

## **Circulation Policy**

The purpose of the Musser Public Library Circulation Policy is to define approved practices for the registration of library patrons; circulation of library materials; reciprocal borrowing/lending practices and procedures; and the suspension of patron privileges. A valid library card provides library patrons in good standing with circulation privileges which may include, borrowing materials, placing holds, requesting interlibrary loan service, and allows in-house and remote electronic access to electronic information resources. Additionally, the following policy includes an approved schedule for fines and fees for overdue, lost or damaged materials, and other circulation services.

### **Confidentiality**

In an effort to protect patron confidentiality, library staff will not disclose patron account information to anyone other than the card holder. This policy does extend to those records involving patrons under the age of 14 and the developmentally disabled. Caregivers should be aware that if they want information about the items their child has checked out, the child must be present with the parent to request the information. The library will release information to the parent or guardian of a minor child for the purposes of recovering overdue material and settling accounts for lost, late, or damaged material, and for other matters related to the recovery of material or charges incurred by minor children for which a parent or guardian may be considered liable. Information will not be provided to parents or guardians who are merely attempting to determine what library materials their minor children are using. See the library's Confidentiality Policy and Iowa Code 22.7 "Examination of Public Records— Open Records" (Appendix B). ALA Code of Ethics (Appendix C).

### **Custodian of Records**

The Library Director or the Director's designee is the official custodian of library records. The custodian of the Library records shall not release confidential records without a court order pursuant Iowa Code 22.7(13). Please see the library's Confidentiality Policy for details.

## **I. Registration and Eligibility**

### **A. Registration**

1. Individuals of all ages may apply for a library card with proper identification and proof of residence. Parental approval is required for children under the age of 14 years. Patrons must be present to be issued a library card.
2. Proper identification sources include the following: Photo ID (valid Driver's License or Non-Driver ID, Military ID, School ID, or US Passport). If photo ID does not provide verification of current local residency, supporting documentation verifying residency within the City of Muscatine, Muscatine County, and any contracting communities is required.
3. Supplementary forms of identification may include, but are not limited to: automobile registration, mail received at the patron's residence postmarked within 30 days of registration, rental lease/agreement, or utility bills for place of residence.

\*Note: Library cards expire after a period of three years. Patrons are required to show library staff photo ID or any of the proper identification sources listed above in order to renew their card. \*

## B. Eligibility

1. Musser Public Library honors the cards held by patrons in good standing, from the following institutions: all RiverShare participating libraries and Iowa libraries participating in the Iowa State Library's Open Access program, in accordance with statewide Open Access Agreement. Some services may be limited.
2. Types of Cards:
  - i. Resident Cards (City of Muscatine, IA, Muscatine County, & Contracting Communities) – Resident cards are limited to residents and property owners of Muscatine, IA, Muscatine County, & Contracting Communities.
  - ii. Reciprocal Cards (State of Iowa) - Reciprocal cards may be issued to residents of areas with libraries participating in the Iowa State Library's Open Access program, in accordance with the statewide Open Access agreement. Some services may be limited.
  - iii. Computer Access Cards – Computer Access Cards may be issued to Adults, 18 years of age and older with state or Federal issued ID for computer access only. This card type does not allow checkout of library tablets (see the Tablet Rental Agreement) or any library materials.

## II. Borrowing Agreement Outline and Patron Responsibility

### A. Borrowing Guidelines

1. Responsibility – Cardholders take full responsibility for all materials borrowed on their card and for payment of fines and fees assigned to the card.
  - i. Patrons assume responsibility for notifying library staff if a card is lost or stolen.
  - ii. No restriction in quantity or selection of content is placed on cardholders of any age excluding video games (5), tablets (1), and hotspots (1). Note: Library staff does not act in place of the parent. Parents who authorize the registration of their minor children assume complete responsibility for any/all items and/or charges associated with their child's account.
  - iii. Patrons will honor all RiverShare Libraries & State Library of Iowa (SILO) reciprocal & interlibrary loan policies & procedures. See Circulation Staff for details.
2. Privileges – A valid library card is required to check-out library materials— including materials intended for in-house use. Under authorization of the Library Director, patron privileges may be cancelled for any patron if a pattern of abuse of privileges is established.
3. Identification – At time of checkout, library patrons must present either their valid library card or a photo ID listing their legal name and date of birth to borrow materials, or must know their library barcode number. Children under the age of 14 years must be accompanied by parents supplying the required ID as noted above to borrow materials.

Exceptions only under authorization of the Circulation Manager or the Library Director.

#### B. Length of Loan

1. Most materials are due 21 days (3 weeks) from the day they are checked out, with the following exceptions:
  - i. DVDs and Blu-Ray discs have a 7-day (1 week) loan period
  - ii. Video Games have a 7-day (1 week) loan period
  - iii. Portable Devices (Surface Tablets) – available for in-house use only, for 3-hour loan periods. Please see the Library’s Tablet Rental Agreement for more details regarding this program.
  - iv. Hotspots have a 7-day (1 week) load period

\*Circulation periods may be extended at the discretion of the Circulation Manager or the Library Director on a case-by-case basis. \*

#### C. Renewal of Materials

1. On January 1<sup>st</sup>, 2022, the Library moved to an automatic renewal procedure. Any item eligible for renewal (see Section C-2 below) will be automatically renewed once on the due date. RiverShare items can only be renewed once after the initial checkout.
2. Materials may also be renewed by phone, email, in-person, or online providing there are no holds or reserves on the item at the time of renewal and provided it is the first renewal request for that material.
3. Items obtained through Interlibrary Loan through SILO or the local RiverShare Consortium may be subject to the policies and loan periods of the lending library. See Circulation Staff for details.

#### D. Holds and Reserves

1. Interlibrary Loan (SILO & OCLC) – Residents of the State of Iowa are eligible to reserve materials through their home library in accordance with existing Iowa State Library Interlibrary Loan policy & procedure. Musser Public Library cardholders may request items through SILO (State of Iowa Libraries Online – a statewide interlibrary loan service) or OCLC (Online Computer Library Center – a worldwide nonprofit that hosts the world’s largest online public access catalog), under the following conditions:
  - i. Interlibrary Loan is used only when an item is not available through the library or member libraries within the local library consortium; an item is missing; or the library does not have access to a full-text copy of the item via an online resource.
  - ii. Loans are made library to library on behalf of the patron – not directly to the patron.
  - iii. Materials borrowed through SILO or OCLC for Musser Public Library patrons must be returned directly to Musser Public Library. Patrons who fail to do so will be charged the replacement cost of the item, plus processing fees.

- iv. Due date is determined by the lending library, typically ranging from 2-6 weeks, often with no renewals.
  - v. Request for photocopies of certain items may be permitted in accordance with Federal Copyright Law
2. System Holds (Consortium) - Residents served by any RiverShare consortium member library may place system holds on library materials, either in-person, by phone, or through the shared RiverShare online catalog, at no charge.
    - i. New release materials may be available for local pick-up only.
    - ii. Items borrowed via system hold from another consortium member library may be returned to any consortium library, by the due date, for return to the owning library
    - iii. Items borrowed via system hold are subject to the policies and procedures of the local consortium and owning library. See staff for details.
  3. Reserves – requests for advanced reserve of in-house items may be placed for all items that circulate once a record for that item is created. Placing these holds are patron responsibility- Staff will not place reserve holds for items not yet received/cataloged.
  4. Reserves, Interlibrary Loans & System Holds will be checked out to the patron card associated with the request. Exception: Patrons wishing to allow materials to be picked-up by another individual should provide that individual with the proper library card, or file written permission with library staff (Associations), in advance, for transfer of items to another library card or individual.

### III. Suspension of Circulation, Overdue Materials, and Fines & Fees

1. Individual Cards – Circulation and some remote access privileges will be blocked for patrons with: \$5.00 or more in fines; 5 or more items overdue; outstanding long overdue materials or billed items.
2. Expired cards – Circulation and other access privileges will be blocked when a patron's library card expires. An expired card may be renewed once the patron's address is verified. Exception: RiverShare consortium member library patrons – If expiration of the card has occurred within the past six months a three-week courtesy extension/expiration date may be issued at the time of check-out. Patrons should renew their library card with their home library.
3. See **B. Overdue Materials** regarding fine-forgiveness.

#### B. Overdue Materials

On January 1st, 2023, Musser Public Library moved to a fine-free model on all items except for equipment (including but not limited to tablets, hotspots, LCD projectors, etc). Fines will still accrue on overdue items and patrons will receive notices for those overdue items per the Notification Schedule below. Long overdue items will be billed and the library reserves the right to use a collection agency to ensure the timely return of those long-overdue, missing, and lost items.

If items are returned in good condition, the applicable fines on those items will be forgiven upon check-in of the items. If the patron account is then under the threshold of less than \$5.00 in fines/fees and less than 5 items overdue at any one time, they will be allowed to checkout materials at that time.

1. Patron Overdue Notification Schedule:
  - i. First notice of overdue items will be issued 10 days after the due date and sent to each patron upon verification, based on their chosen notification preference (phone, email, text message, etc.).
  - ii. Second notice of overdue items will be issued 20 days after due date and sent to each patron upon verification
  - iii. Third notice in the form of a bill listing overdue items and their replacement price will be issued 30 days and mailed to each patron after verification.
  - iv. Long Overdue Materials – Library accounts for which a bill has been sent may be submitted to a collection agency and/or to a local law enforcement agency for further action. (See appendix A, pg. 4- Code of Iowa, Chapter 714.5 Theft of Library Materials and Equipment).

#### C. Fines and Fees

1. Fines amounts vary based on material type.
  - i. Fines accrue at a rate 10 cents/day per item except for Equipment and reach a maximum of \$5.00 per item at the end of 50 days.
  - ii. Equipment fines accrue at varying rates; please visit the Service Desk for more information.
2. Fines are charged for each calendar day, starting the first day after the day the item is due. Materials returned to the library building after closing are considered returned that day.

\*Note: Items obtained through Interlibrary Loan may be subject to the policies, loan periods & fines of the lending library. See Circulation Staff for details.

Fines may be waived in full or part by Circulation Staff (on items belonging to the Musser Public Library only), on a case-by-case basis.

#### D. Lost or Damaged Materials

1. The replacement cost for a lost or damaged item is charged to the borrower's account on which the item was checked out at the time it was lost or damaged.
2. Borrowers are responsible for materials which were checked out on lost or stolen cards prior to notification to the library of the card loss.
3. The replacement cost of the item is listed in the library's item record, typically its retail cost plus processing fees.
4. Patrons may not replace lost or damaged items with like or in-kind materials. Replacement of library materials is facilitated by, and at the discretion of, library staff, as assigned.
5. Replacement or repair costs may be waived in full or part by the Library Director (or his/her designee), on a case-by-case basis.

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**Appendix A- Code of Iowa, Chapter 714.5, Theft of Library Materials and Equipment.)**

714.5 Library materials and equipment — unpurchased merchandise — evidence of intention.

1. The fact that a person has concealed library materials or equipment as defined in [section 702.22](#) or unpurchased property of a store or other mercantile establishment, either on the premises or outside the premises, is material evidence of intent to deprive the owner, and the finding of library materials or equipment or unpurchased property concealed upon the person or among the belongings of the person, is material evidence of intent to deprive and, if the person conceals or causes to be concealed library materials or equipment or unpurchased property, upon the person or among the belongings of another, the finding of the concealed materials, equipment or property is also material evidence of intent to deprive on the part of the person concealing the library materials, equipment or goods.
2. The fact that a person fails to return library materials for two months or more after the date the person agreed to return the library materials, or fails to return library equipment for one month or more after the date the person agreed to return the library equipment, is evidence of intent to deprive the owner, provided a reasonable attempt, including the mailing by restricted certified mail of notice that such material or equipment is overdue and criminal actions will be taken, has been made to reclaim the materials or equipment. Notices stating the provisions of [this section](#) and of [section 808.12](#) with regard to library materials or equipment shall be posted in clear public view in all public libraries, in all libraries of educational, historical or charitable institutions, organizations or societies, in all museums and in all repositories of public records.
3. After the expiration of three days following the due date, the owner of borrowed library equipment may request the assistance of a dispute resolution center, mediation center or appropriate law enforcement agency in recovering the equipment from the borrower.
4. The owner of library equipment may require deposits by borrowers and in the case of late returns the owner may impose graduated penalties of up to twenty-five percent of the value of the equipment, based upon the lateness of the return.
5. In the case of lost library materials or equipment, arrangements may be made to make a monetary settlement.

[C62, 66, 71, 73, 75, 77, §709.21; C79, 81, §714.5]

[85 Acts, ch 187, §2](#); [87 Acts, ch 56, §1](#); [2016 Acts, ch 1011, §121](#)

Referred to in [§808.12](#)

## **Appendix B- CODE OF IOWA 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. As used in this subsection, "persons outside of government" does not include persons or employees of persons who are communicating with respect to a consulting or contractual relationship with a government body or who are communicating with a government body with whom an arrangement for compensation exists. Notwithstanding this provision:

- a. The communication is a public record to the extent that the person outside of government making that communication consents to its treatment as a public record.
- b. Information contained in the communication is a public record to the extent that it can be disclosed without directly or indirectly indicating the identity of the person outside of government making it or enabling others to ascertain the identity of that person.
- c. Information contained in the communication is a public record to the extent that it indicates the date, time, specific location, and immediate facts and circumstances surrounding the occurrence of a crime or other illegal act, except to the extent that its disclosure would plainly and seriously jeopardize a continuing investigation or pose a clear and present danger to the safety of any person. In any action challenging the failure of the lawful custodian to disclose any particular information of the kind enumerated in this paragraph, the burden of proof is on the lawful custodian to demonstrate that the disclosure of that information would jeopardize such an investigation or would pose such a clear and present danger.



## **Appendix C- ALA CODE OF ETHICS**

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)