

SHENANDOAH PUBLIC LIBRARY
Circulation Policy

A. Hours

Monday-Wednesday 10 a.m.-6 p.m.
Thursday 10 a.m.-8 p.m.
Friday & Saturday 10 a.m.-6 p.m.

B. Borrowers

Residents of Page County are eligible for a library card without charge. A resident must have a mailing address within the County.

Open Access is a State of Iowa program which the Shenandoah Public Library participates in and follows its procedures.

Non-Residents who live outside Iowa may apply for a nonresident library card. There is an annual fee of \$35.00 per card per family. The annual fee will be waived only if the family pays Page County property taxes.

Children may apply for a library card when the parent decides it is appropriate. Students who have completed grade five are entitled to change their classification to Teen. All children carry their own cards.

Teachers eligible for a Shenandoah library card may check out books for six weeks. If a book checked out to a teacher is lost, the standard replacement charges will apply.

Other Libraries may borrow items for 6 weeks or more with renewals allowed unless the item is on reserve.

C. Application Procedure

New applicants must present some form of identification which carries their current name and address (driver's license, letter addressed to them, utility bill, etc.) If they have no proof of current address with them, the library card can be mailed to the address they provide. New adult applicants must provide a reference (place of employment of self or spouse, an individual in the community, etc.). Persons listed as references must be in good standing with the Library. The card entitles the patron to all collections and services offered by the Library.

Applicants for children's and teens' library cards (up to age 18) must have the parent's/guardian's signature on the back side of the application.

New applicants are restricted to checking out two items the first time.

If a library patron loses a card, a \$1.00 charge will be made for a replacement.

D. *Materials* / Maximum items checked out per person 50.

Only 1 renewal for videos, 2 renewals for all other materials.

Audio Books— 10/checkout—4 wks.--\$.10/day fine--\$4.00max.—Replacements:
\$45.00 and \$10.00 for single discs.

Book Bags— 4 wk. checkout--no fine--\$5.00 replacement

Books—No fines on Children's materials.

--\$.10/day fine for all other books to a \$4.00 max.--\$35.00 replacement, or
actual cost, whichever is greater

--\$25.00 Replacement Children's and Teens', or actual cost, whichever is
greater

--All Shenandoah Public Library materials may be renewed if no reserves
are waiting.

--ILLs (interlibrary loans)-- Until 3 days before the item is due to the
lending library.--same fines

--PBs (paperbacks)--\$.05/day fine--\$2.00 max.--\$10.00
replacement

--all books are subject at any time to recall by the librarian for special
purposes and must be returned at once upon the receipt of
notice

DVDs--5/person/checkout--3 days--\$1.00/day fine--\$4.00 max.--\$25.00
replacement

Music CDs—10/disks/checkout--4 wks.--\$.10/day fine--\$4.00 max.--\$20.00
replacement

Magazines--less than 1 year old--10/checkout--1 wk.

--over a year—10/checkout--2 wks.

--\$.05/day fine--\$1.00 max.--\$10.00 replacement

Equipment--2 weeks – \$1.00/day fine--\$4.00 max.-- replacement cost as specified
in item record or signed agreement

Vertical File--2 wks.--\$.05/day fine--\$1.00 max.

Fines are not counted for Sundays or holidays. If fines exceed \$4.00, no more
items can be checked out until the fines are paid.

All damage, beyond reasonable wear, to library materials and all losses shall be
promptly adjusted to the satisfaction of the librarian.

The first overdue notice will be sent when items are seven (7) days overdue.

The second overdue notice will cite the Iowa Code concerning theft of library materials and will be sent if items become forty-five (45) days overdue. This letter will request a response by a specific date to be filled in by library personnel. The response date will correspond to the sixty-first (61) day after the initial overdue notice.

If there has been no response to the second letter, and no relevant circumstances warrant otherwise, the Library Director, or designate, will prepare a third letter to be signed by the Trustees present at the next scheduled meeting. The contents of this letter will indicate that the patron is depriving other library patrons of material purchased with public funds and will also indicate the legal recourse that will be followed unless an appropriate and timely response is made. The third letter will be sent by certified mail or, certified-restricted based on the replacement amount, as specified above in this policy. If the patron has materials worth \$70 and over and will be sent to the Magistrate's Court, the letter will be sent certified-restricted.

If no response to the third letter is made by the specified date, the library may utilize legal procedures to prosecute the adult offenders for theft. The Director will decide if the circumstances warrant prosecution. In the case of a juvenile, the library privileges of the parent or guardian who signed the library card application will be suspended until the situation is rectified.

E. *Library Services*

Copy machine is available for public use. Patrons are expected to abide by all copyright laws. Cost per copy is \$.15 per printed side. If own paper is provided then cost per printed side is \$.05

Fax machine is available for public use. Staff will operate the machine which is located in the staff workroom. A cover sheet will be provided for each transmission. Cost for sending a fax is \$1.00 per page not counting cover sheet or transmittal page. Cost for received fax is \$1.00 per page not counting cover sheet or transmittal page.

F. *Librarians, Trustees, and Volunteers*

Library trustees and employees, while on authorized library business and using private vehicles, will be reimbursed mileage at the established rate.

Membership in the Iowa Library Association will be paid for all the full-time staff.

It shall be the duty of the library director to keep available at all times a copy of the By-laws, Circulation and other policies, and to list all additions and changes as they are made.

Trustees and Volunteers will not have fines levied but are expected to not abuse this privilege. They will be subject to other fees.

G. General

It shall be the policy of the Board to divide patronage among the merchants of Shenandoah.

It shall be the policy of the Shenandoah Public Library to cooperate with other Page County libraries in the formulation of rules for governing Page County service.

It shall also be the policy of the Board to cooperate with the State Library of Iowa and to avail ourselves of the services offered by the State Library to which we are entitled.

Revised and approved by the Shenandoah Public Library Board of Trustees 6/06/1990
4/07/1993
9/10/1997
2/9/2000
7/12/2000
11/7/2001
10/16/2002
1/11/2006
2/6/2008
8/6/2008
8/3/2011
12/7/2011
2/5/2014
10/5/2016
2/5/2020

Section A. 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 Shenandoah Public Library respects the privacy of users and recognizes its responsibility to protect their privacy. *Section C, References is hereby a part of this policy.*

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 B. 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 of 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.

Section C. References

The confidentiality policy of the Shenandoah 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)

CONFIDENTIALITY OF LIBRARY RECORDS ADDENDUM

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

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

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.

14. *The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.*

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.

In addition to the protections afforded by the Code of Iowa and the Constitution of the United States of America, the Shenandoah Public Library will hold confidential the names of card holders and their registration information and not provide access for private, public or commercial use.

To keeping with the above statements and the Code of Iowa, the following shall be the policy for the Shenandoah PL's records:

1. The lawful custodian of the records is the Director of the Library.
2. The Shenandoah Public Library registration records and circulation records shall be kept confidential.
3. If there is reasonable basis to believe library registration 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 a good cause based on specific facts, by a court of competent jurisdiction.
5. Circulation 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 power.
6. The issuance or enforcement of any such process, order, or subpoena shall be resisted until such time as a proper showing of good cause has been made in a court of competent jurisdiction.

Procedures for enforcing this policy:

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 refer the person making the request to the Director, who shall explain the confidentiality policy.
2. If the records requested pertain only to registration records and the request has been made in the manner prescribed in the policy, the Director may release the records or may bring the request to the next meeting of the Library Board for approval as an exception to the Board policy on confidentiality of registration records.
3. If the records requested cover circulation or other records protected under the Iowa code, upon receipt of a process, order, or subpoena, the Director shall 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 of its issuance.
4. 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.
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.
6. 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.

LIBRARY CARD APPLICATION

PLEASE READ CAREFULLY:

To obtain a library card you are required to present proof of current address and an identification number (i.e. driver's license). If you are under age 18, the signature of a parent or guardian is required (see other side). You must have your library card with you to check out materials. There is a fee to replace a lost, stolen, or damaged card.

Library records that link a patron's name with specific materials requested or borrowed by the patron are classified as private until the item is overdue in accordance with Iowa Code 22.7 Section 13. Iowa Code 714.5 also gives us recourse to pursue long overdue materials as Theft in the 5th degree.

PLEASE PRINT

Legal Name _____
(Last) (First) (Middle)

Street Address _____

City _____ State _____ Zip Code _____

Telephone Number _(_____)_____ Please Circle: Cell Phone Land Line

Email address _____

Reference Name _____ Phone_(_____)_____

PLEASE READ BEFORE SIGNING: I verify that the above information is correct and I assume financial responsibility for materials borrowed on the library card issued from this application.

SIGNATURE OF APPLICANT

DATE

DATE OF BIRTH

**IF APPLICANT IS UNDER 18. THIS SECTION MUST BE COMPLETED BY
PARENT/GUARDIAN**

Name of Parent/Guardian: _____

Minor's Birthdate: _____

NOTE: For children under 18, overdue notices may be sent to the child or to the parent.

PLEASE READ BEFORE SIGNING: I agree to be responsible for this minor's selection and use of library materials. I also assume financial responsibility for materials in case of damage or loss and for any fines justly charged. I also understand that if financial obligations are not met regarding this minor, I may lose my own library privileges until these obligations are met.

SIGNATURE OF PARENT/GUARDIAN (18 or older)

DATE