as required to carry out the functions of the library necessary to meet the needs of its patrons.
 - 9.3.a. Professional librarians will possess a master's degree in library and information science from an ALA-accredited program.
- 9.4. Network service providers will plan and conduct formal orientation programs for employees that include information about blindness and disabilities that qualify individuals to use the LC/NLS program, as well as

information about the structure and philosophy of service as found in the NLS Network Library Manual.

- 9.5. Network service providers and their administrative agencies will, at a minimum of once every three years, jointly review and determine staffing patterns and requirements.
- 9.6. Network service providers will comply with all appropriate federal, state, and local laws and work in accordance with documented equal employment opportunity or affirmative action plans.
- 9.7. Network service providers will make every effort to recruit and receive applications from and hire qualified persons with disabilities.
- 9.8. Network service providers will maintain a commitment to diversity, equity, inclusion, accessibility, and belonging.
- 9.9. Network service providers will encourage and support relevant continuing education activities for staff at all levels of the organization, including participation in professional organizations.
 - 9.9.a. Network service providers will encourage staff to participate in integrated library system (ILS) user groups, patron and consumer organizations, and network conferences, and to visit other libraries as appropriate.
 - 9.9.b. Network service providers should encourage and support staff development in readers' advisory, allotting staff time to explore and research

potential recommendations, and provide access to training, resources, and tools to help guide and improve the patron experience and generate conversations that fuel patron interests in reading.

10. Research and Development

- 10.1. Network service providers will test, evaluate, and use new technologies, equipment, services, and materials to improve access to information and library resources as well as to improve library services and operations.
- 10.2. Network service providers will use compatibility and interoperability with local and national systems as criteria for evaluating and selecting technologies, equipment, services, and materials, with primary concern for accessibility.

Guidelines

Meeting Service Needs

Within an ever-changing environment and with major advancements to service models on the horizon, network service providers need to be agile and dynamic in how they mediate their staffing. It is exceedingly difficult to benchmark levels of staff for our network of libraries for many reasons, most notably the varying local conditions and factors that exist from state to state. Realistically, there is no magic solution or one-size-fits-all staffing formula, metric, or ratio – that can be applied or prescribed across the network with any guarantee of success. Instead, the number, category, and combination of staff must be determined by demands for service rather than by using traditional position-to-patron ratios.

Below are some examples of library operations and categories of staffing common throughout network libraries. These lists are not comprehensive, and they are not intended to be a one-to-one formula for staffing requirements. Instead, these ideas should be used to communicate the work performed by network service providers, and to justify the complement of staff needed to successfully accomplish it.

It is imperative that the regional librarian use the resources available within their administrative structure to meet current and future patron and stakeholder service needs in compliance with these standards and the “Network Library Manual.” The regional librarian and their administrative agency, supported by fiscal,

performance, and planning data, can use these tools to create an agile matrix that models staffing needs influenced by service demands.

These guidelines are intended to be flexible in their application to the various staffing situations that exist among network services providers. For example, a readers' advisor may have a master's degree in library and information science (MLIS) and work in a professional position. Likewise, a single full-time equivalent (FTE) employee may carry out multiple functions of library operations. The *Standards and Guidelines* are tools that network service providers can use to identify gaps in staffing and develop a strong argument to justify funding to legislative bodies and administering agencies.

1. Typical Functions of Library Operations Requiring Staff Resources

- a. Acquisitions and processing
- b. Administration
- c. Advocacy
- d. Assistive Technology, access, instruction, and support
- e. Automation systems and infrastructure, information technology
- f. Braille literacy, transcription, and production
- g. Budget and finance

- h. Cataloging
- i. Children and youth Services
- j. Circulation
- k. Collection development, maintenance, and management
- l. Communications
- m. Community engagement and external relations
- n. Development and fundraising
- o. Digital collection and resources
- p. Digital content creation
- q. Equipment management
- r. Facilities, operations planning and management
- s. Instruction, training, and technical support
- t. Interlibrary loan
- u. Library programs and events
- v. Local book and magazine production
- w. Patron registration and record management
- x. Public education, outreach, marketing, and promotion
- y. Readers' advisory
- z. Reference
- aa. Research and planning
- bb. Special collections
- cc. Statistics, analytics, data gathering, and reporting
- dd. Volunteer services, internships, and vocational education

2. Categories of Staffing:

- a. Regional librarian/administrator/director: Position that should be filled by a professional librarian possessing an MLIS from an ALA-accredited program. The head of the regional library, along with support staff, is required to carry out the functions of a network library.
- b. Professional librarian: Positions that require an MLIS from an ALA-accredited program.
- c. Paraprofessional: Positions that do not require a library degree but may require appropriate degrees, certifications, training, or previous relative experience.
- d. Technical staff: Material development or technology-based positions that require practical and specialized knowledge.
- e. Support staff: Positions responsible for helping network service providers to operate and for supporting other staff activities associated with delivery of network services.

3. Levels of Staffing

Every network service provider will have different staffing needs, both in number of staff and functions performed by staff, depending on their individual administrative model, their size,

their funding, and their strategic plan. The Levels of Staffing have been separated into two categories: **Fixed** and **Flexible**. These levels of staffing are applicable to all network service providers. This model does provide a formula for calculating an FTE number for those who require that structure. However, by utilizing the flexibility of the model and evaluating the needs of the program, a regional librarian can determine the necessary functions and levels of staffing needed to operate most effectively.

- 3.1.a. **Fixed staffing** indicates categories of staffing identified by network libraries to be absolutely vital in fulfilling the functions of library operations – particularly if circumstances require these positions to perform multiple job duties.
 - i. 1 FTE regional librarian/director (with an MLIS)
 - ii. 1 FTE readers' advisor for every 2,000 patrons
- 3.1.b. **Flexible staffing** indicates a total number of FTEs based on the number of patrons served and allocated as needed at the discretion of the regional librarian or administrative head. The regional or administrative head assesses which categories of staffing and how many of each position are needed and considers how positions can be adapted or altered as service demands change. Maintaining a patron-related FTE number for the whole

library demonstrates personnel and funding needs without limiting flexibility within operations.

i. 1 FTE for every 550 patrons

Methodology: The prescription of “1 FTE for every 550 patrons” was calculated by dividing the total number of library patrons by FTE staffing using data from network readership and staffing reports submitted to LC/NLS for FFY 2022. These results were then averaged as represented in the above flexible staffing formula. Network service providers can apply this formula or create their own based on their total number of patrons to derive an FTE ratio that is more tailored to their service area.

ii. National Averages by Library Readership

The following numbers are provided as a reference to compare the national average of readership to FTE staffing from the same reports used to calculate the “1 FTE for every 550 patrons” and “1 FTE readers’ advisor for every 2,000 patrons” ratios.

1. FTEs to Patrons

- a. Readership Less than 999 – 1 FTE for every 245 patrons
- b. Readership 1,000 to 4,999 – 1 FTE for every 444 patrons
- c. Readership 5,000 to 9,999 – 1 FTE for every 640 patrons

- d. Readership over 10,000 – 1 FTE for every 742 patrons
- 2. FTE Readers' Advisor to Patrons
 - a. Readership Less than 999 – 1 FTE readers' advisor for every 754 patrons
 - b. Readership 1,000 to 4,999 – 1 FTE readers' advisor for every 1,225 patrons
 - c. Readership 5,000 to 9,999 – 1 FTE readers' advisor for every 2,558 patrons
- 3.1.c. Examples of Levels of Staffing in Use:
 - i. Total number of patrons: 2,000
 - 1. Fixed staffing
 - 1 FTE regional librarian/director
 - 1 FTE readers' advisor for every 2,000 patrons
 - = 1 FTE
 - 2. Flexible staffing: $2,000/550 = 3.6$ FTE
 - ii. Total number of patrons: 6,000
 - 1. Fixed staffing
 - 1 FTE regional librarian/director
 - 1 FTE readers' advisor for every 2,000 patrons
 - = 3 FTE
 - 2. Flexible staffing: $6,000/550 = 11$ FTE
 - iii. Total number of patrons 12,000
 - 1. Fixed staffing
 - 1 FTE regional librarian/director
 - 1 FTE readers' advisor for every 2,000 patrons
 - = 6 FTE
 - 2. Flexible staffing: $12,000/550 = 22$ FTE

Glossary

The purpose of this glossary is to explain the usage of these words, phrases, and acronyms as used in this document and by LC/NLS and the network service providers. It is not meant to establish standard definitions. The meanings of terms vary in practice and in various contexts.

ABC. Accessible Books Consortium.

Accessible. Able to be independently used by people who have disabilities.

Accessories. Equipment used with talking book and braille playback devices to facilitate reading.

Advisory and Outreach Center (AOC). A former subregional library that no longer provides daily circulation of hard-copy books, but focuses on readers' advisory, outreach, downloading support, and/or machine sub-lending agency activities.

Advisory Committee. A group of stakeholders that contribute discussion and advise on decisions and operations pertaining to the network service provider. Typically comprised of patrons, family members of patrons, staff, administration, and community members.

Agency. A public or private organization providing some form of service and often, funding.

ALA. American Library Association.

Americans with Disabilities Act (ADA). The act, passed in 1990, that "prohibits discrimination and ensures equal opportunity

for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation” (<https://www.ada.gov/law-and-regs/ada/>). The ADA is enforced by the Equal Employment Opportunity Commission (EEOC) when related to employment, the Department of Transportation when related to transit, the Federal Communications Commission (FCC) when related to telecommunication services, and the Department of Justice when concerning public accommodations and state and local government services.

ADA Title II, Subpart H- Web and Mobile Accessibility. The subpart of the ADA Title II act that requires state and local governments to make their websites and mobile apps accessible to all, recognizing the critical role that these platforms play in modern public life. (<https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/#-35200-requirements-for-web-and-mobile-accessibility#subpart10>).

Artificial Intelligence (AI) voice generators. AI technology that turns any type of text into audio files that sound close to the human voice. Can serve as a text-to-speech tool that can be used for narrating short text.

ASCLA, also ASGCLA. Association of Specialized and Cooperative Library Agencies, renamed as Association of Specialized, Government, and Cooperative Library Agencies, a division of the American Library Association. Some areas and interest groups migrated to ODLOS upon dissolution of ASGCLA in 2019.

BRA. Designation on older titles, with most titles only having one copy. Available in limited number of copies, some are

thermoform, some press braille. BRA 1 through 12999 are housed at Multistate Center West. BRA 130000 and higher are housed at both multistate centers.

Braille. A system for tactile reading and writing devised by Louis Braille for blind persons in which print characters are represented by raised dots. The braille system is based on a six-dot cell, arranged in two columns of three dots each, with sixty-three possible combinations in all.

BRF. Designation for Special Braille Foreign Language Library Collection. Housed at Multistate Center East.

BRJ. Designation for braille titles formerly held by Jewish Guild for the Blind, primarily hand-copied. Most titles have one copy. Housed at Multistate Center West.

BRI. Designation for braille titles formerly held by the Jewish Braille Institute, primarily hand-copied. Most titles have one copy. Housed at Multistate Center West.

BRM. Designation for braille music and books about music. Housed at the NLS Music Section.

BRX. Designation for mostly hand-copied and one-copy-only titles. Housed at Multistate Center West.

Catalog. A file of bibliographic records arranged according to a definite plan that records, describes, and indexes the resources of a collection, a library, or a group of libraries. When provided electronically, often called an online catalog or OPAC (online public access catalog).

CB. Cassette book. See "Talking book."

CBM. Designation for instructional cassettes about music. Housed at the NLS Music Section.

Circulation. The loan cycle of material from a library to the user and back. The number of items loaned during a given period of time is also termed the circulation.

Consultant. An expert in a specialized field brought in by a library or other agency for professional or technical advice.

Container. A box or envelope manufactured to store and ship the cartridges, discs, tapes, braille, or other formats that make up a copy of the title.

Conventional print. Material printed in smaller than fourteen-point type.

Cooperating unit. General term for the agencies in the service area that work with the network libraries in providing service. Those agencies may include administering and funding agencies, regional and subregional libraries, and machine lending and sub-lending agencies.

DAISY Consortium. An international non-profit membership organization of over 150 member organizations that strives to develop global solutions for accessible publishing and reading, in partnership with civil society, publishing and technology industries, standards bodies, and governments.

DAISY format. A flexible and navigable reading experience within digital talking books for people who are blind or print disabled which is much closer to that of the sighted reader using a print book.

DEIAB. Diversity, Equity, Inclusion, Accessibility, and Belonging.

Demonstration Collection. Library materials and sound reproduction equipment furnished by a network library to agencies whose clientele might include persons with disabilities. They are a vehicle for raising public awareness and advertising availability of services.

Deposit collection. Library materials and sound reproduction equipment furnished by a network library to an agency with a number of eligible users, such as a nursing home, convalescent center, hospital, or library.

Digital book. A collection of electronic files compliant with the ANSI/NISO Z39.86 standard that presents digitally recorded material in a form that is accessible and navigable by blind and print disabled readers, such as an audio book file provided from the LC/NLS BARD service.

Digital Makerspace. A community space that offers technology tools, resources, and equipment that allows all community members to design and create.

Digital Talking Book Machine (DTBM). The LC/NLS device used to play audiobooks, which can be issued to patrons.

DA1: Advanced Digital Talking Book Machine version 1, which includes all the features of the DS1, along with added controls for bookmarking and navigation.

DA2: Advanced Digital Talking Book Machine version 2, which is the most recent version.

DS1: Standard Digital Talking Book Machine featuring large buttons, braille labels, sleep time, audio instructions, and bookshelf navigation.

Duplication-on-Demand. The service practice of creating individual cartridges of electronic braille and talking books with a compilation of titles based on a patron's reading requests or specified interests.

Electronic access. The ability to obtain or make use of information through a broad spectrum of electronic formats, devices, systems, or interfaces.

Electronic and information technology. Including, but not limited to, tablets, cell phones, online websites, and web applications.

Electronic braille. Braille that is automatically generated by using a refreshable braille device to display words that appear on a computer screen. For example, many braille books, some music scores, and all braille magazines produced by LC/NLS are available on BARD for download as electronic braille. The service also includes a growing collection of titles transcribed locally by network service providers. The braille can be in any format (contracted, uncontracted, or computer braille.) The braille on the BARD site is password-protected, requiring the use of special equipment for access.

Electronic braille display. See "Refreshable braille display."

Eligible user. An individual who meets the established eligibility requirements for this service.

Format. The layout and rules for transcribing materials in various media and the physical means used. In the latter sense, "format" may be used interchangeably with "media."

Global Book Service (GBS). Provided by the Accessible Books Consortium (ABC), the GBS is a catalog that contains accessible

content from participating libraries for the blind and organizations serving people who are print disabled.

HRLSD. Health and Rehabilitative Library Services Division of ALA. Superseded by ASCLA in 1978.

IMLS. The Institute of Museum and Library Services, an independent federal grant-making agency dedicated to creating and sustaining a nation of learners by helping libraries and museums serve their communities. IMLS administers the Library Services and Technology Act.

Inspect. To check book containers for completeness and order of contents, damage, and foreign matter.

Integrated Library System (ILS). A centralized, computer-based, information system to manage all the library operations and functions within modules, of which information can be tracked and retrieved.

Intellectual Freedom. As defined by the American Library Association as “a universal human right...[which] ensures free access to seek and receive information and expression of ideas from all points of view without restriction for every individual of any age, ability, socioeconomic status, religious affiliation, race, ethnicity, sexual orientation, gender identity, or other form of identity or status.”

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section2/53intellfreedom> (Accessed August 7, 2023)

Interlibrary loan (ILL). The activity of a network library relating to requesting and obtaining, from other sources, materials requested by users.

Large type. Material printed in fourteen-point or larger type.

LC/NLS. Library of Congress National Library Service for the Blind and Print Disabled.

Limited-production material. Titles produced by LC/NLS in a small number of copies to provide supplementary titles to meet specific demand. Such titles are not duplicated generally for the network, but copies can be reproduced when the need arises.

LPM. Designation for large-print music and books about music. Housed at the NLS Music Section.

Locally produced materials. Those items produced in special formats by regional or subregional libraries, emphasizing user demand and titles of local significance.

LSCA. Library Services and Construction Act, enacted in 1962 to provide federal assistance to libraries in the United States. Superseded by LSTA.

LSTA. The Library Services and Technology Act, administered by the IMLS, and part of the Museum and Library Services Act of 1996. LSTA allows states flexibility in prioritizing their library needs and is the only source of federal funding that specifically targets libraries.

Machine. Specifically designed playback equipment for recorded materials provided on disc, cassette, or other digital format.

Machine lending agency (MLA). An agency designated by LC/NLS to receive, issue, and control the inventory of machines and accessories essential to the provision of service.

Machine Repair Group. A group of typically volunteers who assists in the repair of digital talking book players or other LC/NLS issued machines and technology.

Master. The original transcription of braille or recorded materials from which copies are produced.

Medium. Mode of transcription; braille, recording, or large type.

Mobile applications. A software application designed to run on mobile devices, such as tablets or smartphones. An example of a mobile app is BARD.

Multistate Center (MSC). Regional service centers for NLS materials, providing backup service to network agencies. Multistate Center East serves states east of the Mississippi River and Multistate Center West serving states west of the Mississippi River.

National collection. Titles produced in quantity by LC/NLS and participating network libraries for distribution to the network.

Network. LC/NLS and the agencies cooperating with it under the provisions of PL 89-522 to provide library service to eligible users who are residents of the United States.

Network service providers. Regional libraries, subregional libraries, AOCs, and MLAs that cooperate with the LC/NLS in the provision of accessible library services to borrowers who have print disabilities. Also includes the LC/NLS where it provides direct patron service (for example, with music services or to American citizens living abroad).

ODLOS. Office for Diversity, Literacy, and Outreach Services, an office of ALA which oversees the development and revising of standards for library services for specialized library activities.

Outreach services. Library and information programs that seek out potential patrons, particularly those who do not or cannot

make use of traditional library services or materials. Examples include bookmobile service, service to people who require at-home resources, books by mail, service to hospitals and institutions, and home visits.

Patron. An individual who or an institution that is registered for and uses the LC/NLS service.

Print disability. Any disability that affects the ability of an individual to make use of standard printed text materials.

Processing. A term that may include everything that is done to a bibliographic item between its arrival in a library and its storage in the collection or may, in a more restricted sense, refer only to physical processing.

Quality control. Standards and procedures that ensure that braille and recorded materials meet LC/NLS specifications.

Radio reading service. Use of a radio station or the Internet to transmit content such as newspapers, magazine articles, current books, and other materials not available to persons unable to read conventional print. This service may be provided on a commercial or public service station, or more commonly on a side band licensed by a Subsidiary Communication Authorization (SCA).

RC. Recorded cassette. See “Talking book.”

RD. Recorded disc. See “Talking book.”

RDA. Resource Description and Access, “a set of guidelines and instructions on formulating data to support resource discovery,” developed “to replace the Anglo-American Cataloguing Rules, 2nd Edition Revised” (<http://rda-rsc.org/>). MARC 21 is a machine

readable format; RDA is a successor to AACR2. MARC 21 is the delivery method (a machine language), and AACR2/RDA are the rules.

Readers' Advisory. A foundational library service in which a staff member suggests reading titles to patrons based on reading history and preferences.

Refreshable braille display. Devices that use round-tipped metal or nylon pins that are raised through a flat surface to display in braille what is presented on a computer screen, smart phone, or tablet. Text may also be entered and displayed using an attached keyboard. LC/NLS issued braille e-readers, such as Humanware and Zoomax, are a type of refreshable braille display that can connect to BARD to download books.

Regional conferences. Geographic grouping of network libraries. The network is divided into four conferences: northern, southern, western, and midlands.

Regional library. A library for blind and print disabled individuals that is administered by a state library agency, public library, or agency for the blind. It must be designated by LC/NLS to administer services to the residents of a specific geographic area, typically a state. Usually provides direct services to patrons.

Section 508. The section of the Rehabilitation Act of 1998, as passed by the Architectural and Transportation Barriers Compliance Board (Access Board), that legally specifies standards for accessible electronic and information technology for federal agencies through the Standards for Electronic and Information Technology, published in 2000.

Selection. (1) A book title chosen to fill a patron request or substitute sent to keep a patron supplied with books if no specific requests are on hand at the time the books are sent. The latter service is given with the permission and wish of the user. (2) The process of deciding which specific titles should be added to a library collection.

Social Media. User-created media and communications that can be published or shared in a social online space, such as a social networking site, or video hosting app.

State Library Agency. An independent agency or a unit of another state government unit, such as the state department of education, created or authorized by a state to extend and develop library services in the state through the direct provision of certain services statewide and through the organization and coordination of library services to be provided by other libraries of one or more types. Also call library commission, state library commission, and state library extension agency.

Sub-lending agency (SLA). An agency designated by a machine lending agency to receive, issue, and control the inventory of LC/NLS equipment and accessories essential to the provision of service.

Submaster. First copy of a master; used to duplicate circulating copies.

Subregional library. A department or unit of a library agency that provides service to the blind and print disabled residents of a specified area of the regional library's total service area. Designation request approval of LC/NLS, the regional library, and the state library agency.

Talking book. An unabridged audio book that is produced specifically for use by people with print disabilities under special copyright exceptions and made available through designated libraries.

Text-to-speech (TTS). Technology that can transform text into audio files.

TM. Designation for tactile map collection available for circulation. Housed at LC/NLS.

Title. The distinguishing name of a written, printed, or spoken work. By extension, the term is used to denote the work in general as differentiated from the variable number of copies of a book or magazine.

Unified English Braille (UEB). Standard code used for English language braille. Adopted November 2, 2012, by the United States members of the Braille Authority of North America (BANA) with implementation in 2016.

Union catalog. A catalog that includes all titles held by the network and by cooperating agencies, often provided online. Items produced through the network that meet LC/NLS reproduction quality standards may be deposited at multistate centers and will be so identified.

Universal design. “Design that is usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.” (UD Project, <http://www.universaldesign.org>)

User. A registered individual or institution. See also “Eligible user” and “Patron.”

Vocational Rehabilitation Agency. Agencies that support persons with disabilities to prepare for, obtain, maintain, and advance in meaningful employment.

World Wide Web Consortium (W3C). W3C is “an international community that develops open standards to ensure the long-term growth of the Web” (<https://www.w3.org/standards/>). This includes the Web Accessibility Initiative (WAI), which is a community-driven initiative that develops and supports guidelines and standards for web accessibility [W3C Accessibility Guidelines 3 (WCAG)], authoring tool accessibility [Authoring Tool Accessibility Guidelines (ATAG)], browser accessibility [User Agent Accessibility Guidelines (UAAG)], and web application accessibility [Accessible Rich Internet Applications (WAI-ARIA)].

Weed. To select items from a library collection to discard or for transfer to a storage area.

Withdrawal. The process of removing a title no longer in the library collection from the library’s records of holding.

Appendix A

LC/NLS Service Eligibility Criteria Eligibility of Blind and Print Disabled Person for Loan of Library Materials

Eligibility for Individual Service

Any resident of the United States or American citizen living abroad who is unable to read or use regular print materials as a result of temporary or permanent visual or physical limitations may receive service through NLS. This includes those who are blind or have a visual, physical, perceptual, or reading disability that prevents them from reading or handling print materials.

Who can qualify?

NLS provides service to individuals who fall into any of the following categories:

1. Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting lenses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.
2. Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material
3. Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.

4. Persons certified by competent authority as having a perceptual or reading disability and unable to read printed works to substantially the same degree as a person without an impairment or disability.
5. Persons eligible for service (falling into any of the above categories) who are now living as residents of the United States (including its territories, insular possessions, and the District of Columbia), or are American citizens eligible for service who are now living abroad, or dependents of active military personnel or diplomats.

This includes individuals who have had a qualifying disability from birth, individuals who are disabled because of medical conditions or trauma, and individuals who become disabled as they age. Individuals who have a temporary disability may qualify for service on a temporary basis. Individuals who are blind or have a print disability and who have been honorably discharged from the armed forces of the United States receive special priority.

Who is a “competent authority”?

Regarding NLS eligibility, "competent authority" is defined to include:

- Doctors of medicine
- Doctors of osteopathy
- Ophthalmologists
- Optometrists
- Registered nurses
- Therapists
- Professional staff of hospitals, institutions, and public or private welfare agencies, such as an educator, social

worker, case worker, counselor, rehabilitation teacher, certified reading specialist, school psychologist, superintendent, or librarian.

In the absence of any of these, certification may be made by professional librarians or by any person whose competence under specific circumstances is acceptable to the Library of Congress.

Veterans.

In the lending of books, recordings, playback equipment, musical scores, instructional texts, and other specialized materials, preference shall be given at all times to the needs of the blind and print disabled persons who have been honorably discharged from the armed forces of the United States.

Reference: “Apply for NLS Services.” National Library Service for the Blind and Print Disabled. <https://www.loc.gov/nls/how-to-enroll/apply-for-nls-services/#eligibility-guidelines> (Accessed October 14, 2024).

Appendix B

LC/NLS Cooperative Service Agreement

COOPERATIVE AGREEMENT

This agreement is by and between the Library of Congress (“Library”), a United States Government agency, and _____ (“Agency”). The parties hereby agree as follows:

- 1) Overview. The Library’s National Library Service for the Blind and Print Disabled (“NLS”) and a nationwide network of state, regional, and local libraries and agencies have worked in cooperation since 1931 to provide accessible reading materials to eligible patrons (the “Service”), in accordance with 2 U.S.C. §§ 135a and 135b and 36 CFR § 701.6. The Regional Library is a part of this network. This agreement memorializes the parties’ cooperation in support of the Service.
- 2) Policies and Procedures. The Agency shall conduct its activities under this agreement in accordance with the following policies, standards, and procedures, as they may be updated from time to time (listed in order of precedence):
 - a. The NLS Network Library Manual, available on a password-restricted area of loc.gov;
 - b. Other NLS policies, procedures and guidance;
 - c. The American Library Association Office for Diversity, Literacy, and Outreach Service (*Standards and*

Guidelines of Service for the Library of Congress Network of Libraries for the Blind and Print Disabled);
and

- d. The Agency's locally developed policies and procedures.
- 3) Costs. Each party shall bear the costs of its own participation in the activities under this agreement. Each party's participation is subject to the availability of funds.
- 4) 4) Publicity. The Agency shall obtain written approval from the Library's Office of Communications prior to using the Library's logo(s) or the name "Library of Congress" or other Library trademarks or trade names. This applies to all uses, whether on the web, in print, or in any other media. Once approved, similar uses in the same context and format will not require additional approval. The contact for these reviews is Director of Communications, communications@loc.gov.
- 5) 5) Term and Termination. The term of this agreement is five years from the date both parties have signed this agreement. This agreement will automatically renew for an additional five years at the conclusion of each term. Either party may terminate this agreement at any time for its convenience, upon 30 days' prior written notice to the other party. Notice to the Library shall be sent to nls@loc.gov with a copy to ogc@loc.gov. Notice to the Agency shall be sent to _____ . Notice is effective when given. Upon termination of this agreement, the parties shall work together to properly dispose of the Government-Furnished Property (collection materials, playback equipment, and publications)

in the Agency's custody. Disposition may take up to six months.

- 6) Records. Each party shall retain all its records relating to this agreement for a period of three years following termination of the agreement, or following resolution of a dispute under this agreement, whichever occurs later.
- 7) Miscellaneous.
 - a. This agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and supersedes all pre-existing agreements and understandings between them with respect thereto. No waiver or modification of any of the terms of this agreement will be valid unless in writing. No waiver by either party of a breach hereof or default hereunder will be deemed a waiver by such party of any later breach or default. If any particular term, covenant, or provision of this agreement is determined to be invalid or unenforceable, the invalidity or unenforceability thereof will not affect the remaining provisions of this agreement, which will nevertheless remain in full force and effect. Any attempted assignment without the other party's consent is void and unenforceable.
 - b. Performance by either party under this agreement is excused during the period such performance is prevented or delayed by government restrictions (whether with or without valid jurisdiction), war/warlike activity, insurrection, civil disorder, or any other similar or dissimilar causes that are beyond the control of either party and are unforeseeable at the time the agreement is executed.

- c. This agreement is to be governed for all purposes by, and construed in accordance with federal law, which shall also determine venue. This agreement is not intended to create any derivative or other third-party beneficiary rights.

Please contact LC/NLS for an official executable copy.

DRAFT

Appendix C

Laws Related to LC/NLS Service

Act of March 3, 1931 (Pratt-Smoot)

An Act

To provide books for the adult blind.

Be it enacted by the Senate and House of representatives of the United States of America in Congress assembled,

That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, the sum of \$100,000, which sum shall be expended under the direction of the Librarian of Congress to provide books for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia.

Sec. 2. The Librarian of Congress may arrange with such libraries as he may judge appropriate to serve as local or regional centers of the circulation of such books, under such conditions and regulations as he may prescribe. In the lending of such books preference shall at all times be give to the needs of blind persons who have been honorably discharged from the United States military or naval service.

Approved, March 3, 1931.

Chap. 400. Sec. 1, 46 Stat. 1487

71st Congress

Reference: "Governing Legislation (Act of March 3, 1931)," National Library Service for the Blind and Print Disabled.
<https://www.loc.gov/nls/who-we-are/laws-regulations/governing-legislation-act-march-3-1931/> (Accessed October 14, 2024)

Public Law 89-522

An Act

To amend the Acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931, as amended (2 U.S.C. 135a, 135b), is amended to read as follows: "That there is authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, such sums for expenditure under the direction of the Librarian of Congress as may be necessary to provide books published either in raised characters, on sound-reproduction recordings or in any other form, and for purchase, maintenance, and replacement of reproducers for such sound-reproduction recordings, for the use of the blind and for other physically handicapped residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia, all of which books, recordings, and reproducers will remain the property of the Library

of Congress but will be loaned to blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to the provisions of section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), shall give preference to nonprofitmaking institutions or agencies whose activities are primarily concerned with the blind and with other physically handicapped persons, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

"Sec. 2. (a) The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as he may deem appropriate to serve as local or regional centers for the circulation of (1) books, recordings, and reproducers referred to in the first section of this Act, and (2) musical scores, instructional texts, and other specialized materials referred to in the Act of October 9, 1962, as amended (2 U.S.C. 135a-1), under such conditions and regulations as he may prescribe. In the lending of such books, recordings, reproducers, musical scores, instructional texts, and other specialized materials, preference shall at all times be given to the needs of the blind and of the other physically handicapped persons who have been honorably discharged from the Armed Forces of the United States."(b) There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section."

Sec. 2. The Act entitled "An Act to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons", approved October 9, 1962 (2 U.S.C. 135a-1), is amended to read as follows: "That (a) the Librarian of Congress shall establish and maintain a library of musical scores, instructional texts, and other specialized materials for the use of the blind and for other physically handicapped residents of the United States and its possessions in furthering their educational, vocational, and cultural opportunities in the field of music. Such scores, texts, and materials shall be made available on a loan basis under regulations developed by the Librarian or his designee in consultation with persons, organizations, and agencies engaged in work for the blind and for other physically handicapped persons. "(b) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act."

Approved July 30, 1966.

Sec. 1, 80 Stat. 330

89th Congress. S. 3093

July 30, 1966

Legislative History:

- House Report No. 1600 accompanying H.R. 13783 (Committee On House Administration).
- Senate Report No. 1343 (Committee On Rules & Administration).
- Congressional Record, Vol. 112 (1966):
 - June 29: Considered and passed Senate.

- July 18: Considered and passed House, in lieu of H.R. 13783.

Reference: “Laws and Regulations: Public Law 89-522,” National Library Service for the Blind and Print Disabled.

<https://www.loc.gov/nls/about/organization/laws-regulations/public-law-89-522/> (Accessed October 14, 2024)

The Chafee Amendment: 17 U.S.C. 121 & 121A

Enactment into Law

Under the Legislative Branch Appropriations Bill, H.R. 3754, Congress approved a measure, introduced by Senator John H. Chafee (R-R.I.) on July 29, 1996, that provides for an exemption affecting the NLS program. On September 16, 1996, the bill was signed into law by President Clinton.

The Chafee Amendment to chapter 1 of title 17, United States Code, adds section 121, establishing a limitation on the exclusive rights in copyrighted works. The amendment allows authorized entities to reproduce or distribute copies or phonorecords of previously published literary or musical works in accessible formats exclusively for use by print-disabled persons. The Chafee Amendment has been amended several times, most recently in 2018 by the Marrakesh Treaty Implementation Act. Among other things, the 2018 amendment expanded the works covered by the Chafee Amendment from nondramatic literary works to all literary and musical works.

Text of the Law

In its current form, the Chafee Amendment reads as follows:

§ 121. Limitations on exclusive rights: Reproduction for blind or other people with disabilities

(a) Notwithstanding the provisions of section 106, it is not an infringement of copyright for an authorized entity to reproduce or to distribute in the United States copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation if such copies or phonorecords are reproduced or distributed in accessible formats exclusively for use by eligible persons.

(b)(1) Copies or phonorecords to which this section applies shall-

(A) not be reproduced or distributed in the United States in a format other than an accessible format exclusively for use by eligible persons;

(B) bear a notice that any further reproduction or distribution in a format other than an accessible format is an infringement; and

(C) include a copyright notice identifying the copyright owner and the date of the original publication.

(2) The provisions of this subsection shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including descriptions of pictorial works) and displayed to users in the ordinary course of using the computer programs.

(c) Notwithstanding the provisions of section 106, it is not an infringement of copyright for a publisher of print instructional materials for use in elementary or secondary schools to create and distribute to the National Instructional Materials Access Center copies of the electronic files described in sections

612(a)(23)(C), 613(a)(6), and section 674(e) of the Individuals with Disabilities Education Act that contain the contents of print instructional materials using the National Instructional Material Accessibility Standard (as defined in section 674(e)(3) of that Act), if-

(1) the inclusion of the contents of such print instructional materials is required by any State educational agency or local educational agency;

(2) the publisher had the right to publish such print instructional materials in print formats; and

(3) such copies are used solely for reproduction or distribution of the contents of such print instructional materials in accessible formats.

(d) For purposes of this section, the term-

(1) "accessible format" means an alternative manner or form that gives an eligible person access to the work when the copy or phonorecord in the accessible format is used exclusively by the eligible person to permit him or her to have access as feasibly and comfortably as a person without such disability as described in paragraph (3);

(2) "authorized entity" means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities;

(3) "eligible person" means an individual who, regardless of any other disability-

(A) is blind;

(B) has a visual impairment or perceptual or reading disability that cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or

(C) is otherwise unable, through physical disability, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading; and

(4) "print instructional materials" has the meaning given under section 674(e)(3)(C) of the Individuals with Disabilities Education Act.

§121A. Limitations on exclusive rights: reproduction for blind or other people with disabilities in Marrakesh Treaty countries

(a) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an authorized entity, acting pursuant to this section, to export copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in accessible formats to another country when the exportation is made either to-

(1) an authorized entity located in a country that is a Party to the Marrakesh Treaty; or

(2) an eligible person in a country that is a Party to the Marrakesh Treaty,

if prior to the exportation of such copies or phonorecords, the authorized entity engaged in the exportation did not know or have

reasonable grounds to know that the copies or phonorecords would be used other than by eligible persons.

(b) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an authorized entity or an eligible person, or someone acting on behalf of an eligible person, acting pursuant to this section, to import copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in accessible formats.

(c) In conducting activities under subsection (a) or (b), an authorized entity shall establish and follow its own practices, in keeping with its particular circumstances, to-

(1) establish that the persons the authorized entity serves are eligible persons;

(2) limit to eligible persons and authorized entities the distribution of accessible format copies by the authorized entity;

(3) discourage the reproduction and distribution of unauthorized copies;

(4) maintain due care in, and records of, the handling of copies of works by the authorized entity, while respecting the privacy of eligible persons on an equal basis with others; and

(5) facilitate effective cross-border exchange of accessible format copies by making publicly available-

(A) the titles of works for which the authorized entity has accessible format copies or phonorecords and the specific accessible formats in which they are available; and

(B) information on the policies, practices, and authorized entity partners of the authorized entity for the cross-border exchange of accessible format copies.

(d) Nothing in this section shall be construed to establish-

(1) a cause of action under this title; or

(2) a basis for regulation by any Federal agency.

(e) Nothing in this section shall be construed to limit the ability to engage in any activity otherwise permitted under this title.

(f) For purposes of this section-

(1) the terms "accessible format", "authorized entity", and "eligible person" have the meanings given those terms in section 121; and

(2) the term "Marrakesh Treaty" means the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities concluded at Marrakesh, Morocco, on June 28, 2013.

(Added Pub. L. 115–261, §2(a)(2), Oct. 9, 2018, 132 Stat. 3668.)

Reference: “Laws and Regulations: The Chafee Amendment: 17 U.S.C. 121 & 121A,” National Library Service for the Blind and Print Disabled, Library of Congress.

<https://www.loc.gov/nls/about/organization/laws-regulations/copyright-law-amendment-1996-pl-104-197/>

(Accessed October 14, 2024)

Appendix D

Marrakesh Treaty Act and Implementation

Public Law 116-94, Division P, Title XIV, §1403(a)

SEC. 1403. NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT DISABLED.

(a) IN GENERAL.—The Act entitled “An Act to provide books for the adult blind”, approved March 3, 1931 (2 U.S.C. 135a et seq.), is amended to read as follows:

“SECTION 1. NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT DISABLED.

“(a) ACCESSIBLE MATERIALS AND REPRODUCERS.—

“(1) IN GENERAL.—The Librarian of Congress is authorized to provide to eligible persons who are residents of the United States (including residents of the several States, insular possessions, and the District of Columbia) and to eligible persons who are United States citizens residing outside the United States the following items:

“(A) Literary works published in raised characters, on sound-reproduction recordings, or in any other accessible format.

“(B) Musical scores, instructional texts, and other specialized materials used in furthering educational, vocational, and cultural opportunities in the field of music published in any accessible format.

“(C) Reproducers for such formats.

“(2) OWNERSHIP.—Any item provided under paragraph (1) shall be provided on a loan basis and shall remain the property of the Library of Congress.

“(b) LENDING PREFERENCE.—In the lending of items under sub-section (a), the Librarian shall at all times give preference to—

“(1) the needs of the blind and visually disabled; and

“(2) the needs of eligible persons who have been honorably discharged from the Armed Forces of the United States.

“(c) NETWORK.—The Librarian of Congress may contract or otherwise arrange with such public or other nonprofit libraries, agencies, or organizations as the Librarian may determine appropriate to serve as local or regional centers for the circulation of items described in subsection (a)(1).

“(d) INTERNATIONAL SERVICE.—The Librarian of Congress is authorized to provide items described in subparagraphs (A) and (B) of subsection (a)(1) to authorized entities located in a country that is a party to the Marrakesh Treaty, if any such items are delivered to authorized entities through online, not physical, means. The Librarian may contract or otherwise arrange with such authorized entities to deliver such items to eligible persons located in their countries in any accessible format and consistent with section 121A of title 17, United States Code.

“(e) CONTRACTING PREFERENCE.—In the purchase and maintenance of items described in subsection (a), the Librarian of Congress, without regard to section 6101 of title 41, United States Code, shall give preference to nonprofit institutions or agencies

whose activities are primarily concerned with the blind and with other physically disabled persons, in all cases where, considering all the circumstances and needs involved, the Librarian determines that the prices submitted are fair and reasonable.

“(f) REGULATIONS.—The Librarian of Congress shall prescribe regulations for services under this section, in consultation with eligible persons and authorized entities. Such regulations shall include procedures that shall be used by an individual to establish that the individual is an eligible person.

“(g) DEFINITIONS.—In this section—

“(1) the terms ‘accessible format’, ‘authorized entity’, and ‘eligible person’ have the meanings given those terms in section 121 of title 17, United States Code; and

“(2) the term ‘Marrakesh Treaty’ has the meaning given in section 121A of such title 17.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.”.

(b) CONFORMING AMENDMENT.—The Act entitled “An Act to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons”, approved October 9, 1962 (2 U.S.C. 135a–1), is repealed.

Approved December 20, 2019

Reference: “Laws and Regulations: Public Law 116-94, Division P, Title XIV, §1403(a),” National Library Service for the Blind and Print Disabled, Library of Congress.

<https://www.loc.gov/nls/about/organization/laws-regulations/sec-1403/> (Accessed October 14, 2024)

Summary of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or otherwise Print Disabled (MVT) (2013)

The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (MVT) is the latest addition to the body of international copyright treaties administered by WIPO. It has a clear humanitarian and social development dimension and its main goal is to create a set of mandatory limitations and exceptions for the benefit of the blind, visually impaired and otherwise print disabled (VIPs).

It requires Contracting Parties to introduce a standard set of limitations and exceptions to copyright rules in order to permit reproduction, distribution and making available of published works in formats designed to be accessible to VIPs, and to permit exchange of these works across borders by organizations that serve those beneficiaries.

The Treaty clarifies that beneficiary persons are those affected by a range of disabilities that interfere with the effective reading of printed material. The broad definition includes persons who are blind, visually impaired, or print disabled or persons with a physical disability that prevents them from holding and manipulating a book.

Works "in the form of text, notation and/or related illustrations, whether published or otherwise made publicly available in any

media", including audio books, fall within the scope of the MVT regime.

Another important element is the role played by authorized entities, which are the organizations in charge of performing the cross-border exchange. The rather broad definition of the term encompasses many non-profit and government entities. They are either specifically authorized or "recognized" by the government as entities that provide many functions including education and information access to beneficiary persons. Authorized entities have the duty to establish and follow their own practices in several areas, including establishing that the persons they serve are beneficiary persons, providing services only to those persons, discouraging unauthorized uses of copies, and maintaining "due care" in handling copies of works.

The MVT has a clear structure and provides for specific rules regarding both domestic and cross-border limitations and exceptions.

First, it requires Contracting Parties to have a limitation or exception to domestic copyright law for VIPs. The rights subject to such limitation or exception are the right of reproduction, the right of distribution, and the right of making available to the public. Authorized entities may, on a non-profit basis, make accessible format copies, which can be distributed by non-commercial lending or by electronic communication; the conditions for this activity include having lawful access to the work, introducing only those changes needed to make the work accessible, and supplying the copies only for use by beneficiary persons. VIPs may also make a personal use copy where they have lawful access to an accessible format copy of a work. At the domestic

level countries can confine limitations or exceptions to those works that cannot be "obtained commercially under reasonable terms for beneficiary persons in that market." Use of this possibility requires notification to the WIPO Director General.

Second, the MVT requires Contracting Parties to allow the import and export of accessible format copies under certain conditions. Regarding importation, when an accessible format copy can be made pursuant to national law, a copy may also be imported without rightholder authorization. With reference to exportation, accessible format copies made under a limitation or exception or other law can be distributed or made available by an authorized entity to a beneficiary person or authorized entity in another Contracting Party. This specific limitation or exception requires the exclusive use of the works by beneficiary persons, and the MVT also clarifies that, prior to such distribution or making available, the authorized entity must not know or have reasonable grounds to know that the accessible format copy would be used by others.

The MVT leaves Contracting Parties the freedom to implement its provisions taking into account their own legal systems and practices, including determinations on "fair practices, dealings or uses", provided they comply with their three-step test obligations under other treaties. The three-step test is a basic principle used to determine whether or not an exception or limitation is permissible under the international norms on copyright and related rights. It includes three elements; any exception or limitation: (1) shall cover only certain special cases; (2) shall not conflict with the normal exploitation of the work; and (3) shall not unreasonably prejudice the legitimate interests of the rightholder.

There is no requirement to be a member of any other international copyright treaty to join the MVT; membership is open to Member States of WIPO and to the European Union. However, Contracting Parties that receive accessible format copies and do not have obligations to comply with the three-step test under Article 9 of the Berne Convention must ensure that accessible format copies are not redistributed outside their jurisdictions. Also cross-border transfer by authorized entities is not permitted unless the Contracting Party in which the copy is made is a party to the WIPO Copyright Treaty or otherwise applies the three-step test to limitations and exceptions implementing the MVT.

The MVT requires WIPO to establish an "information access point" to allow voluntary sharing of information facilitating the identification of authorized entities. WIPO is also invited to share information about the functioning of the Treaty. In addition, Contracting Parties undertake to assist their authorized entities engaged in cross-border transfer arrangements.

The Treaty establishes an Assembly of the Contracting Parties whose main task is to address matters concerning the maintenance and development of the Treaty. It also entrusts to the Secretariat of WIPO the administrative tasks concerning the Treaty.

The Treaty text was adopted on June 27, 2013 in Marrakesh. It achieved the deposit of 20 instruments of ratification or accession by eligible parties needed for entry into force on June 30, 2016. The Treaty date of entry into force is three months later, on September 30, 2016.

Reference: “Summary of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled,” World Intellectual Property Organization (WIPO).

<https://www.wipo.int/treaties/en/ip/marrakesh/> (Accessed October 14, 2024).

Policies and Practices

Pursuant to Article 9, clause 2, of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, the National Library Service for the Blind and Print Disabled (NLS) at the Library of Congress (Library) makes available the following policies and practices pertaining to the implementation of the Treaty. Article 9 (“Cooperation to Facilitate Cross-Border Exchange”), clause 2, of the Treaty states: “Contracting Parties undertake to assist their authorized entities engaged in activities under Article 5 to make information available regarding their practices pursuant to Article 2(c), both through the sharing of information among authorized entities, and through making available information on their policies and practices, including related to cross-border exchange of accessible format copies, to interested parties and members of the public as appropriate.”

The entire text of the Treaty may be found here:

<https://wipolex.wipo.int/en/treaties/textdetails/13169>

- NLS establishes contractual arrangements with authorized entity (AE) partners before initiating any exchange;
- NLS makes Accessible Format Copies available to AEs through digital means only, in a format determined by NLS;

- NLS only exports its titles and digital music braille files to contracting AEs. NLS does not provide items directly to individuals in other countries except to those individuals who are NLS patrons;
- NLS makes its catalog available at <https://nlscatalog.loc.gov>;
- NLS excludes from exchange all titles acquired under contract with publishers unless those contracts specifically include such permissions;
- NLS continuously update the catalog with select additional titles and periodically share those with other AEs;
- NLS does not export titles acquired from one contractual partner AE to another partner AE; instead, NLS will refer the requesting AE to the originating AE;
- Exported NLS titles are provided in the NLS standard, unencrypted z39.86:2002 format, using the AMRWideband compression codec. Receiving AEs are responsible for reformatting NLS content for use by their patrons. NLS provides appropriate tools to convert the audio compression to MP3 upon request;
- As an AE under the Marrakesh Treaty and a member of the Accessible Book Consortium (ABC), NLS works with the Global Book Service (GBS) to facilitate international exchanges. Further information can be found here: <https://www.accessiblebooksconsortium.org/portal/en/index.html>.

Reference: “Marrakesh Treaty Implementation,” National Library Service for the Blind and Print Disabled, Library of Congress, March, 27, 2023.

<https://www.loc.gov/nls/about/organization/laws-regulations/marrakesh-treaty/marrakesh-treaty-implementation/>

(Accessed October 14, 2024)

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Appendix E

ALA Library Bill of Rights and Policy on Confidentiality of Library Records

ALA Policy Manual, B.2 Intellectual Freedom (Old Number 53)

B.2.1 Library Bill of Rights (Old Number 53.1)

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information and enlightenment of all people of the community the library services. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948. Amended February 2, 1961, June 27, 1967, and January 23, 1980, by the ALA Council.

Reference: "B.2 Intellectual Freedom (Old Number 53)", American Library Association, August 4, 2010.

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section2/53intellfreedom> (Accessed October 14, 2024)

Policy on Confidentiality of Library Records

The Council of the American Library Association strongly recommends that the responsible officers of each library, cooperative system, and consortium in the United States:

1. Formally adopt a policy that specifically recognizes its circulation records and other records identifying the names of library users to be confidential. (See also ALA Code of Ethics, Article III, "We protect each library user's right to privacy and confidentiality with respect to information sought or received, and resources consulted, borrowed, acquired or transmitted" and Privacy: An Interpretation of the Library Bill of Rights.)
2. Advise all librarians and library employees that such records shall not be made available to any agency of state, federal, or

local government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, federal, state, or local law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

3. Resist the issuance of enforcement of any such process, order, or subpoena until such times as a proper showing of good cause has been made in a court of competent jurisdiction.

Adopted January 20, 1971, by the ALA Council; amended July 4, 1975; July 2, 1986.

Reference: "Policy on Confidentiality of Library Records", American Library Association, July 7, 2006.

<http://www.ala.org/advocacy/intfreedom/statementspols/otherpolicies/policyconfidentiality> (Accessed October 14, 2024)

Appendix F

ALA Policy on Service for People with Disabilities

The American Library Association recognizes that people with disabilities are a large and vibrant part of society. Libraries should be fully inclusive of all members of their community and strive to break down barriers to access. The library can play a transformational role in helping facilitate more complete participation in society by providing fully accessible resources and services.

The Americans with Disabilities Act (ADA) defines a person with a disability as “a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment.”¹ As such, there is no all-encompassing list of disabilities. The category of a “person with a disability” includes a broad range of individuals with a diversity of abilities, identities, and appearances. This intersectional group shares a common experience of discrimination and encountering barriers to access.

Library staff should never presuppose a person’s limits based on disability. Libraries are committed to providing equal access to collections, services, and facilities for all library users. When this is not possible, reasonable accommodations and timely remediation should be employed to provide an equivalent experience to people with disabilities. Libraries should comply with all applicable laws, including the standards and requirements of ADA and state or local disability accessibility guidelines.

Libraries should consult legal counsel to determine their responsibilities under law. The *Library Bill of Rights* articles are explicated below to focus on services to people with disabilities.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

Libraries should contain a diverse collection that highlights the perspectives of marginalized groups, including people with disabilities. Historically, these groups have not been treated equitably and it is the responsibility of the library to act in a legal, ethical, and inclusive manner to meet the information needs of all patrons.

In addition to including diverse perspectives in the library collection, the collection itself should be accessible to all users. All library resources, including its website and online resources, should be available in formats accessible to people of all ages and abilities.

Library administrators should educate themselves about technical and legal standards for digital accessibility, and manage staffing and resources to provide equal access. Library administrators should support librarians and technical staff to meet these standards through a combination of professional development, planning for time needed to develop accessible library websites and other content, and outsourcing as needed.

Library administrators should also ensure that their institutions work closely with vendors to address accessibility concerns and that vendors provide reasonable timelines to remediate

accessibility problems before the library agrees to license, subscribe to, or purchase a digital resource or product.

Access to materials should not be restricted by any presuppositions about information needs, interests, or capacity for understanding. Library staff should actively research and integrate existing and emerging accessible technologies and provide services to assist patrons when conflicts exist. The availability of these technologies and services should be marketed and available to all patrons. When libraries present information in formats that are accessible to all users, and do not limit access to physical facilities or virtual library structures, they eliminate barriers to information.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

Within their fiscal and physical limits, libraries should seek to add diverse voices on all topics to the collection, including the words and depictions of people with disabilities. People with disabilities are to be reflected in the collection not as a single group but as an intersectional part of the community, across age, race, gender, class, and orientation. In order to be inclusive, libraries must provide accurate, up-to-date, and representative materials in their collections to meet the information needs of their users. The collection should also preserve historic materials that reflect an accurate depiction of the progress toward inclusion and equality that has occurred within American society.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

Too often, acts of censorship silence the voices of those already marginalized. Libraries provide opportunities for all people to be heard, including those with perspectives that are voiced less often or less loudly. Library staff should not allow their personal and professional biases to dictate or inform services or resources. As stated in “Equity, Diversity, Inclusion: An Interpretation of the *Library Bill of Rights*,” “Libraries should counter censorship with inclusion.”²

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

As part of a commitment to free access, library staff should proactively reach out to individuals with disabilities, as well as advocacy and support organizations, to create formal or informal partnerships with them. This same model of partnership and communication should be used when planning programming, adding to the collection, and making physical modifications to library spaces. Library staff should include as many diverse segments of the community it serves as possible in every step of planning and implementation processes.

V. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

A person’s right to use a library should not be denied or abridged because of a disability, whether actual or perceived. Library staff should consider whether policies and procedures are inclusive of people of all abilities.

Physical access to the library should also not be a barrier to library use. Buildings should be accessible and when this is not possible, reasonable accommodations should be offered.

Libraries should provide training opportunities for all staff and volunteers. Training should include effective techniques for providing services for users with disabilities, as well as for working with colleagues with disabilities. Libraries should adopt policies to ensure that people with disabilities have an opportunity to serve as members of the library staff, administrative units, and governing boards.

To be truly accessible to all, libraries should provide reasonable accommodations such as sign language interpreters, open captions during presentations, and audio description during programming when requested by users or attendees.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

If a library provides exhibit spaces and meeting rooms to its patrons, those spaces should be as physically accessible as all public areas are required to be. Examples of reasonable structural modifications include automatic doors, handrails, elevators, ramps, and clear travel paths. The library should also provide accessible tables, desks, restrooms, and parking. Information on the physical facility must be included on the library's website in an accessible format.

The *Library Bill of Rights* states, "All libraries are forums for information and ideas."³ By working to remove barriers to access, libraries promote the full inclusion of people with disabilities into society.

1. "A Guide to Disability Rights Laws," U.S. Department of Justice, <https://www.ada.gov/cguide.htm> July 2009.

2. "Equity, Diversity, Inclusion: An Interpretation of the *Library Bill of Rights*," adopted June 27, 2017, by the ALA Council, <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/EDI>
3. *Library Bill of Rights*, adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019; inclusion of "age" reaffirmed January 23, 1996. <http://www.ala.org/advocacy/intfreedom/librarybill>

Adopted January 28, 2009, by the ALA Council *under the previous name* "Services to Persons with Disabilities"; amended June 26, 2018.

Reference: "Services to People with Disabilities: An Interpretation of the Library Bill of Rights", American Library Association, [Ahttps://www.ala.org/advocacy/intfreedom/librarybill/interpretations/servicespeopledisabilitiesLA](https://www.ala.org/advocacy/intfreedom/librarybill/interpretations/servicespeopledisabilitiesLA) (Accessed October 14, 2024).