

Section IV – OPERATIONS-

Williamsburg Public Library Circulation Policy

The purpose of the circulation policy is to establish who may obtain a library card at the Williamsburg Public Library, the privileges associated with a library card, and what might cause those privileges to be suspended. The Circulation Policy establishes fines and fees for overdue, lost, or damaged materials and other circulation services.

1. Borrowing Library Materials

The facilities and services of the Williamsburg Public Library are available to all residents of the Williamsburg community regardless of race, religion, or other restrictive categories. The term Resident and Citizen refer to the residents of the City of Williamsburg and the rural residents of Iowa County.

1.1 Obtaining a Library Card

A. Resident Borrowing Privileges:

To become registered borrowers, residents 18 years of age or older are required in-person to provide their name and current address, along with another form of information for contacting the borrower. Borrowers will be asked to provide some type of proof of their current residential address and a form of identification. Because libraries are trying to serve as many residents as possible, acceptable forms of unexpired identification can be flexible:

- student IDs,
- picture IDs issued by governmental entities other than the state (even IDs from other countries),
- an employer's picture ID,
- a birth certificate or passport, or any other form of identification that seems convincing to the library manager on duty.

Registration is for 3 years from the registration date. If the registered patron does not use their account for 3 years it will default to inactive. Patrons will have to come in person to update and activate their account. Library patrons are responsible for notifying the library when they have a change of name, email address, street address, or phone number. Borrowers must only use their card when checking out materials or conducting any other transaction with the Library. If a library card is lost, the patron must notify the library and may get a replacement card for \$3.00. Registered borrowers may check out materials without their card in hand if they are known to Library staff.

B. Resident Library Cards for Children

Children are eligible for their own cards when they are nine years of age. A parent or guardian must sign the registration card and accept the responsibility for materials checked out by the child. All patrons are granted such access to materials regardless of patron's age; the Library will not be responsible for monitoring materials borrowed by minors.

C. Non-residents

Nonresidents of Iowa County may be eligible patron for the Open Access Program if they are a resident of Iowa; live outside the local library jurisdiction, and meets one of the following criteria :

- Lives in a community that provides a public library,

- Lives in an unincorporated area that provides, or contracts for, library services,
- Lives in a community that contracts for library services,
- Attends an Iowa public or private university, college, or community college.

Ineligible items for circulation include downloadable audio, video, e-Books or other electronic items, database use, and library equipment.

1.2 Borrowing Fines

A. Borrowing privileges may be suspended if borrowers have \$25.00 or more in accumulated fines or fees.

B. Fines are charged every day that the library is open.

C. The fine for an overdue item may never exceed the replacement cost of the item.

D. Items in the book return before the Library opens are considered to have been returned the previous day.

E. Items that are on reserve may not be renewed. Most other circulating items may be renewed once, or at the staff member on duty's discretion. Items may be renewed by telephone, email, or online.

F. Primary and secondary teachers may borrow materials for classroom use as long as needed. All other Library policies, including fines, apply to teacher loans.

G. Other fines and fees:

a. Book fines- The first overdue day is free. Each succeeding day is 10 cents per day, excluding the days the Library is closed. Maximum fines are \$5.00 per item, with the staff being allowed some flexibility if necessary to get the books returned. Fines for DVDs are \$1.00 per day per DVD. There is no grace period for fines on DVDs. Children's materials are fine-free, but will still be charged if lost (according to WPL's lost items fee policy). Parents or legal guardians are responsible for all assessed library replacement fees for minor children according to Iowa Code section 613.16.

b. Videos--Fines for DVDs are \$1.00/day per DVD. There is no grace period for fines on DVDs.

c. Interlibrary Loan Materials- There is no fee for loaned materials unless the item(s) come from out of state or from a college/university. In either case, a \$5.00 fee for postage is imposed. Additionally, there is a 5-limit per request, which can be waived at the library staff's discretion.

d. Copies--10 cents per copy for black and white whether the patron uses the Library's paper or their own. 50 cents per copy for color whether the patron uses the Library's paper or their own. Patrons will be charged for what they print and responsible for checking their printing settings before printing.

e. Faxes--\$1.00 per page sent. There is no charge for the cover page.

1.3 Compliance

The Library charges fines and fees to encourage compliance with rules which promote fair and equal access for all citizens to limited resources.

1.4 Fees

A. Borrowed items 30 days overdue are considered lost. At that time citizens are charged the cost of each item as well as a processing fee for each item. Citizens may always

return lost items and pay only the overdue fines. The cost of a lost item is the cost listed in the circulation system database or its current replacement cost.

B. A fee will be assessed for damage to Library materials or equipment occurring while on loan. The amount assessed to the borrower will be determined on a case-by-case basis by the Library staff and will reflect--as closely as possible--the actual direct and indirect costs incurred in exacting the repair or replacement of the item.

C . Notices for overdue items, lost items, and for accumulated fines and/or fees are sent once a month. Warning letters and Municipal Infractions may also be issued whenever the Library has a concern regarding the return of materials or a patron's satisfaction of an outstanding obligation.

- Warning Letter--a letter is mailed to patrons when items are more than three months overdue.
- Municipal Infraction--Citations are issued when obligations detailed in the warning letter have not been resolved.

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Williamsburg Public Library Confidentiality of Library Records Policy

2. Confidentiality of Library Records

The Board of Trustees of the Williamsburg Public Library recognizes the responsibility to protect the privacy of library users. Confidentiality is essential to protect the exercise of the First Amendment rights.

This policy is meant to protect the privacy of library users while complying with the Constitution of the United States of America, federal statutes, and the Code of Iowa.

Library records are treated specifically in Code of Iowa 22.7 "Examination of Public Records (Open Records)," paragraphs 13, 14, and 18.

In keeping with the protections afforded by the Constitution of the United States of America, federal statutes, the Code of Iowa, the Williamsburg Public Library should hold confidential:

- information sought or received and materials consulted, borrowed or acquired, database search records, reference interviews, interlibrary loan records, computer use records, and all other personally identifiable uses of Library materials, facilities, or services.
- the names of cardholders and their registration information and not provide access for private, public, or commercial use. Release of such information, not attached to a circulation record, could discourage people from applying for library cards.

Procedures for Enforcement

- 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, will immediately ask for identification and then immediately refer the person making the request to the Director, the official custodian of the records.
- 2.** The Director shall meet with the agent with Library counsel or another colleague in attendance. If the agent or officer does not have a court order compelling the production of records, the Director shall 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.** The Patriot Act does not impose any duty on libraries to collect or retain confidential information about its patrons for law enforcement purposes; therefore, staff shall not alter Library record-keeping procedures as the result of a court order for existing information.
- 4.** If the records requested cover registration, circulation, or other records protected under the Iowa Code, upon receipt of a process, order, or subpoena, the Director shall immediately consult with legal counsel to determine if such process, order, or subpoena is in proper form and if there is a showing of good cause for its issuance.
 - a.** If any written request, process, order, or subpoena is not in proper form or if good cause has not been shown, the Director shall insist that such defects be cured before any records are released.
 - b.** If court orders are in proper form and good cause has been shown,
 - 1. A court order in the form of a subpoena:**

a. Library counsel shall examine the subpoena for any legal defect, including the manner in which it was served on the Library, the breadth of its request, its form, or an insufficient showing of good cause made to a court. If a defect exists, counsel will advise one the best method to resist the subpoena. The Library may file a motion to quash the subpoena or a motion for a protective order. A court may then decide if good cause exists for the subpoena or if it is defective, and then decide whether the Library must comply with the subpoena. Counsel shall be consulted on all issues, including the payment of costs if the Library is the unsuccessful party.

b. Through legal counsel the Director shall insist that any defect be cured before records are released and that the subpoena is strictly limited to require release of specifically identified records or documents.

c. The agent, or officer, or party requesting the information shall submit a new subpoena in good form and without defects.

d. The Director shall review the information that may be produced in response to the subpoena before releasing the information. The subpoena shall be strictly followed and no information that is not specifically requested shall be provided.

e. If disclosure is required, the Director shall ask the court to enter a protective order (drafted by the Library's counsel) to keep the information confidential and limit its use to the particular case. Legal counsel shall be instructed to ask that access be restricted to those persons working directly on the case.

2. A court order in the form of a search warrant:

a. Because a warrant is immediately executable, staff may permit the agent or officer to begin a search of Library records while staff makes contact with the Director. Staff shall request that the Director be served with the court's order before the search begins. The Director shall request that legal counsel be present before the search begins.

b. As soon as the Director is served with the court's order, the Director shall contact legal counsel.

c. Legal counsel shall be required to be present before the search begins in order to allow Library counsel an opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant.

d. The Director and legal counsel shall cooperate with the search to ensure that only the records identified in the warrant are produced and that no other users' records are viewed or scanned. The Director shall keep track of what is examined and what is taken.

3. A court order as a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA Patriot Act amendment):

a. Only FBI agents can use the Patriot Act to request information. An FBI agent who wishes to obtain confidential patron information is still required to present a court order before legally obtaining these records.

b. This search warrant will contain a "gag order." If someone other than the Director is served with the warrant, that person shall not disclose that the warrant has been served or that records have been produced pursuant to the warrant except to the Director and the Library's legal counsel. This gag order makes it particularly important that the court order be served on the Director, the formal custodian of the records. The Director shall be notified and the Director shall notify and consult with legal counsel.

c. Procedures follow those for a regular search warrant as outlined above in 2)a)-e).

4. A court order including removal of hardware or software:

If the court order requires the removal of a computer workstation or other computer storage device from the Library, the Director shall request that a backup be performed before the device is removed and then the emergency service plan shall be used until the reinstallation of the confiscated equipment or software.

5. 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. Without a court order, neither the FBI nor local law enforcement has authority to compel cooperation with an investigation or require answers to questions, other than the name and address of the person speaking to the agent or officer. If the agent or officer persists or makes an appeal to patriotism, the Director or other staff member should explain that, as good citizens, the Library staff will not respond to informal requests for confidential information, in conformity with professional ethics, First Amendment freedoms, and state law.

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

7. After any such visit,

a. The court order shall be reviewed with legal counsel to ensure that the Library complies with any requirements, including restrictions on sharing information with others.

b. Library policies and staff response shall be reviewed and revised if necessary.

c. Communication with the news media shall be planned. **A public information statement detailing the principles upholding Library confidentiality that includes an explanation of the chilling effect on First Amendment rights cause by public access to users' personally identifiable information shall be prepared for use if necessary.**

d. Notice, in keeping with the court order served, shall be sent to ALA by calling the Office for Intellectual Freedom at 800-545-2433, extension 4223; to ILA's Intellectual Freedom Committee; to the State Library of Iowa; and to the Southeast District Office.

In keeping with the above statements, the following shall be the policy for the Williamsburg Public Library records:

1. The lawful custodian of the records is the Director of the Library and legal counsel is the City Attorney. Every effort shall be made to reach the Director if court orders are to be served, whether the Director is present in the building or not. In the Director's absence, the assistant director shall serve as temporary custodian of the records. If both are absent, the Director shall appoint a temporary custodian of the records.

2. Williamsburg Public Library registration records and circulation records shall be kept confidential.

3. If there is a reasonable basis to believe Library circulation records are necessary to the progress of an investigation or prosecution, the request for such records including the justification for the request, shall be made to the Director, in writing on official letterhead by an

official of the investigation or prosecution workforce, who has provided necessary identification.

4. If there is a reasonable basis to believe Library circulation records are necessary to the progress of an investigation or prosecution, the judicial system provides the mechanism for seeking release of such confidential records; the issuance of a court order, following a showing of good cause based on specific facts, by a court of competent jurisdiction. Such court orders shall be presented to the Director.

5. Circulation and Registration records shall not be made available to any agency of local, state, or federal government except pursuant to such process, order or subpoena as may be authorized under the authority of, and pursuant to, local, state, or federal law relating to civil, criminal, or administrative discovery procedures or legislative investigative power.

6. The issuance or enforcement of any such process, order, or subpoena shall be examined by the Director in consultation with legal counsel and resisted until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

Williamsburg Public Library Conduct in the Library Policy

3. 3. Conduct in the Library

The policy of the Williamsburg Public Library is to provide a safe, comfortable environment conducive to the use of Library materials, by either individuals or small groups. The Library is intended for the use of all members of the public. Patrons are expected to observe the rights of other patrons and staff members and to use the Library for its intended purpose.

3.1 Misconduct

Prohibited conduct is that which:

- interferes with the rights of individuals to use Library materials and services.
- interferes with the ability of Library staff to conduct Library business, or
- threatens the secure and comfortable environment of the Library or of those using the Library.

Prohibited conduct may include, but is not limited to the following:

- A.** Willfully annoying, harassing, or threatening another person. Harassment is defined as any action taken or situation created intentionally to produce psychological or physical discomfort, embarrassment, or ridicule. Harassment is characterized by requests for sexual contact, unwelcome physical advances, or conduct (verbal or physical) of a nature that is intimidating, demeaning, hostile, or offensive.
- B.** Campaigning, petitioning, interviewing, survey taking, soliciting, or selling, unless authorized by the Director or his/her designee.
- C.** Picture taking or video taping of people except as authorized by the Director or his/her designee.
- D.** Behaving in a disorderly, loud, or boisterous manner.
- E.** Listening to any technical device without earphones, or with earphones at an unreasonable volume.
- F.** Impeding access to the building or an area of the building, or blocking book stack aisles for extended periods of time.
- G.** Bringing animals into the Library, except use of certified ADA service animals, or by permission of the Director.
- H.** Leaving personal items in the building overnight. The Library assumes no responsibility for any belongings left unattended.
- I.** Entering the non-public or locked areas, unless accompanied by a staff member, or through prior authorization from a staff member.
- J.** Possessing, selling, distributing, consuming or being under the influence of any alcoholic beverage or controlled substance.
- K.** Consuming food or beverages except as approved by the Director or the Director's designee.

L. Extensively monopolizing the use of staff time. Staff are here to assist patrons in their reference and directorial needs, but not if it is overlooking other library needs. If a patron has extensive questions about library use, they may schedule a time where there is adequate staffing to assist patrons.

M. Vandalism or deliberate destruction of Library materials, property, or grounds. This consists of using library materials, furniture, equipment or facilities in any manner inconsistent with the customary use thereof or the theft or intentional damaging of library material, furniture, equipment or facilities.

N. Committing or attempting to commit any activity that would constitute a crime or violation of any municipal, state, or federal law or code.

O. Trespassing by entering or remaining on library premises after having been notified by an authorized individual not to do so, and entering or remaining on the library premises during the period in which an individual has been banned from the premises.

3.2 Enforcement

Enforcement of these rules for persons, **age nine and older**, may take the form of any of the following actions, depending upon the severity of the misconduct which will be determined by the staff on duty at the time. Library Policy for Unattended Children and Disruptive Behavior covers misconduct by persons less than nine years of age. Staff will follow the disruptive behavior procedure if enforcement occurs at the library. **Any incident of policy violation must be documented.**

A. Warning: In most cases, patrons who are behaving inappropriately in the Library will be given **one warning** and asked to behave in an appropriate manner. Patrons who do not modify after one warning may be asked to leave the Library for the rest of the day.

B. Calling the Police: In the case of any misconduct that--in the judgement of any staff member--is extreme, the offender may be ordered to leave the building immediately, or the police may be called as appropriate. Whenever possible, two staff members, including the senior staff member on duty, should agree that conduct merits expulsion or police notification without warning to the individual.

C. Banned: Patrons engaging in misconduct on more than one instance may be warned by the Director or designee and could be banned from the Library for a minimum of a week up to a maximum of a year until their library privileges are reinstated. Staff will follow the Williamsburg Public Library banning procedure if this occurs.

D. Exceptions to the above may be authorized by the Library Director and/or designee.

Williamsburg Public Library Unattended Behavior for Children Policy

4. Unattended Children and Disruptive Behavior

4.1 Description of Unattended Children

The well-being of young children left alone at the Public Library can be a serious concern. Young children left on their own at the Library often become frightened or anxious. Young children may be able to occupy their time for a short while but, being children, soon become bored and restless, disturbing the enjoyment of others.

The following policy and procedures seek to address these concerns for the children in a responsible manner. It is not the Library's intention to seek out unattended children, but rather to have a reasonable response prepared when problems occur.

4.2 Policy Statement

In the interest of providing a safe and comfortable environment for all citizens, the Library recognizes the need to address the problems of unattended children and/or disruptive behavior. The Library's intention is not to seek out unattended children; however, this policy will be implemented when a child's behavior demands attention. Children under the age of nine must be attended by a parent or responsible childcare provider while in the Library. Parents/legal guardians are responsible for their children's behavior while in the Library. Disruptive children will be asked to leave for the day after receiving one warning.

4.3 Unattended Children

If determined that a child is lost or left unattended, a staff member should bring the child to the desk. The staff person should try to identify and locate the parents or responsible child care provider. Under no circumstances shall a staff member take the child out of the building.

If no responsible child care provider or adult is located within a reasonable length of time, the City police will be notified. Staff will let the Director know of the incident, and the Director will choose if a Parental Notification Letter should be sent out to the child's parent/legal guardian.

4.4 Disruptive Behavior (Children Under Age 9)

A. Attended Children

1. The staff will ask the child to correct his/her behavior.
2. If the disruptive behavior continues, a staff member should inform the parent/legal guardian(s) that the child is disturbing others.
3. The staff will obtain the child's and parent/guardian names and attempt to locate the parent/guardian(s) within the building. If located in the building, explain that the child is being disruptive and inform them of the Library policy. If the parent(s) refuse(s) or are unable to correct the behavior, the family will be asked to leave.
4. If the parent/guardian(s) cannot be located within the building, the staff member will attempt to contact the parent through searching the Library records. When the parent is

contacted, he/she will be told that the child is being disruptive, reminded of the Library policy, and instructed that he/she must pick up the child immediately. If the parent/guardian cannot pick the child up immediately, he/she will be told the child may stay until they are able to arrive this time, but that the police will be called to take responsibility for the child the next time.

4.5 Disruptive Behavior (Children over Age 9)

- A.** The staff will tell the young person that he/she is causing a disturbance and this is a warning. The next time he/she will be asked to leave for the day.
- B.** If a parent/guardian is present, the staff will explain the circumstances of the problem. If the disruptive behavior continues, the staff will tell the young person to leave for the day. Staff will follow through to ensure that he/she does leave the building.

Juvenile Banning Procedure:

Discretionary Restricted Library Use for Juveniles: As an alternative to banning a juvenile, a supervisor and a staff member may restrict a juvenile from independent use of the library for a period of 30 (first restriction) days or 90 (second restriction) days. The juvenile whose library use is restricted may use the library during the specified period only when the juvenile is accompanied by a responsible parent or guardian.

The juvenile's parent or guardian must be notified of the restriction via certified mail. Staff will use the parental notification letter. Failure to abide by the restriction may lead to banning of the juvenile from all library premises.

Williamsburg Public Library Display by Community Organization Policy

5. Displays by Community Organizations

5.1 Bulletin Boards

The bulletin board in the Library is available for the display of posters, flyers, and promotional materials of community organizations. Materials are posted only as time and space permit, and at the discretion of the Director. Materials will be removed by Library staff after three weeks.

5.2 Brochures

Community groups may submit multiple copies of brochures or fliers for distribution from the Library's brochure rack. These materials will be stocked only as time and space permit.

5.3 Display Case

A display case is periodically available for use by community organizations. Requests for first-come display case will be considered on a first-come, first-served basis. However, the Library's own needs for display space will take precedence over organizational requests in every instance.

The requesting organization is entirely responsible for the set-up and take-down of any display. Community organizations shall abide by any specific instructions or requests the Library should make regarding the layout or content of their display.

The Library shall be held harmless for liability in the event of damage or loss to materials being displayed, regardless of circumstance.

Inclement Weather and Emergency Closure Policy

6. The Williamsburg Public Library is a public service institution and as such, every effort will be made to maintain regular hours for the public. However, at times when the weather, or other emergency situations, because hazardous to the health and safety of the public and /or library staff, the library may close and/or take the necessary safety precautions. In the event of a closure, the Library will post notice of the closure on social media, library entrances, and local sources.

6.1 Tornado

In the case of tornado watches, the business will proceed as usual. If a tornado warning is issued, the Library will be closed for normal business **(the front door will not be locked)** until an all-clear is received from the local authorities. Library patrons in the building will be allowed to remain until the clear is sounded, and library staff will direct patrons to designated tornado safety areas within the building. Unattended minors will be asked to stay in the building until a guardian picks them up or until the all-clear is sounded.

6.2 Adverse Weather/Equipment Failure

The Library will be closed only when weather conditions deteriorate to the point where emergency situations prevail, when vital equipment in the building fails (e.g., furnace malfunction, no water in the building, no electricity, etc.), or when there is a general emergency within the Williamsburg area. The decision to close the Library will be based upon:

- General conditions of roads.
- Condition of the Library's parking lot and walkways.
- Availability of staff to open and operate the Library. Minimal staffing levels are defined as a minimum of at least two clerks. The Library can operate with a reduced staff when the number of patrons is expected to be abnormally low.
- Condition of the building's equipment.
- Requests for closure by local, county, or state law enforcement agencies.

The Library will not automatically close or delay opening based on any other institution's actions. The decision to close will be made by the Library Director. If the Library Director is unavailable, the senior librarian on staff will make the decision after conferring with the Library Board President. Once the decision to close or to open late is made, the Director, or senior librarian (when Director is unavailable) will notify the staff.