

CHAPTER II
ELISHA D. SMITH PUBLIC LIBRARY
LIBRARY PATRON POLICIES

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A. PATRONS

1. Eligibility

- a. Any person living in Wisconsin may register for an Elisha D. Smith Public Library card free of charge.
- b. A business or institution located in the library's service area may be issued a library card. The owner or other responsible official shall sign for the card, and the business or institution shall be personally responsible for library materials borrowed.
- c. An educator, daycare provider, or homeschooling parent may obtain a Teacher Card. Teacher Cards shall be used to borrow only curriculum-related materials. These cards are exempt from overdue fines, though cardholders shall be responsible for lost or damaged materials.

2. Patron Responsibility

- a. Patron registration forms shall include a signed statement indicating the patron's agreement to abide by library rules and to return library materials promptly and in good condition.
- b. Library patrons who abuse library privileges may have those privileges revoked or restricted.
- c. Card-holders are responsible for materials checked out on their cards.
- d. Lost cards should be immediately reported to the library.

3. Registration Procedures

- a. Prospective borrowers shall present personal identification in the form of a current photo ID. If the ID does not have a current address, a current bill or receipt may be used to prove residence.
- b. Borrowers are registered for a period of 16 months.
- c. The library shall charge \$1 to replace a lost or a damaged adult card and 50¢ to replace a child's card, although a replacement shall be free once per calendar year.

4. Young Patrons

- a. A child may have a library card at any age.
- b. All registration forms for children age 11 or younger shall be signed by a parent or legal guardian indicating that the parent or legal guardian has responsibility for the reasonable use and return of materials borrowed.
- c. Parents or legal guardians may indicate on registration forms for children 11 or younger that their child is not allowed to borrow materials other than those from the Children's Room. Parents may remove or add this restriction after the initial registration.
- d. Parents or legal guardians are responsible for their minor children's use of library material, including payment of any fees or charges incurred by their children.

5. Confidentiality of Patron Records

- a. All library circulation records and other records identifying patrons by name are regarded as confidential under Wisconsin Statute 43.30 regardless of source of inquiry, except those of children under age 16. As provided in Wisconsin Statute 43.30, the library shall disclose to custodial parents or legal guardians any records of use by children under age 16.
- b. Circulation records shall not be made available to anyone other than the cardholder or parent/legal guardian of cardholders younger than 16, except pursuant to such process, order, or subpoena as may be properly authorized by law.
- c. Upon notification of such process, order, or subpoena, consultation shall be made with the city attorney to determine if such process, order, or subpoena is in good form and if there is a showing of good cause for its issuance. If not in proper form, or if good cause has not been shown, records shall not be released.
- d. The list of email addresses maintained by the library for recipients of its newsletter shall not be shared, given, or sold to any third party.
 - i. Only library personnel may access the list. No members of the public, municipal officers, law enforcement officials, library trustees, or Friends of the Library may view or access the list.

- ii. Every email message sent to the list shall offer recipients the option of removal from the list.
 - iii. Maintenance of this list shall conform with Wisconsin Statute 43.30 regarding privacy of public library patron records.
- e. Library security camera footage may be released to law enforcement in these instances only:
 - i. As provided in 5.a., 5.b., and 5.c. above.
 - ii. Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at the library or in the library's parking lot. This applies only to records produced by a video camera.
 - iii. If the library director requests the assistance of a law enforcement officer, and the director determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the video records to the law enforcement officer.
 - iv. If release of the video records will allow law enforcement to intervene in or prevent a crime that is occurring or about to occur.

B. CIRCULATION POLICIES

1. The library participates in Winnefox Automated Library Services (WALS) and works cooperatively with other WALS libraries to maintain borrowers' records and lend materials. Any card issued by a WALS library may be used to borrow materials from the library.
2. The library reserves the right to require proof of identity or permission of a cardholder, in addition to a library card, in order to borrow library materials.
3. The library may deny borrowing privileges to cardholders who do not present their card or other form of identification.
4. Loan periods shall be established by the library director for each category of library materials to maximize the convenience of library patrons, balancing the need of patrons for sufficient time to use materials, and the need to make the materials available to other patrons.
 - a. With a few exceptions, library materials check out for 28 days.
 - b. Books and audiobooks with holds, new adult books, Rokus, Wifi hotspots, and magazines check out for 14 days.
 - c. DVDs and video games check out for 7 days.

5. The maximum number of items that may be checked out to a borrower's account at any given time is the lesser of 100 items, or a total value of \$1000.
6. Reserves
 - a. Patrons may place reserves on any items in the library's collection that are not immediately available.
 - b. Patrons may place reserves on items in the collections of other Winnefox Automated Library Services (WALS) libraries, and patrons of other WALS libraries may reserve materials in Menasha's collections.
 - c. Notice will be sent by text, email, or automated telephone message to patrons when an item is available for pickup. The item will be held for 7 days, after which it will be made available to other borrowers.
 - d. The library limits each card to 50 reserves at one time.
7. Interlibrary loans (obtaining information or materials from libraries other than those who belong to Winnefox Automated Library Services (WALS))
 - a. Library materials not owned by a WALS library may be borrowed through interlibrary loan. There may be some restrictions on these items.
 - b. Patrons shall follow the conditions for borrowing materials obtained through interlibrary loan set by the owning library, including return date and financial responsibility. See section 8.a.4) below for interlibrary loan fine information.
 - c. Photocopies may be substituted for original materials, and patrons shall be charged for the cost.
 - d. Patrons shall be limited to five interlibrary loan requests at a time, with exceptions on a case-by-case basis.
8. Late Return Fines, unless otherwise noted below, shall not be charged or collected for materials checked out at the Elisha D. Smith Public Library.
 - a. Accumulated fines or fees of \$10 or more, accrued at any Winnefox library, shall result in suspension of borrowing privileges until payment to reduce total charges below \$10.
 - b. Late return fines for interlibrary loans from outside of Winnefox and reference materials checked out with permission overnight are \$1 per day, with a maximum of \$50.
 - c. Late return fines for WiFi hotspots, Rokus, and projectors are \$5 per day, with a maximum fine of \$50.
9. Library's Obligation to Secure Return

- a. Non-return, possession without the library's consent, and concealment of library materials is designated as theft under Wisconsin Statute 943.61 and City of Menasha Ordinance Section 11-3-8 and shall be prosecuted as such.
- b. The library shall make every effort in keeping with common library practice to secure the return of library materials.

10. Fees

- a. Unless specified in these policies, all library materials shall be lent free of charge.
- b. Certain items not normally available for borrowing may be lent on the decision of the library director or a library supervisor upon the payment of a refundable deposit fee.
- c. The library shall charge patrons for the cost of securing replacement materials overdue longer than 30 days.

11. Lost or Damaged Items

- a. Patrons are expected to return materials to the library in the same condition as they borrowed them.
- b. Minor damage of materials attributable to normal use shall not incur a penalty.
- c. Loss of, or serious damage to, any library materials shall incur a charge for the replacement of the lost or damaged item.
- d. Cost shall be determined by the current list price, as listed in the Winnefox database, or a generic price for a particular type of material, according to the availability of such information.
- e. A patron may purchase a new and identical copy of the material for the library if it is delivered to the library within 3 weeks of determination of loss or damage. The patron may then be given the original damaged item.
- f. If a damaged item is available for purchase, a patron may pay the full current list price and retain the damaged item. Out-of-print damaged items shall be retained by the library for possible repair.
- g. A handling charge may be added to any replacement cost.

C. INTERNET POLICY

1. Appropriate use of library internet access:

- a. The library provides free computer and wireless internet access to the public as an informational, educational and recreational resource. The use of all forms of that access is bound by this policy.

- b. The library shall require a valid library card and/or photo identification to use library equipment to access the internet.
 - c. The library may impose restrictions, such as time limits or types of use.
 - d. All patrons and staff shall use the internet in a responsible manner, consistent with the educational, recreational and informational purposes for which it is provided.
 - e. Children in fifth grade and younger shall use the computers in the youth department for internet access after signing up at the department's public service desk.
2. The following are prohibited uses of the library internet access:
- a. Viewing, distributing, or displaying visual depictions that are obscene. Viewing or displaying visual images that are harmful to minors.
 - b. Misrepresenting oneself, for fraudulent or illegal purposes, as another user.
 - c. Attempting to modify or gain access to files, passwords, or data belonging to others.
 - d. Sending threatening or harassing material.
 - e. Engaging in any activity that creates an intimidating or hostile environment.
 - f. Disseminating anyone's personal identification information without permission of that person.
 - g. Seeking unauthorized access to any computer system.
 - h. Making changes to the settings or configuration of software or hardware.
 - i. Making unauthorized copies of copyrighted or licensed material in any form.
 - j. Using software not installed by the Library.
3. The library reserves the right to monitor access to the library internet for compliance with this policy.
- a. Library staff will ask users to end their access to the internet if they observe behavior in conflict with this policy or in the event that their access has exceeded 60 minutes and other patrons are waiting to use a library computer.
 - b. Users may be banned from future access to the internet based on the infraction and the number of times the infraction has occurred. The first offense will result in being banned from library internet access for at least one month; the library director shall determine the repercussions of further offenses.
 - c. Library staff shall notify the police of willingly unlawful behavior.

D. TEST PROCTORING POLICY

1. Library Reference Staff will proctor exams as a free public service.

2. Prior arrangement to have an exam proctored shall be made by calling 920.967.3690 or emailing reference@menashalibrary.org
3. The library shall meet the testing institution's requirements wherever possible.
4. It is the student's responsibility to make sure that the library received the test and that the institution receives the returned test upon completion. The library does not keep copies of test materials.
5. The library cannot guarantee a completely quiet environment.
6. Constant supervision shall not be provided by library staff.
7. Tests may be received and returned through U.S. mail, email, fax or other delivery services.
8. A prepaid envelope addressed to the student's institution shall be provided to the library if the test is to be returned by mail. The library will fax completed tests for a fee of \$2 per transmission.
9. The library cannot proctor online exams that require the installation of special software or the modification of existing computer settings.
10. Testing may be canceled or postponed if the testing materials are not received in time, require clarification, incur an expense on the part of the library, or otherwise exceed the library's ability to comply with the testing institution's requirements.
11. Test-takers shall arrive earlier than the arranged time, bring their own supplies, and notify the library if they are unable to keep the scheduled appointment.

E. **SOCIAL MEDIA POLICY**The library has established social media sites to inform library users about library programs, events, and materials and to encourage dialogue and the exchange of information and knowledge between users and library staff about library issues. The library's social media sites may also be used to notify the general public of library employment opportunities. The library's social media sites are not intended to be traditional public forums for the general exchange of ideas and viewpoints, but a limited forum for discussing library programs, events, and materials. Courts have recognized that libraries are limited purpose public forums and as such are only obligated to permit the public to exercise rights that are consistent with the nature of the library and consistent with the government's intent in designating the library as a traditional public forum. All postings related to this mission statement, as determined by the library in its sole discretion, are permitted except as otherwise stated in this policy.

1. By joining, using, and/or posting on the library's social media sites, you agree to comply with this policy.
2. The library is not responsible or liable for the content of postings by third parties on any library-sponsored social media site, and postings do not reflect the opinions or positions of library, its employees, or its Board of Trustees.

3. Users should have no expectation of privacy in postings on library-sponsored social media sites. By using these sites, you consent to the library's right to access, monitor, and read any postings on the sites. The library's social media sites may be considered public records. If requested by proper legal authority, the library must disclose public records to third party requestors unless certain exemptions apply.
4. By posting on the library's social media sites, you give the library permission to use your name, profile picture, and the content of any posting you make without compensation to you or liability on the part of the library.
5. The purpose of the library's social media sites is to inform library users about educational opportunities, library programs, events (including those co-sponsored with other organizations) and materials, and to encourage dialogue and the exchange of information and knowledge between users and library staff about these programs, events and materials. Accordingly, any postings inconsistent with this stated purpose, as determined by the library in its sole discretion, may be removed in accordance with the process set forth in this policy. Examples of postings not permitted include, but are not limited to:
 - a. Advertisements
 - b. Spam
 - c. Postings which contain obscene matter
 - d. Disparaging, harassing, abusive, profane or offensive postings
 - e. Postings that are hateful, threatening, pornographic, that contain graphic or gratuitous violence
 - f. Potentially libelous or defamatory postings
 - g. Postings which contain privileged, proprietary, or confidential information about any person, business, or entity, including, without limitation, patrons, vendors, the library or library partners
 - h. Postings which violate or potentially violate local, state, or federal laws, including, without limitation, intellectual property and copyright laws
 - i. Posting which discriminate on the basis of race, color, religion, national origin, sex, handicap, age, sexual orientation, creed, or ancestry
 - j. Postings which are sexually harassing, including, without limitation, epithets, slurs, negative stereotyping, sexual rumors that show hostility toward individuals based on gender, derogatory comments about individuals' body or appearance, unwelcome sexual compliments, innuendos, suggestions or jokes
 - k. Postings that promote alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity; support or oppose any labor organization or any action by, on behalf of, or against any labor organization; support or oppose the

nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue.

6. Postings which the library in its sole discretion deems unpermitted under this policy may be removed in whole or in part by the library or its agents immediately upon discovery by the library (or its agent) without prior notice. The library reserves the right to terminate accounts, ban, or block users who have posted in violation of this policy on more than one occasion. Users may report violations of the library's social media site's policies to the library by contacting the library's Reference Desk at reference@menashalibrary.org or 920.967.3690.

F. LIBRARY PATRON CODE OF CONDUCT

1. Everyone has the right to use the Elisha D. Smith Public Library without being disturbed.
 - a. Disruptive, unsafe, inappropriate, illegal or damaging behavior is not allowed.
 - b. Appropriate dress, including shirts and footwear, is required. Clothing with graphic images that are obscene, offensive, or harmful to minors is prohibited.
 - c. Talking is allowed; however, people making excessively loud noises will be asked to be quieter and will be required to leave if they continue.
 - d. Sleeping is discouraged. Library staff will wake sleeping patrons at their discretion based on any concerns related to health or safety, excessive noise, or for any other reason deemed necessary for library operations.
 - e. The public is not permitted in employee work areas, except by invitation of a staff member.
 - f. Animals are not allowed in the library, except for service animals accompanying people with disabilities or as part of a library program.
 - g. Doors and aisles must remain unblocked.
 - h. Covered drinks, as well as food or drinks provided as part of an event or program, are allowed. All other food and drinks are not allowed in the library.
 - i. Trash should be disposed of properly.
 - j. The use of alcohol, tobacco, e-cigarettes and nicotine products inside the library or on library grounds is prohibited.
 - k. Panhandling, soliciting, and selling inside the library or on library grounds without library administration permission is prohibited.
2. Petitioning is allowed as long as it does not impede patrons' access to library facilities and resources and abides by this code of conduct. Prior reasonable notification to library administration is required. Nothing shall be taped, hung, or tacked to any walls, windows,

doors, or furniture without permission. Materials with graphic images that are obscene, offensive, or harmful to minors are prohibited.

3. Pandemic Emergency Rules:

- a. Patrons with any symptoms of illness are encouraged to remain out of the library.
- b. Patrons shall not bring into the library anything from home other than library materials they need to return. All materials should be returned to the outside bookdrop.
- c. Patrons must use hand sanitizer or wash their hands upon entering. Hand sanitizer will be provided by the library; they may wash their hands in a bathroom or at the hand washing station at the east end of the library concourse.
- d. Patrons may pay for library fees on the library catalog only, either at home or at the library with their credit card. www.menashalibrary.org/catalog
- e. Meeting rooms shall not be occupied.
- f. Unless they share a household, patrons shall maintain a distance of at least six feet from other patrons while inside the library.
- g. Patrons are required to wear face coverings while at the library such as a mask or something that covers both the mouth and nose.

4. Serious or repeated infractions may result in temporary or permanent revocation of any or all library privileges and/or legal action.

- a. Library staff may request proof of identification including library card or other ID at any time.
- b. Library staff may inspect bags, briefcases, backpacks or other personal items at any time.
- c. Weapons of any kind, including concealed or openly visible firearms, are prohibited unless carried by authorized law enforcement personnel. If staff become aware, whether by report or observation, that someone in the building may be carrying a weapon, they are directed to contact the Menasha Police Department by dialing 911, and the responding officer(s) will determine the appropriate response. Any person found to be carrying a weapon in violation of this policy will be suspended from the library for a period to be determined by the library director.
- d. Theft, failure to return, or willful damage of books or any other library property are crimes punishable by law. Materials must be checked out before stepping through the security gates.
- e. Personal items may not be left unattended. Library staff will contact the police about suspicious or abandoned property.

- f. Using another person's library card without permission is illegal and may be prosecuted.
 - g. The Menasha Police Department will be called to manage anyone intoxicated with drugs or alcohol, anyone exhibiting threatening or combative behavior, anyone in possession of weapons, or for any illegal behavior.
- 5. Parents or caregivers are responsible for their children's safety and behavior at all times.
 - a. Children age six and younger must be accompanied and supervised by a parent or adult caregiver while using the library.
 - b. The materials, services, equipment, and restrooms in the Library Children's Room are intended for the use of children ages birth through 12, their parents and caregivers, their teachers, and others needing children's materials or services for some specific purpose. All other patrons are asked to use the adult areas of the library.
 - c. Library staff may contact the parent or guardian of children misbehaving at the library.

Approved by the Elisha D. Smith Public Library Board of Trustees, March 24, 2020