A. Academic and Student Affairs Committee

Adoption of Proposed Amendments to Chapter 478-168 WAC, Regulations for the University of Washington Libraries

RECOMMENDED ACTION

It is the recommendation of the administration and the Academic and Student Affairs Committee that the Board of Regents adopt the proposed amendments to Chapter 478-168 WAC, Regulations for the University of Washington Libraries.

BACKGROUND

Chapter 478-168 WAC, Regulations for the University of Washington Libraries, is structured with separate sections for the Marian Gould Gallagher Law Library, administered by the School of Law, and other sections for the larger, University Libraries system. These proposed amendments bring rules for both these University organizations up to date with current technology, terminology, and best practices.

For the Marian Gould Gallagher Law Library, these proposed amendments will address functions in the library’s current location, the transition from print to include digital resources, and the centralized management of University identification.

For the University Libraries system, these proposed amendments will now refer to information on the Libraries website, change terminology to reflect current practice, and remove references to a service made obsolete by new technology and services.

Review and Approval:

These proposed amendments have been reviewed by the Attorney General’s Office, and endorsed by the Office of the President; the Dean of University Libraries and Vice Provost for Digital Initiatives; the Associate Dean for Library and Technology Services and Professor of Law; and the UW Faculty Council on University Libraries.

Attachments

Hearing Officer’s Report for May 29, 2015 public hearing
Proposed Amendments to Chapter 478-168 WAC, Regulations for the University of Washington Libraries
June 2, 2015

Interim President Ana Mari Cauce
Office of the President
University of Washington
Box 351230

Dear Interim President Cauce,

Pursuant to your delegation, I served as the Hearing Officer to receive public comment on the University of Washington’s proposed amendments to Chapter 478-168 WAC, “Regulations for the University of Washington Libraries,” at the May 29, 2015 public hearing held in Room 142 of Gerberding Hall on the UW Seattle campus. I am pleased to provide this report on the hearing and all written comments received.

As required by the Administrative Procedure Act, the University filed the following notices with the Washington State Office of the Code Reviser: a Preproposal Statement of Inquiry (published as WSR 15-06-058); and a Proposed Rule Making (published as WSR 15-09-132). Notices that a hearing would be held were published in The Daily and in UW Today on May 20, 2015. This public hearing was also announced on the events calendars for all three University campuses. The written comment period began March 18, 2015 and ended May 29, 2015.

Public Comment

No individuals or organizations provided written comment or testified at the public hearing on the proposed rule amendments.

Analysis and Recommendation

As there were no comments to the contrary, it is my recommendation that the Board of Regents adopt the amendments to the WAC rules as proposed.

An audio recording of the hearing has been deposited with the Secretary of the Board of Regents.

Sincerely,

Rebecca Goodwin Deardorff
Director of Rules Coordination

c: Mr. Thomas Deardorff
Mr. Jonathan Franklin
Ms. Joan Goldblatt
Mr. Rolf Johnson
Mr. Clark Shores
Ms. Betsy Wilson
WAC 478-168-070 Marian Gould Gallagher Law Library—Access to facilities. (1) Access to the Marian Gould Gallagher Law Library is limited. Only University of Washington faculty and University of Washington law school students may use the library as a study hall (i.e., for use not related to that library's materials). In general, the reading room is open for use by any person having need of the library's legal materials. However, when necessary to serve University of Washington faculty and University of Washington law school students effectively, the law librarian may restrict access to the library or any part of the library.

(2) The faculty library is for the use of University of Washington law faculty only, but books may be taken by library staff from the faculty library. The law librarian may designate an area of the library for the exclusive use of faculty. Materials located in any area designated exclusively for faculty may be taken by library staff for the limited use of other patrons.

WAC 478-168-080 Marian Gould Gallagher Law Library—Use of materials. (1) In the use of library materials, the Marian Gould Gallagher Law Library serves the students, faculty, and staff of the law school, the students, faculty, and staff of other university departments, faculty of other colleges and universities, librarians of other libraries, judges, members of the Washington bar and persons who have a degree from the law school. The law librarian has discretion to specify other groups of patrons and to set priorities of use among all groups of patrons. However, University of Washington law school faculty and law school students have priority when other patrons need the same materials. The law librarian also has discretion to establish restrictions specific to particular library materials or a single library item.

(2) Circulation regulations may differ according to type of material and usage.

(3) Because of the reference nature of some of the collection, some materials do not circulate and must be used in the library. The law librarian shall define the phrase "in the library."

(4) Each borrower is responsible for materials he or she checks out at the circulation desk.

ATTACHMENT 2
WAC 478-168-092 Marian Gould Gallagher Law Library—Student identification cards—Conditions of use. (1) To ensure prompt access to the library collection, University of Washington law school students must carry official (law school) identification cards (issued at the time of enrollment in the school) to enter the library when it is not staffed.

(2) An identification card is authorized for use only by the student whose name appears on the card.

(3) Student identification must be presented for the completion of each in-person circulation transaction.

(4) Each student must maintain current validation of the student's card.

(5) Each student shall must keep the library appropriate university office informed of changes of name and address.

WAC 478-168-094 Marian Gould Gallagher Law Library—Official registration of other library users. (1) All library users other than University of Washington law school faculty, staff, and students must complete a registration form for library records at the main circulation desk.

(2) Information required includes name, permanent address, telephone number, and user category and additional requested contact information.

(3) Each borrower shall must keep the library appropriate university office informed of changes of name, permanent address, telephone number, and user category and additional requested contact information.

WAC 478-168-096 Marian Gould Gallagher Law Library—(Daily) Registration by library users—Procedures. (1) All eligible library users other than University of Washington law school faculty, staff, and students must present identification and register at the main circulation desk upon entering and leaving the library.

(2) Identification and visitor's permits shall be as specified by the law librarian.

(3) When in the law library, all eligible library users other than University of Washington law school faculty and staff and University of Washington law school students must display a visitor's permit.
on the person or at the workplace when there. Visitor's permits are issued at the time of daily registration.

(4) Permits must be returned to the main circulation desk upon leaving the library.

(5) Failure to return permits may result in the revocation of library privileges.)

AMENDATORY SECTION (Amending WSR 14-17-097, filed 8/19/14, effective 9/19/14)

WAC 478-168-180 Identification card—Conditions of use. (1) Each borrower is responsible for obtaining an official identification card from the appropriate university office or a library borrower's card from the library account services.

(2) An identification card is authorized for use only by the individual whose name appears on the card.

(3) Official identification must be presented for the completion of each in-person circulation transaction.

(4) Each borrower is responsible for materials checked out on (his/her) University of Washington identification card or library borrower's card. Library materials are not to be loaned to others (except as designated in WAC 478-168-180(6)).

(5) (Campus) All borrowers are responsible for keeping the (registrar or payroll) appropriate university office informed of changes of address. (Off-campus borrowers are responsible for keeping the library account services informed of changes of address.

(6) Each University of Washington faculty, academic personnel, administrative personnel, professional staff, visiting scholar, and other individuals as authorized by the dean of university libraries, may designate up to two proxies or couriers for the purpose of picking up materials for his/her use.)

AMENDATORY SECTION (Amending WSR 05-21-133, filed 10/19/05, effective 11/19/05)

WAC 478-168-310 Fines and charges. (1) All borrowers are subject to a uniform system of fines and charges for late return of library material and for replacement costs when required. The dean of university libraries or (his/her) designee will set the schedule of fines and charges on a regular basis.

(2) The approved schedule of fines and charges will be available ((online and in the Libraries Operations Manual)) on the University of Washington libraries web site.

(3) Fines are monetary sanctions for the late return of material. (Fines are levied only when an overdue item is returned prior to billing.)

(4) (Billing charges are) A fee is levied to defray the costs incurred by the libraries in billing, processing sanctions, and other activities related to the recovery of material (that is substantially overdue).
(5) Replacement charges are levied to pay for the replacement of ((substantially overdue)) material. The replacement charges include the cost of the material and the cost of processing the material for the shelves. All library materials, regardless of fines and fees paid, remain state property.

(6) Binding, mending, and damage charges are levied to repair material, to prepare replacement materials for circulation or to compensate for the decreased value of materials due to irreparable damage.

AMENDATORY SECTION (Amending WSR 04-13-087, filed 6/17/04, effective 9/21/04)

WAC 478-168-380 Appeal of library charges. (1) The ((library has)) libraries have the right to reduce or forgive fines and charges for borrowers in accordance with the guidelines ((specified in the Libraries Operations Manual)) available on the University of Washington libraries web site. Borrowers can appeal unresolved problems to the library fines appeals committee.

(2) The libraries inform potential appellants of the availability of the appeals process at the time of billing and in all correspondence regarding the application of sanctions.

(3) Meetings of the libraries fines appeals committee are considered brief adjudicative procedures as defined by the Administrative Procedure Act (chapter 34.05 RCW). Committee meetings are conducted in conformance with the act and other applicable laws.

(4) A completed appeals form must be submitted within six months of billing for the charges to be appealed.