

**ALABAMA PUBLIC LIBRARY SERVICE DIVISION OF THE BLIND AND
PHYSICALLY HANDICAPPED
ADMINISTRATIVE CODE**

**CHAPTER 520-4-1
LIBRARY SERVICES TO BLIND AND PHYSICALLY HANDICAPPED PERSONS**

TABLE OF CONTENTS

520-4-1-.01	Description Of The Alabama Regional Library For The Blind And Physically Handicapped
520-4-1-.02	Consumer Advisory Council Bylaws
520-4-1-.01	<u>Description Of The Alabama Regional Library For The Blind And Physically Handicapped.</u>

(1) The Alabama Regional Library for the Blind and Physically Handicapped (BPH) is a division of the Alabama Public Library Service (APLS). BPH is co-sponsored by the National Library Service for the Blind and Physically Handicapped (NLS), a division of the Library of Congress.

(2) NLS was established through the Pratt-Smoot Act in 1931. The Act authorized the Librarian of Congress to arrange with other libraries "to serve as local or regional centers for the circulation of such books, under such conditions and regulations as he may prescribe".

(3) BPH works in conjunction with a Consumer Advisory Council comprised of organizations and individuals having an interest in library services to blind and physically handicapped persons. The purpose of the Council is to make recommendations to BPH regarding library services to eligible persons in Alabama.

Author: Nancy C. Pack, Director

Statutory Authority: Code of Ala. 1975, §§41-8-(1-10). Title 2, U.S. Code, §135a, Pratt-Smoot Act.

History: Filed March 10, 1989. (See history note at end of chapter.) **Repealed and New Rule:** Filed May 20, 2005; effective June 24, 2005. **Repealed and New Rule:** Filed December 10, 2018; effective January 24, 2019.

520-4-1-.02	<u>Consumer Advisory Council Bylaws.</u>
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(1) NLS provides materials and playback equipment to BPH for dissemination to persons who meet the following eligibility requirements:

(a) 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.

(b) Other physically handicapped persons as follows:

1. Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.

2. Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.

3. Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

(2) In cases of blindness, visual disability, or physical limitations, "competent authority" is defined to include doctors of medicine; doctors of osteopathy; ophthalmologists; optometrists; registered nurses; therapists; and professional staff of hospitals, institutions, and public or welfare agencies (e.g., social workers, case workers, counselors, rehabilitation teachers, and superintendents). 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.

(3) In the case of reading disability from organic dysfunction, "competent authority" is defined as doctors of medicine and doctors of osteopathy who may consult with colleagues in associated disciplines.

(4) Eligible readers must be residents of the United States, including the several states, territories, insular possessions, and the District of Columbia, or American citizens, domiciled abroad.

(5) 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 blind and other physically handicapped persons who have been honorably discharged from the armed forces of the United States. NLS policy gives secondary preference to centenarians.

(6) The reading materials and playback equipment for the use of blind and physically handicapped persons may be loaned to individuals who qualify, to institutions such as nursing homes and hospitals, and to schools for the blind or physically handicapped

for the use of such persons only. The reading materials and playback equipment may also be used in public or private schools where handicapped students are enrolled; however, the students in public or private schools must be certified as eligible on an individual basis and must be the direct and only recipients of the materials and equipment.

(7) Patron records will be kept confidential based on applicable laws, Library of Congress/NLS Confidentiality of Reader Records, and the guidelines presented in the ALA Policy on Confidentiality of Library Records.

(8) No fines will be charged for overdue, damaged, or lost materials which are part of the NLS collection.

(9) Reader advisory and reference services will be provided to assist patrons in identifying specific materials and formats in their areas of interest.

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