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# CIRCULATION POLICY

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## Circulation Policy

### Policy Statement

The Ellsworth Public Library will nurture a lifelong love of reading and provide access to its citizens of the community and the surrounding rural area through technology and the printed word. Patrons in good standing, those with current Ellsworth Public Library registration and no outstanding fines will be offered privileges of loans and service. The library will also provide services to persons who are not residents of the city or county by lending materials through the state Open Access program, on the same terms and conditions.

# Circulation Policy

## Regulations

The Ellsworth Public Library is established and maintained according to the provisions of local ordinance and state law. A legally appointed and constituted library board governs the operation of the library. The library board hires the library director and delegates active management of the library, including personnel administration, to the library director.

The library follows statutory requirements as to fiscal year audits and budgeting and makes annual and other reports to its funding authority. The library board has written bylaws which outline its purpose and operational procedures. These bylaws are reviewed at least every three years. The library conducts a community analysis at least every five years.

The board adopts written policies for circulation, collection development, personnel and internet use, and reviews them at least every three years. The board meets regularly (no fewer than 10 meetings a year), with the director in attendance. The library director provides the board with information about Iowa library laws and other state and federal laws that affect library operations.

### CHILDREN'S LIBRARY CARDS

Children of any age may own a library card according to the discretion of their parents or legal guardian. Parental signature in the presence of library staff is required of persons under the age 14.

When the custody of a child is shared by the parents with separate addresses, and the child is under 14 years of age, two cards may be issued, one for each address/custodian.

In all situations described above, the applicant must be present to be issued a card. Exceptions may be granted by the Library Director or their designee.

Library cards expire after one year of inactivity. Current addresses are required to renew. Patrons with unpaid fines of more than \$5.00 or overdue materials will not be permitted to check out additional library Materials. Materials may continue to be used in the library. If an amount exceeds \$25 there will be no reinstatement, unless petitioned to the board by letter or in person and paying fine.

## ADULT CARD HOLDERS

Any person who resides with an Ellsworth address will be issued a borrower's card, upon application, without a fee. Identification showing name and current Ellsworth address will be required.

## SERVICES TO NONRESIDENTS

To comply with the Open Access letter of Agreement, nonresidents who reside in the service area of a participating library or do not have a current library card may also have borrowing privileges. Nonresident patrons need to fill out a form and provide identification as described above. A card will be issued without a fee.

Nonresidents (persons without an Ellsworth library card) may receive full service with the following exceptions:

- They will not be able to request materials not available at the library.
- They must apply for their library card at their hometown library.

Nonresidents are welcome to attend library sponsored programs.

## RENEWAL

All materials that circulate to the public are eligible for renewal except for any item on "reserve" and some items from other libraries that have renewal restriction.

Material may be brought into the library to be renewed, or renewed per telephone call.

The library retains the right not to renew eligible materials which are temporarily in high demand.

## SAFE CHILD POLICY

The library is a public building and all patrons, including minors, are welcome. However, at no time will the library assume responsibility of surrogate care provider for children in the library. All children under the age of 8 years of age must have a parent or caregiver present in the library at all times. A caregiver is defined as someone 13 years of age or older who has the mental and physical capacity to care for the child should an emergency arise. Children between the ages of 6 and 8 years should not be left unattended for more than one hour.

Children ages six through nine may attend programs independently but should be met at the conclusion of the program inside the Library. Exceptions to this policy occur only when programming requires children to attend on their own. At these times, children should be brought to the room prior to the program and met outside at its conclusion.

In the event a child under 6 years of age is left unattended or a child between the ages of 6 and 8 years is left unattended for more than an hour, the staff will attempt to contact a parent,

guardian or other care giver. If a parent, guardian, or caregiver cannot be located within one half hour, the Ellsworth Police will be called and the child will be given into custody.

If unattended children are left at the library for more than 15 minutes after normal or weather- related library closings, the Ellsworth Police will be called and the child will be given into their custody.

Library staff members are not responsible for children in any area of the Library at any time.

#### CONDUCT IN THE LIBRARY

If a patron appears dangerous, deliberately violates the law, is identified as a registered sex offender, or refuses to leave the library after being asked to leave, the director or the senior staff member on duty will call the police.

#### PUBLIC POSTINGS AND DISPLAY SPACES

The library has a free-standing display area near the front entrance that may be used for exhibiting library, patron or city information. Space is limited to local individuals or non-profit organizations. Bulletin board or display materials may be submitted for posting by nonprofit organizations for civic, educational, charitable, or cultural activities or events. In order to avoid the appearance of an endorsement, the library will not post notices of partisan political or commercial events or activities. Material which constitutes advertising for a business will not be accepted for any space. Commercial notices, garage sales or other sales signs, services such as baby sitting, for which fees are charged, and signs soliciting donations are not allowed. Materials will be periodically rotated or discarded. The Library cannot be responsible for their return. The staff will decide the time limit and amount of material.

# Circulation

## Procedures

The Ellsworth Public Library has a written plan that projects up to five years into the future and outlines the library's goals and objectives. The number of people who come into the library during a specified time each year will be determined. The library director will keep the borrowers' registrations up-to-date. Registration records must be updated once a year. The library director provides written financial and statistical reports for review at library board meetings. The director also conducts an orientation program for each new board member and provides the Iowa Library Trustee's Guide. The library board reviews and adopts an annual budget which has been developed by the library director with input from the library staff. The budget reflects board-approved priorities for the library.

### OVERDUE/LOST/DAMAGED MATERIALS

#### Overdue Materials -

1st Contact: Patron will be contacted by telephone and requested to return overdue items. If items are not returned within 2 weeks of the first contact, the patron's privileges will be suspended until items are returned and fines are paid.

2nd Contact: If items are not returned within 2 months following the 1st contact, a certified letter will be sent. The Code of Iowa will be included in this letter, and a 10-day limit for returning items or paying for items will be stated.

3rd Contact: If items are not returned within 2 weeks of the 2nd contact, a certified letter with a billing statement will be sent. This letter will include the phrase, "Failure to pay this within 10 days will result in items being considered stolen goods and will be reported to the police."

Police will be contacted after 2 weeks of the 3rd contact.

Lost Materials- The patron is charged the list price of lost item. Patron has the choice of buying a replacement if they prefer.

Damaged Materials -A \$10.00 rebinding fee is charged for major damage to a book which can be rebound. For major damage to CDs, puppets, magazines, DVDs etc. the patron is charged the replacement price.

# Circulation

## Guidelines

### CIRCULATION OF MATERIALS

A valid library card must be issued in the patrons' name in order to check out library materials. All loans are free.

**Length of Loan** - Books and audiobooks will be due 14 days from the day they are checked out with an additional 14 days renewal available.

Periodicals will be due in 7 days with renewal available for 7 days. The book fine applies to the magazines also.

NEW DVDs are due in 2 days. New DVDs will have a sticker on the front that says 'NEW'. Other DVDs will have a sticker on the front that says "7-Day Loan", these will be due back in 7 days. Puppets are also due in 7 days.

**Number of items loaned**- The library has established the total number of items loaned will be up to the discretion to the library staff on duty. They have the right to decide the limit of total items checked out to patron(s).

**Reserves** - Reserves may be placed on all items that circulate.

### FEES AND FINES

**Books/Audiobooks/Periodicals**-A daily fee of \$.25 is assessed after due date up to a maximum cost of replacement.

**DVDs/Puppets** -A fine of \$2.00 a day for DVDs & Puppets is incurred after due date. The library has established there be a limit of one new DVD release loaned at a time. Non new release DVDs limited to three. Puppets are limited to one.

**Printing**- Black and white printing - \$.15 per side

Black and white pictures - \$.75

Color printing- \$.25 per side

Color pictures - \$1.00

**FAXs** -A fee of \$1.00 for sending, \$.50 for receiving

Laminating-A fee of \$1.00 charged per 8 ½" x 11" sleeve.

Other fees are charged to discourage practices which increase the cost of library operations.

## **Library Confidentiality Policy**

### Section A. References

The confidentiality policy of the Ellsworth Public Library is based on the First and Fourth Amendments of the U.S. Constitution, the Iowa Code, and professional ethics.

First Amendment: Congress shall make no law...abridging the freedom of speech...

Fourth Amendment: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Code of Iowa 22.7 "Examination of Public Records (Open Records)"

22.7 Confidential records.

The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information...:

13. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal or juvenile justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

18. Communications not required by law, rule, procedure, or contract that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.

Professional Ethics: "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." (Source: Code of Ethics of the American Library Association)

### Section B. Confidentiality Policy

Confidentiality is essential to protect the exercise of First and Fourth Amendment rights. In accordance with First and Fourth Amendments of the U.S. Constitution, the Iowa Code and professional ethics, the Board of Trustees of the Ellsworth Public Library respects the privacy of users and recognizes its responsibility to protect their privacy.

1. The library will not reveal the identities of individual users nor reveal the information sources or services they consult unless required by law. Confidentiality extends to information sought or received and materials consulted, borrowed or acquired. Confidentiality includes database

search records, reference interviews, interlibrary loan records, computer use records, and all other personally identifiable uses of library materials, facilities or services.

2. The library will hold confidential the names of card holders and their registration information and not provide access for private, public or commercial use.

3. The lawful custodian of the records is the Director of the Library.

4. The library will not release registration, circulation or other records protected under the Iowa Code unless it is required by law to release the information. Circumstances which may require the library to release the information include the following:

A. A criminal or juvenile justice agency is seeking the information in pursuant to an investigation of a particular person or organization suspected of committing a known crime AND the criminal or juvenile justice agency presents the library Director with a court order demonstrating that there has been a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

B. The library receives a Warrant for the information issued under the USA Patriot Act (which includes amendments to the Foreign Intelligence Surveillance Act and the Electronic Communications Privacy Act).

C. The library receives a National Security Letter seeking the information pursuant to the USA Patriot Act.

D. The library receives a valid court order requiring the library to release registration, circulation or other records protected under the Iowa Code and the information is not sought in conjunction with a criminal or juvenile justice investigation.

Section C. Procedures for enforcing the policy on confidentiality of library records.

1. The library staff member receiving a request to examine or obtain information relating to registration records or circulation records or other records identifying the names of library users, shall immediately refer the requestor to the Director, the official custodian of the records.

(To prevent any misunderstanding, the staff member should avoid discussing with the person making the request what user information may or may not be available, or what the library can or cannot do.)

If the library Director is not available (such as during evenings or weekends or away on business) inform the requestor when the Director will be available. If pressed to act sooner, contact the Director immediately whether the Director is away on business or at home. In the event the Director cannot be reached, the highest ranking person on duty is responsible for working with the requestor.

2. The library Director shall meet with the requestor the information. If the requestor is a law enforcement officer the officer must have a court order, a warrant issued under the USA Patriot Act, or a National Security Letter (NSL) issued under the USA Patriot Act to receive the requested

records. If the officer does not have a proper court order, warrant, or NSL compelling the production of records, the library Director shall refuse to provide the information. The library Director may explain the confidentiality policy and the state's confidentiality law, and inform the agent or officer that users' records are not available except when a proper court order in good form has been presented to the library.

3. If the records requested cover registration, circulation or other records protected under the Iowa Code, and the Director is uncertain about whether the order, or subpoena presented to the library Director is sufficient to require release of the records, the library Director may immediately consult with legal counsel to determine if such process, order, or subpoena is sufficient to require release of the records.

4. If any written request, process, order, or subpoena is not in proper form or does not otherwise appear to be sufficient to support releasing the records, the library Director shall insist that such defects be cured before any records are released.

5. If the library Director or the Director in consultation with library's attorney determine that the order, warrant, or NSL, is sufficient and compels the release of the records, the library Director shall release the records.

6. If the request is made pursuant to the USA Patriot Act, the library Director is authorized to obtain legal counsel regarding the request. As required by the USA Patriot Act, the library Director may not discuss the request with anyone other than legal counsel.

7. If the requestor is not a law enforcement officer and has not presented any type of court or administrative order requiring release of the requested information, the library Director shall refuse to provide the requested records. The library Director may explain the confidentiality policy and the state's confidentiality law.

8. The library Director is authorized to take legal action (such as moving to quash a subpoena) to resist releasing requested registration, circulation or other records protected under the Iowa Code if the library Director and the library's legal counsel deems such action to be appropriate.

9. Any threats or unauthorized demands (i.e. those not supported by a written request, process, order, or subpoena) concerning circulation and other records identifying the names of library users shall be reported to the Director.

10. Any problems relating to the privacy of circulation and other records identifying the names of library users which are not provided for above shall be referred to the Director.