

## **Circulation Policy**

To checkout materials from the Hawarden Public Library, the patron must have a current Hawarden Public Library card in good standing.

Borrowers agree to accept full financial responsibility for materials for the duration of the checkout period, including failure to return the materials, and any damage incurred through abuse or misuse. By checking out an item, patrons agree that if the item is lost or stolen while checked out to them, the patron is responsible for the cost of its replacement.

Library cards may only be used by the person to which they are issued. Failure to comply may result in loss of borrowing privileges.

## **Getting a Library Card**

Library cards are issued immediately if you have a photo identification with proof of current residential address at the time of application. If the photo identification bears a current physical address, that is sufficient to get a card. A post office box is not a sufficient address. Mail may be used as proof of address if it has been postmarked within 30 days of the current date for those not having ID with current address..

Persons eligible for library cards must be a resident of Hawarden, Ireton, or rural Sioux County. Limited access cards without access to Bridges (Overdrive) and Gale databases may be issued to those residing outside of our normal service area.

Children who fit the residence requirements and are at least 5 years old and able to write their full name are eligible for a library card according to the discretion of their parents or legal guardian. Parental signature is required for persons under age 12. Responsibility for a child's selection and return of materials, and any fines or charges accrued on the child's card, is held by the parent or guardian of the child.

Older children not accompanied by a parent need to provide full name, address, phone number, and date of birth or have photo identification (like that issued at school or driver's permit/license) and address verification (mail recently sent to the child is acceptable.) Another way to verify the child's address is for us to send the library card to the child's address. If proof of address is not present at the time of application, checkout may be limited to two items until the child receives their physical library card in the mail.

If a person forgets his or her library card, it is possible to borrow materials once with photo identification. Borrowers must present their library card the next time they borrow materials, or purchase a replacement card for a fee of \$2.00.

## **Borrowing Limits, Loan Periods, and Fines**

Hawarden Public Library places limits on certain material types to ensure patrons get the maximum benefit of our collection. The limits below extend to most library users. All physical items are also assigned a length of time that they may be checked out for, to ensure that as many patrons as possible may enjoy our collection. Renewals are granted only on items that are not reserved for another patron and are limited according to the following

guidelines. Overdue fines will be assessed to patrons for certain items that are returned after closing on the due date. The Library imposes fines only on days when the Library is open. Library patrons with \$5.00 or more in unpaid fines and fees shall have borrowing privileges suspended until fines equal less than \$5.00. Certain card types, such as Student Access Cards, and Teacher cards, as described in this policy and our Student Access Card policy may deviate from the below table in the privileges assigned to those specific card types. Overdue items may prevent access to computer usage and further checkouts until they are returned, it is advised that library users keep their account current with prompt payment of fines and returning books in a timely manner.

Material Type	Checkout Limit	Loan Period	Renewals Available	Fine	Maximum Fine per item	Billed for Item
Magazines	15 per card	3 weeks	2	.10 per item/per day	\$2.50	60 Days overdue
DVD's (including Adult, Juvenile & Christmas)	5 Per Card, excluding Student Access Cards	1 week	1	.50 per item/per day	\$5.00	60 Days overdue
Adult Books	No limit	3 Weeks	2	.10 per item/per day	\$2.50	60 Days overdue
Juvenile Books	No limit	3 weeks	2	No fine	No fine	60 Days overdue
Juvenile Audiobooks	No limit	3 weeks	2	No fine	No fine	60 days overdue
Juvenile Magazines	15 per card	3 weeks	2	No fine	No fine	60 days overdue
Young Adult Books	No limit	3 weeks	2	No fine	No fine	60 days overdue
Adult Playaway Audiobooks	3 per card	3 weeks	2	.10 per item/per day	\$2.50	60 Days overdue
Juvenile Playaway Audiobooks	3 per card	3 weeks	2	No fine	No fine	60 Days overdue
Juvenile Launchpad Tablets	1 per card, adult only	In library use only	n/a	n/a	n/a	n/a

## **Educational Loans**

Items borrowed for use in an educational setting; a classroom, daycare or home-schooling situation, may be checked out for an extended period to meet the needs of a given project. A teacher or other education professional may request an extension at the time of checkout. Extensions are at the discretion of the Library Director, and may not be granted on high-demand materials. The individual borrowing the items is responsible for their return to the Library and any late fees that accrue.

## **Reserves**

Patrons may place reserves or holds on items at the library, over the phone, or through our online catalog. Reserves can only be placed on items which are currently checked out or otherwise unavailable. Once an item becomes ready for a patron, the library will notify them by phone call, text, or email that the item is available for them to pick up. Patrons have 7 days to pick the item up or it will be moved on to the next patron waiting or returned to the shelf.

## **Overdue Notification**

Hawarden Public Library will provide the following notifications to patrons about upcoming and overdue items. All communications will only include number of items, and their type, without titles. Patrons may access their account, or call the library for exact titles:

1 day prior to being due: Text/Email notification, if the library has the information on file.

1 day overdue: Email notification, if the library has the information on file.

2 weeks overdue: Letter from Library stating number and type of items and date due.

4 weeks overdue: Letter from Library Director stating number and type of items and date due, and a deadline to respond before items are declared lost and replacement fees charged to patron account.

60 Days overdue: Items are declared lost, replacement costs are charged to account.

We encourage patrons to sign up for text or email notification about items being due so that they may receive ample warning before fines are assessed. In the event that emails are returned for delivery failure, we will attempt to contact the patron with other contact information provided.

## Lost Materials

Items will be declared lost 60 days after the due date for the item. At that time replacement costs will be assessed on the patron record and borrowing privileges will be suspended until items are paid for or returned. Replacement fees are non-refundable; once items are paid for they cannot be returned for a refund.

## Damaged Materials

In order for as many people as possible to enjoy our collection, we will impose fees to replace unusable materials if they are damaged while checked out on your card. We understand that repeated, normal use could make an item unusable, and will do our best to determine whether damage is the result of normal use or avoidable damage. Replacement cost will be assessed in the following manner:

Books	Retail price
Periodicals	\$5.00
DVD's	Price Paid
Audiobooks	\$10 per disc or retail price, whichever is less

## Confidentiality of Library Records

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 Hawarden Public Library respects the privacy of users and recognizes its responsibility to protect their privacy.

1. The library will not reveal the identities of individual users nor reveal the information sources or services they consult unless required by law. Confidentiality extends to information sought or received and materials consulted, borrowed or acquired. Confidentiality includes database search records, reference interviews, interlibrary loan records, computer use records, and all other personally identifiable uses of library materials, facilities or services.
2. The library will hold confidential the names of card holders and their registration information and not provide access for private, public or commercial use.
3. The lawful custodian of the records is the Director of the Library.
4. The library will not release registration, circulation or other records protected under the Iowa Code unless it is required by law to release the information. Circumstances which may require the library to release the information include the following:
  - A. A criminal or juvenile justice agency is seeking the information in pursuant to an investigation of a particular person or organization suspected of committing a known crime AND the criminal or juvenile justice agency presents the library Director with a court order demonstrating that there has been a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

- B. The library receives a Warrant for the information issued under the USA Patriot Act (which includes amendments to the Foreign Intelligence Surveillance Act and the Electronic Communications Privacy Act).
- C. The library receives a National Security Letter seeking the information pursuant to the USA Patriot Act.
- D. The library receives a valid court order requiring the library to release registration, circulation or other records protected under the Iowa Code and the information is not sought in conjunction with a criminal or juvenile justice investigation.

### **Procedures for enforcing the policy on confidentiality of library records**

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

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

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

2. The library Director shall meet with the requestor the information. If the requestor is a law enforcement officer the officer must have a court order, a warrant issued under the USA Patriot Act, or a National Security Letter (NSL) issued under the USA Patriot Act to receive the requested records. If the officer does not have a proper court order, warrant, or NSL compelling the production of records, the library Director shall refuse to provide the information. The library Director may explain the confidentiality policy and the state's confidentiality law, and inform the agent or officer that users' records are not available except when a proper court order in good form has been presented to the library.
3. If the records requested cover registration, circulation or other records protected under the Iowa Code, and the Director is uncertain about whether the order, or subpoena presented to the library Director is sufficient to require release of the records, the library Director may immediately consult with legal counsel to determine if such process, order, or subpoena is sufficient to require release of the records.
4. If any written request, process, order, or subpoena is not in proper form or does not otherwise appear to be sufficient to support releasing the records, the library Director shall insist that such defects be cured before any records are released.

5. If the library Director or the Director in consultation with library's attorney determine that the order, warrant, or NSL, is sufficient and compels the release of the records, the library Director shall release the records.
6. If the request is made pursuant to the USA Patriot Act, the library Director is authorized to obtain legal counsel regarding the request. As required by the USA Patriot Act, the library Director may not discuss the request with anyone other than legal counsel.
7. If the requestor is not a law enforcement officer and has not presented any type of court or administrative order requiring release of the requested information, the library Director shall refuse to provide the requested records. The library Director may explain the confidentiality policy and the state's confidentiality law.
8. The library Director is authorized to take legal action (such as moving to quash a subpoena) to resist releasing requested registration, circulation or other records protected under the Iowa Code if the library Director and the library's legal counsel deems such action to be appropriate.
9. Any threats or unauthorized demands (i.e. those not supported by a written request, process, order, or subpoena) concerning circulation and other records identifying the names of library users shall be reported to the Director.
10. Any problems relating to the privacy of circulation and other records identifying the names of library users which are not provided for above shall be referred to the Director.

The confidentiality policy of the Hawarden 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)

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